

Round Table Meeting Summaries

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Final Report

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Office of Indian Energy Policy and Programs**

Submitted by:



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Table of Contents

1. EXECUTIVE SUMMARY	3
2. PROJECT BACKGROUND	4
3. MEETING SUMMARIES	5
4. RECURRING THEMES.....	12
5. APPENDICES	16
5.1 Round Table Meeting Notes	16
5.2 Round Table Meeting Attendance Sheets	94
5.3 Tribal Leader Comments Database	118

1. EXECUTIVE SUMMARY

A unique government-to-government trust relationship and responsibility exists between the Federal government and Tribal governments that is based on federal Indian law, policy, and jurisprudence. Certain elements of this fiduciary relationship include Tribal resources and lands. Tribal lands include various types of land tenure nationwide, and are inhabited by American Indians, Alaska Natives, and their non-Indian resident neighbors. Whether such lands are Indian Reservations or allotments, federal enclaves, service or statistical areas, Tribal lands are among the most remote regions of the United States. In terms of basic utilities and infrastructure, the Indian and non-Indian residents of Tribal lands are among the most underserved consumers in the nation.

During the past decade, the Federal government has made important strides to increase the development of critical infrastructure on Tribal lands and the delivery of services, such as telecommunications, transportation, and energy. The Energy Policy Act in 2005 created a new paradigm for Tribal energy, encouraging Tribal development and ownership while spurring greater deployment of energy services. This Act also established the Office of Indian Energy Policy and Programs (OIEPP), although no funding was appropriated for the office at that time. In January 2011, the Secretary of the Department of Energy announced that OIEPP was being staffed and that Tracey Lebeau would direct the office.

In January 2011, the Secretary of the Department of Energy (DOE) announced his intention to conduct a National Tribal Energy Summit in May 2011. At the same time, he announced that the new Office of Indian Energy Policy and Programs (OIEPP) would work with the Office of Congressional and Intergovernmental Affairs to coordinate the Summit.

OIEPP conducted a series of Round Table Meetings leading up to the Summit. The purpose of the meetings was for leadership from OIEPP to meet with Tribal Leaders – in Indian Country – to determine priorities of the Tribes related to energy issues, provide guidance to OIEPP leaders as they begin to develop Policy and Programs for Indian Energy, and conduct initial preparations for the Summit.

Overall, the meetings were well attended. The discussions were informative, and a significant number of Tribal Leaders or their appointed representatives provided quality information to OIEPP concerning Tribal priorities and hopes for future policies, programs, and areas of assistance from DOE and OIEPP. Select key themes from the meetings included:

- **Tribes have difficulty obtaining energy grants**
- **A central resource for navigating government programs is necessary**
- **Tribes request assistance with education programs about energy issues**
- **Tribes ask that DOE simplify its program requirements and reduce fees**
- **DOE could provide a unique service by gathering “best practices” and business models for use by the Tribes**
- **Tribes place high priority on Government personnel respecting Tribal sovereignty**
- **Tribes need funding to build human capital, develop projects, and buy equipment**
- **Tribes need a “level playing field” for energy production and renewable sources of energy**
- **Tribes lack a coordinating mechanism to help them work together for energy development**
- **Alaska is unique and requires a different approach**

2. PROJECT BACKGROUND

OIEPP awarded a contract to CNI Professional Services (CNIPS) to assist the OIEPP with the logistics of a series of Round Table Meetings leading up to the Summit. The contract directed CNIPS to locate and obtain meeting facilities and amenities for nine meetings at different locations across the country between March 16, 2011 and April 14, 2011. The contract required CNIPS to provide notes from the Round Table meetings, submit a final report at the conclusion of the meetings, and prepare a database of comments gleaned in a form that would allow OIEPP to analyze the source and frequency of comments relative to particular regions of the country. This information served as the historical record of the discussions.

CNIPS was given a series of dates and cities. CNIPS identified the appropriate meeting facilities to allow Tribal Leaders to discuss their energy needs with OIEPP leadership in comfortable and respectful surroundings. The following is the list of dates and cities:¹

Las Vegas, Nevada	March 16, 2011	in conjunction with RES 2011
Reno, Nevada	March 16, 2011	
Pala, California	March 23, 2011	in conjunction with NAFOA
Washington, D.C.	March 30, 2011	
Phoenix, Arizona	April 5, 2011	in conjunction with NIGA
Albuquerque, New Mexico	April 6, 2011	
Quinault, Washington	April 12, 2011	in conjunction with ATNI
Tulsa, Oklahoma	April 14, 2011	
Anchorage, Alaska	April 14, 2011	

For locations where meetings were held in conjunction with an existing event, CNIPS worked with the organization sponsoring the meeting and/or the local hotel to secure meeting rooms and necessary amenities. For the meetings which were not a part of a previously scheduled event, CNIPS contacted hotels and meeting facilities to determine the most appropriate location. Upon approval from OIEPP, CNIPS handled all logistical needs to support the meetings and made all arrangements for meeting facilities.

This report is a compendium of the information obtained from these meetings. It is submitted to OIEPP in fulfillment of contract requirements.

¹ The meeting with ATNI was cancelled due to its timing during budget talks in the U.S. Congress that threatened to shut down the government. The budget crisis was averted at the last minute, but the meeting had already been cancelled by the organizers since many of the speakers and presenters were government employees who could not travel if the government was closed for non-essential activities.

3. MEETING SUMMARIES

The U.S. Department of Energy Office of Indian Energy Policy and Programs (DOE OIEPP) conducted a series of Round Table Meetings to solicit input regarding Tribal Energy Priorities, Feedback on DOE Policies, Overall Government Coordination Issues, and Future DOE Policies. A summary of comments and information provided by the Tribal Leaders for each of the Round Table Meetings is included.

Round Table Meeting Summary Las Vegas, Nevada March 16, 2011

Attendance totaled 118 people for this session, including Tribal Leaders and representatives, DOE officials, DOI officials, White House officials, and industry representatives.

Highlights from the meeting included:

- Alaska has different priorities than the Lower 48 states. Tribes are mineral and resource rich but need infrastructure to transport energy to Alaska Natives first and then to the rest of Alaska and the Lower 48 states.
- Tribes have difficulty obtaining energy grants. They need help throughout the duration of the project, from the feasibility stage to project closeout. It would be helpful if the entire energy program was funded similar to road plans. Tribes are not always aware of grant opportunities.
- Tribes need a primary point of contact to help them understand and differentiate the many projects that are presented to them. Tribes need avenue point of contact within DOE to discuss technical, financial, and environmental issues; not to guarantee that they are correct, but to ensure that the project is coherent and feasible.
- There are too many overlapping rules and regulations that often appear to conflict with each other.
- Tribes cannot combine funds for energy programs from different federal agencies. All agencies with energy program funds should be able to work together.
- DOE should facilitate Tribe-to-Tribe exchanges to allow Tribes to share their experiences with other Tribes who may be new to energy development. Tribes have expressed a desire to share their experiences with other Tribes, which could promote coordination and expedite development projects.
- Energy development is already occurring in Indian Country. Tribal Leaders and members need to be brought up to speed as fast as possible on technical developments.

- Tribes need funding sources to allow them to develop “human capital” capacity. When DOE develops policies, they need to realize that Tribes look at providing for their members first. Economic profit is secondary to providing services for Tribal members.

Round Table Meeting Summary

Reno, Nevada
March 16, 2011

Attendees included 16 Tribal leaders from 6 separate Tribes, 1 Inter-Tribal Organization (Inter-Tribal Council of Nevada), and 1 US Senate representative from Harry Reid’s office. There were an additional 4 DOE employees or contractors.

The meeting was divided into two parts with equal time allotted to each part. The first half offered Tribal leaders the opportunity to express their thoughts, needs, and desires. The second half addressed the four areas of interest that DOE included in the Tribal leader Letter.

In the first half of the meeting, the following major themes were discussed:

- Tribes need technical assistance to understand and evaluate agreements with energy companies wanting to do business with the Tribes.
- Tribes need to pay attention to energy issues and be a part of the solutions by making comments to proposed rule making and legislation and by providing feedback to OIEPP and other energy groups. Some Tribes need help knowing how to make effective comments.
- Tribes should encourage true government-to-government consultations and develop relationships with agency leadership and regional and local workers in order to be an effective part of the solutions to Tribal energy issues.
- Funding is needed for legal assistance to analyze energy contracts, develop agreements, and review statements of work. This is a very specialized field and not all attorneys are equally knowledgeable about the key issues.
- Tribes want to control energy projects and own facilities, not just lease land to developers and transfer profits and jobs to the developers.

During the second half of the meeting, the discussion turned to the four general areas of interest for OIEPP:

- Tribes need more knowledge and training in technical areas in order to make the best possible decisions. This includes more distance learning opportunities so that Tribes don’t have to travel to attend. Options discussed included webinars, conference calls, and specialized instruction on issues specific to the Tribes.
- Keep the Tribes informed of upcoming events and training. Personal calls are very effective and much appreciated.

- Update the DOE website to make finding Tribal Energy information easier. A glossary of energy terms and acronyms would be helpful to Tribes learning about energy issues.
- DOE needs to simplify procedures and reduce the number of personnel who interface with Tribes. For example, grant applications may go through 3 separate DOE employees who each want something different before the application is approved.
- More financial and technical assistance is needed with development and getting “iron in the ground,” not just feasibility studies.
- Tribes need help in coordinating with government agencies and programs. FERC allegedly listens and then ignores Tribal interests.
- Tribes need education on funding opportunities, grant writing, and coordinating government programs. Providing DOE 101 in more locations would be helpful, as well as instruction beyond DOE 101 topics.
- Many Tribes are becoming involved in consortiums and require assistance with the specifics of consortium funding.
- Tribes need help promoting sustainable communities and community-scale projects.
- Tribes need a mechanism to identify which contractors and developers are most reliable and cost effective.
- Government needs to work more on government-to-government definition and consultations.
- Tribes need a mechanism to be able to take advantage of renewable energy tax incentives.
- DOE could help Tribes by gathering best practices, business models, and effective formats and making them available to the Tribes.

Round Table Meeting Summary
Pala, California
March 23, 2011

Attendees included 16 Tribal leaders from five separate Tribes, one Inter-Tribal Organization (Affiliated Tribes of Northwest Indians), and one representative from Merrill Lynch. There were an additional five DOE employees or contractors.

The meeting was divided into two parts with equal time allotted to each part. The first half offered Tribal leaders the opportunity to express their thoughts, needs, and desires. The second half addressed the four areas of interest that DOE included in the Tribal leader Letter.

In the first half of the meeting, the following major themes were discussed:

- Tribes have 10-15% of the resources needed to meet the goal of increasing renewable energy in the country.
- Tribes want to be the equity partner in energy development projects.
- Tribes want to be on a “level playing field” for energy development projects. Incentives are required to enable Tribes to develop their own energy projects to promote job creation, economic development, and Tribal sovereignty.
- The Government needs to understand and respect Tribal sovereignty. Tribes can establish their own laws and codes for energy if the states do not take the lead.

During the second half of the meeting, the discussion turned to the four general areas of interest for OIEPP:

- OIEPP should act as an advisor to the Secretary of Energy, and encourage him to work with other Cabinet-level leaders to address energy issues. Government needs to break down the “silos” between agencies and offices.
- A quantitative study is necessary to prove that helping Tribes develop their economies helps non-Tribal economies as well. This will provide incentive for the Government to assist Tribes.
- Tribal priorities include:
 - Solar energy
 - Incentives for Tribes to produce energy
 - Tribal sovereignty
 - Protection for Tribes from unintended consequences of Congressional actions
 - Section 106 energy projects coordination

Regarding future DOE Policies:

- Should include solar energy
- Should assist Tribes in using existing authorities and funds
- Should encourage Public/Private or Public/Public partnerships
- Should encourage Tribal development of energy with incentives that level the playing field with private developers (incentives) to benefit Tribal economies
- Should assist Tribes in developing their own energy policies with incentives
- Should support Tribal sovereignty

Round Table Meeting Summary
Washington, DC
March 30, 2011

Attendees included nine Tribal leaders from six separate Tribes, five representatives from federal government agencies (DOE and DOI), and four representatives from the offices of members of the U.S. Congress. There were an additional eight representatives from industry.

The meeting addressed the four areas of interest that DOE included in the Tribal leader Letter.

The following major themes were discussed:

- Tribes need a mechanism to work together on energy projects. Some Tribes have land, some have funding.
- Tribal priorities include creating economic development and energy independence.
- Governmental agencies are perceived as large and complex. Tribes need a resource to navigate through the maze of regulations and opportunities.
- Energy efficiency is important to the Tribes. One way to achieve this is to make programs sustainable by reducing energy costs for buildings. Authorities need to establish building codes geared toward efficient building practices. Tribes need to proactively work to establish proper building codes, even in advance of county governments.
- Government fees and regulations are limiting Tribal participation in energy projects.
- More funding and better coordination of agency programs is important.
- Outreach to the Tribes is welcomed and should continue.
- Better coordination and reduction of duplication in energy programs is needed.
- Tribes should be the first choice of the Government for energy purchases.
- Energy education for workers, Tribal leaders, and community residents is important. Internships and mentorships could be used effectively to advance energy education. Community colleges could also play a useful role.
- City utility companies could be a good model for Tribal utilities related to funding and operations.
- Tribes need to share their priorities with Congress more effectively.

Round Table Meeting Summary

Phoenix, Arizona
April 5, 2011

Attendees included 20 Tribal leaders from 10 separate Tribes, two Inter-Tribal Organizations (All Indian Pueblo Council, and Inter Tribal Council of Arizona), one representative from BIA, two representatives from the Arizona Legislature and state government, four representatives from industry, four representatives from educational Institutions, and four representatives from DOE and its contractors for logistics and facilitation support.

The meeting focused on the four areas of interest that DOE included in the Tribal leader Letter -- Tribal Energy Priorities, Feedback on Current DOE Policies, Governmental Coordination, and Future Policies.

The following themes were discussed during this meeting:

- Funding for energy projects is needed, funding for off-reservation projects is requested as well.
- Coordination between Tribes and with Tribes and government is needed. Tribes want to be able to work together for energy development.
- Tribes need a level playing field for energy projects. Incentives like the tax credit for tax-paying corporations would make energy development more feasible.
- Energy education is needed from grade school through college to prepare Tribal members for jobs in the energy arena.
- Energy efficiency should be part of new construction to save energy costs and relieve demand.

Round Table Meeting Summary

Albuquerque, New Mexico
April 6, 2011

Attendees included four Tribal leaders from four separate Tribes, 18 Tribal representatives from eight different Tribes, ten representatives from industry and six representatives from various government agencies (DOE and DOI). There were an additional four contractor employees assisting with logistics and facilitation.

The meeting reviewed the four areas of concern noted in the Tribal Leader Letter sent by DOE announcing the Round Table Meetings. These areas are Tribal Energy Priorities, Feedback on DOE Policies and Programs, Federal Government Coordination, and Future DOE Policies. The following were the most discussed topics from the meeting.

- Tribes are having problems with the local power cooperatives relating to getting a steady and sufficient supply of electricity and being allowed to send Tribally produced power through the coops power lines. Tribes would like to see Government regulations controlling the coops.
- Tribes are owed large sums of money by some of the coops for unpaid rights-of-way leases. The Tribes need this money, but it doesn't look like the coops will ever be in a position to pay. Can DOE help bail out the coops or help Tribes take possession of power lines for payment?
- Tribes are experiencing inconsistent intent and language in the rules requiring the Government to purchase Tribal power. While the regulations demand purchase of renewable power, specifically from Tribes, the rules also require the Government to purchase power not to exceed the market price of energy. Renewable energy costs more than fossil fuels, so Government procurement personnel continue to purchase fossil fuels and bypass Tribally-generated renewable energy. The language needs to be revised to encourage procurement personnel to follow these guidelines.
- Tribes need education in the areas of technical knowledge and human capital capacity, including specifics on planning and building energy projects, management of energy projects, and capital management.
- Tribes can receive funds for weatherization of homes and buildings but the funding comes from DOE through the states. Tribes would like to receive funding straight from DOE to eliminate the extra layer that sometimes reduces the amount of funding to the Tribes. This would also make the application of the rules more consistent.

Round Table Meeting Summary

Tulsa, Oklahoma

April 14, 2011

Attendees included 22 Tribal leaders from 13 separate Tribes, two representatives from industry, one representative from HUD, and five representatives from DOE and its contractors for logistics and facilitation support.

The meeting focused on the four areas of interest that DOE included in the Tribal leader Letter -- Tribal Energy Priorities, Feedback on Current DOE Policies, Governmental Coordination, and Future Policies.

The following key themes were discussed during this meeting:

- Tribes would like to see continued EECBG funding for energy projects.
- Better coordination is needed between government agencies on energy programs. Programs have different regulations, making it difficult for Tribes to negotiate the maze of often conflicting requirements.
- Tribes would also like support from DOE to help them work together for energy projects.

- Energy grants are difficult to obtain due to time restraints. Tribes must apply within 30 days of announcement of the grant, but it takes longer for the Tribes to educate leaders, consider their options, and obtain internal approvals.
- Federal government agencies need to share information more effectively. Tribes spend a lot of time in consultations, but the information often is inaccessible to other agencies.
- Tribes need tax incentives for energy projects similar to tax credits for taxable corporations. This will support the Tribal energy development process.
- Tribes have difficulty getting their power onto the grid because of transmission issues. The companies that own the transmission lines do not want competition or more developers, so they make obtaining agreements difficult and expensive. Building transmission infrastructure is prohibitively expensive for Tribes who want to send power to the grid.

Round Table Meeting Summary

Anchorage, Alaska

April 14, 2011

Attendees included 15 Tribal leaders from 13 separate Tribes and Alaska Native Corporations, one Inter-Tribal Organization (Alaska Inter Tribal Council), three representative from Alaska health care organizations, one representative from BIA, one representative from EPA, two representatives from the Alaska Energy Authority, three representatives from DOE, and five representatives from contractors for logistics and facilitation support.

The meeting focused on the four areas of interest that DOE included in the Tribal leader Letter -- Tribal Energy Priorities, Feedback on Current DOE Policies, Governmental Coordination, and Future Policies.

The following themes were discussed during this meeting:

- Alaska Tribes are different than the Tribes in the Lower 48 states. Land tenure, distance, and isolation from other Tribes and infrastructure are magnified in Alaska.
- Energy is very expensive in Alaska. Fuel has to be shipped to villages, adding additional costs. Energy costs affect everything; some people even have to choose between being warm or eating.
- Tribes in Alaska face challenges with communication. Many areas don't have access to the Internet, and some don't have reliable telephone service. Mail service is slow due to extended distances and inclement weather.

- Many village administrations have very small staffs and every person wears many hats. The Tribes need help with technical assistance in grant writing. Simplified processes would help under-resourced Tribal entities access grant funds easier.
- Tribes need more infrastructure, but want to be selective. Roads that can help with rights-of-way, transmission corridors, and water and sewer service also bring in outsiders who deplete the subsistence resources on which the Tribes rely. Government funds for road projects make the roads public roads.
- DOE should base decisions on science and be consistent with other agencies. Applications that include scientific support, acceptable to other agencies, should be approved by DOE.

4. RECURRING THEMES

During the Round Table Meetings, the following themes were expressed several times by the Tribal Leaders who attended the sessions. These themes could indicate areas to be considered as priorities for OIEPP when considering future plans for policies and programs to help Indian Country in the energy arena.

Tribes have difficulty obtaining energy grants – Many Tribes expressed concern that the application process is very confusing and doesn't allow Tribes, especially small Tribes and those with limited human resources, to be able to have access to grant funds for energy programs. In addition, many programs have 50% matching requirements or restrictions for those who receive other funds from the government or have government partners. Some grants even have requirements of land ownership which prohibits some Tribes from being eligible for grant funding. The grant process needs to be simplified and Tribes need help in obtaining grant funding for projects.

A central resource for navigating government programs is necessary – OIEPP could be a tremendous resource for Tribes in navigating the complex, overlapping, and confusing world of government regulations and opportunities in energy programs. A primary point of contact would also be helpful for technical issues, financial issues, and environmental issues that arise as a result of energy programs. Currently, many individuals within DOE interface with Tribes, and these people often move around or take on new roles, so new people are thrown into interface positions, adding more people to the mix and confusion. For example, some Tribe's grant applications have gone through three separate individuals before being approved, and each of these individuals wants different information and formats before they will approve the application.

Tribes request assistance with education programs about energy issues – Many Tribes have very little technical knowledge about energy issues, projects and emerging technologies. They are requesting more training to allow them to more effectively and prudently engage the energy development and utility companies and take advantage of private investment opportunities that are in the best interest of the Tribes. In addition, Tribal Leaders expressed an interest in education for Tribal members to allow them to work in energy positions, either working for the Tribe or for an energy company that would assist the Tribe in using these energy projects to support Tribal members, economic growth, and self-sufficiency. The opportunity exists for DOE to engage with Indian Country in an effort to make meaningful energy-related training opportunities more available for Tribes that would build the capacity of the Tribes to develop their energy resources, engage with industry regarding private investment opportunities and further electrification issues on Tribal lands, to the benefit of the Tribes.

Tribes ask that DOE simplify its program requirements and reduce fees – Tribal Leaders expressed frustration with the process of applying or competing for financial assistance awards under DOE programs. They indicated that DOE programs seemed to have more complicated processes than other Federal agencies, such as the Department of Interior. Tribal Leaders request that a more streamlined process be developed to allow Tribes to avail themselves of DOE financial assistance opportunities. The opportunity also exists to implement a focused education effort for Tribes on DOE financial assistance application procedures.

DOE could provide a unique service by gathering "best practices" and business models for use by the Tribes – A repository of experiences gathered by the Tribes that can be shared with other Tribes as they enter the energy arena would be a great help to the Tribes. In addition, models for various projects,

such as solar or wind, that include size of project and Tribe would be helpful so that each Tribes will not have to reinvent every step of the process and can see what is profitable and where the decision points and break points are would allow the Tribes easier access into the energy development process. Finally, formats for responses to government requests for information or other requests and requirements based on forms would allow Tribes without significant staffs to more efficiently reply and make their voices heard in the energy realm.

Tribes place high priority on Government personnel respecting Tribal sovereignty – The Tribes are governments just like the United States government. They are responsible for providing care and support for their constituents, managing their resources, creating laws and regulations in support of their culture and ways of life. The government, at all levels, needs to understand that the Tribes are not just another group, but are separate governments capable of enacting laws and generating taxes and should be treated as sovereign entities.

Tribes need funding to build human capital, develop projects, and buy equipment – Some Tribes have gaming enterprises and can use these as a means to fund important projects. However, not all Tribes are gaming Tribes and many Tribes have very little economic development activity to fund projects like energy activities. Many Tribes struggle just to provide their people with the basic necessities of life. As sovereign nations, it is the Tribes right and responsibility to protect their people, natural resources, lands and ways of life for future generations. Capital funding is needed by many Tribes to be able to participate in energy projects that could provide for the economic development which would allow self-sufficiency for the Tribes and assist the Department in meeting its goals of providing adequate energy to all citizens of the United States, providing methods to recover after a power outage, and stabilize the electric grid. The funding should include components for each step of the process including training Tribal Leaders in energy, Tribal members who will be needed to work on the projects, financing issues, legal issues, planning, construction, and operations of the projects.

Tribes need a “level playing field” for energy production and renewable sources of energy - DOE and Treasury need to work together to establish a mechanism that will encourage Tribes to build renewable energy projects. Non-Tribal corporations have the advantage of tax credits to make projects more cost effective. Since Tribes are not taxed, the tax credits are not an advantage to the Tribes so they cannot afford to build projects in competition with taxable entities. Therefore, the only way Tribes can play in the energy game is to lease their lands to non-Tribal entities who can take advantage of the tax credits. Tribes control 10%-20% of the renewable energy resources in the country, but these resources will not be put into production because the Tribes want to own the projects and not just lease the land and watch the profits and jobs leave the reservations.

Tribes lack a coordinating mechanism to help them work together for energy development - DOE can help Tribes by providing a mechanism for Tribes with funds to work with Tribes that have land and renewable energy resources to work together in a Public/Public partnership for the mutual benefit of both Tribes. As a clearinghouse of information and Tribes interested in working with other Tribes, the DOE can be a very useful and needed resource for Indian Country.

Alaska is unique and requires a different approach – Alaska has different priorities than the Lower 48 states and different land tenure and obstacles to energy development. Alaska Tribes are mineral and resource rich, but need infrastructure to get energy first to Alaska Natives and then to the rest of Alaska and the Lower 48.

5. APPENDICES

5.1 Round Table Meeting Notes

Round Table Meeting Notes
Las Vegas, Nevada
March 16, 2011
RES Conference

Introductions and members' interest in the meeting

- Walker River Tribe: Geothermal development
- Seneca Nation: Doing long-term energy plan
- Pekwa First Nations: Listening in only
- Mississippi Band of Choctaw Indians: Listen in to find out about energy
- Blackfeet Tribe: Develop alternate energy use and energy conservation methods
- Narragansett of Rhode Island: Gathering information. Looking for economic development opportunities
- Ft. Belmont (MT): More wind, natural gas; own 95% of reservation; interested in deregulating bureau
- Santa Clara development: transmission line and alternate energy
- Hannibal (MI): Energy development as economic development
- Shinotopah: 113MW wind farm in the final stages; Interested in permitting, etc.
- Soboba (northern CA): geothermal, solar, wind power
- Firepark Enterprises: Provide alternate energy solutions; looking for funding opportunities
- Ellory Rural Electric: Offer energy management to Tribes
- Navajo Nation: energy advisor
- Potawatomi (WI): developing energy plan; look for more funding opportunities; interested in Tribes being totally powered by green energy
- Siema Energy (Davis, CA): approaching Tribes on energy projects
- Net Development Corp: Interested in finding green projects
- UC Davis Energy Efficiency Center: looking for ways to collaborate with Tribes
- Bipak Enterprises: Indian owned; solar projects; utility scale projects; help finance projects
- Molaps Ojibway: Feasibility study with waste energy; eventually want to own their own Tribal utility
- So. CA Tribal Assoc: San Diego have 19 Tribes; have DOE grant
- Mandan Howson (ND) – in NHA Energy Division: in oil plain; now have Tribally owned oil company; want 100% of product to go back to Tribe.
- Tlingit (AK Native Brotherhood): Alternate, green energy
- Abdolla Tribes (OK): green, alternate energy
- Catawba Indian Nation (SD): large scale solar
- German Company: Produce PV, batteries, EV charging stations
- Oahu: alternate energy
- Balentine: recipient of DOE grand, solar energy project
- Indian Rancheria: green energy; economic development
- Fort Peck: oil and gas development; also alternate energy; build PV panels

- Tlingit/Haida/CA Assoc. of Governors: energy efficiency, conservation and development; scalable commercial projects; waste energy projects; EIS phase of wind project; take information back to CA Tribes on energy projects; parts of reservation doesn't have electricity
- Yurok Tribe (Northern CA): half of reservation doesn't have power or telephone; high cost of power to low income people; looking at renewable resources; need strategic energy plan; have river on reservation that provides energy to others but not the Tribe
- Inuit Eskimo from Barrow (Arctic sub regional corp): responsible development on and off shore; balance needs to heat homes while protecting subsistence resources; promote partnerships with natives.
- Biomass; solid waste to energy; biodiesel, wind generation; low flow water turbine; strategic plan
- Assembly of 1st Nations: want to share experiences
- Choctaw Nation: Executive VP of IPP, wind farm in AZ; offshore/onshore energy projects
- Clipper wind power: involved with Tribes; have 2 MOU's; expedite projects/BIA interest
- Assembly of 1st Nations (Ottawa): Energy and Mining Summit at the end of June
- Migatsa Nation: opportunities in renewable energy development
- US Global Energy: energy developers; wind/biofuels
- Standing Rock Sioux Tribe: wind energy; bakken reserves
- So. Utah University: has technology for net zero energy home
- MN (Otowatah Reservation): LED lights/cutting use on reservation by 3 to 4 MW; Conference to talk about biomass; 2.5 MW cogen biomass plant
- Tribal Org. in AK: SE AK; resource rich but no grid; no way to transmit; have high prices and diesel; efficient transmission would be very helpful! Need assistance to bring resources to people
- Nome, AK – Bering Straits Native Corp: built 15 wind turbines; sell to Nome joint utilities; hope to replicate program in villages but large wind speeds created problems
- Rob Joe: manufacture crystalline solar panels; looking for someone to do this

Dialog/Feedback on DOE Policies/Tribal Priorities

- Art Allison, NED Development Corp: happy to speak to DOE; Boone Pickens says US doesn't have energy policy; if working on one, please talk to Tribes, want to work with DOE to develop policy because US will need Tribal resources; need assistance; concerns about nuclear plants and Tribal proximity to those; looking to develop energy policy (green symposium); when talk about Tribal policy is intertwined with American policy
- VP Office of Shelly Jim Admin/Navajo: Final stages of energy policy; consulting with DOE and DOA; established Navajo energy division; look at positions want to play in; working on energy plan
- Picuris Pueblo (NM): development happening in Indian Country; bringing members and leaders up to speed as fast as technology development is important; looking for funding to develop human capital capacity; community scale projects a priority; then grow into commercial scale projects; changing ROW negotiations; looking at power purchase agreements
- CERT organization is closing down
- 513c being crafted with ATNI
- Fort Peck Tribes: one issue; reservation is 2million acres split as 1) Tribal land, 2) allotted land (individual Indian land), 3) fee land (owned by white people); one edge of bakken play; told that BLM has application fee for drilling on 1) or 2) of \$6500; white neighbor fee could be only \$600. So oil companies by-passing Tribal members land
- AK SE: AK different; energy priorities, in AK majority of state is owned by Federal Government; 2% private ownership; don't have roads where power lines could be run; important that policy makers recognize that permitting constraints for building roads deny easy access; in SE AK need exceptions; Improve-

rished can't live in homes; basic things in lower 48 that are taken for granted, don't have in AK; 5 years ago there were 1000 people, now only 400; Fed Govt choking people out of their homes; private companies won't invest in infrastructures; no incentives for natives first; put us on priority list; can't wait 10 years; need fast track

- Lack expertise; capacity building; need 1 or 2 people at the department; build policy for developing technical capacity assistance on Tribes
- Make decisions on numbers first, not people; when develop dept. policies, realize that Tribes look at people first; don't always know about grant opportunities; when develop policy, Tribes values respected and economic benefits
- Yurok Tribe (largest in CA): looking to expand infrastructure; coordination and interagency cooperation is put into policy; learning exchanges; Tribes not only on receiving end but can offer information
- Navajo: why don't we form Native Energy Commission group; this would help all nations
- Sioux: have reached out to Tribes in our region around wind policy (WETU – wind energy Tribes unites); have draft policy for DOE; have commonality; connectivity has put monkey wrench to develop power; DOE through WAPA interconnection study (Tribe had issue with interconnection so project stopped; capacity line issue); is there a national connectivity for all Tribes so don't get down the road and realize have interconnection issue.
- Fort Peck (MT): Tribes along MO hydro – transmission line upgrades; but dam operating at 60% capacity; looked to wind for new capacity; can Tribes develop resources to jump on lines; lines reside on reservation; coops own lines on reservations; Tribes have difficulty getting on those lines
- Bering Strait region: mineral rich; biggest need is assessment of resources on Seward peninsula
- NV: projects near development end with DOE; marketing project, have utility that governs who can market; hurts Indian country
- AK: specific barriers encountered
 - funding programs require Tribal lands; no Tribal lands in AK so ineligible for funding
 - Caps on IDC's allowable; most Tribes are self governance Tribes; they have to forgo program or absorb costs
 - Hydro not classified as renewable; hydro in AK not large dams, in AK is lake or small river project; needs reclassification for AK hydro as renewable
 - Road issue
 - Capacity issue – 225 AK, capacity to answer FOA with analysis and technical issues; this is a large task; trying to find grant writer
 - With Tribes issue is value creation – find what is highest value for Tribes and then determine partnering structure
 - Environmental issues – interagency cooperation
 - NEPA coordination – federal agencies competing to comment; not acting as trustee and partner; no policy between agencies; type 1 category; wide range of impressions about take on selected species (harm to entire species or harm to individual animal)
- ICREC – Consortium in Indian Country on energy issues

Coordination of multiple Federal Agencies – How best to Coordinate

- Fort Belknap: policies should protect lands, resources, etc; support Katherine (SE AK) and her issues in AK; global warming should be part of discussion
- Arctic sub regional Corp: AK largest locally owned co, despite size and depth completely maxed out to respond to govt and provide response; suggest if there are policies that intersect in Indian Country, that Fed Govt have lead agency to compile info so native orgs only have one location to provide comments; Importance of AK in Tribal council policy; AK very different with different structure; Include native corps;

Agencies as partners rather than look at Tribes as barriers; have too many agencies to get community projects; if agencies wanted projects, would be out on reservation looking for partnerships

- Tribes need information on all agencies involved in various projects
- Canada: hydro project in Canada; request that when formulate US policy consider Canada (1 nations); should move ahead with free-trade agreement between 1st Nation and US Tribes.
- N. CA Tribal planner: difficulty of chasing grants (to get money) through entire energy project phase from feasibility to end of project. Fund entire energy plan (like current road plans); need real technical assistance not cookie cutter plan
- So Utah University: have team together from business/university; have similar grant writing issue; talk about teaming up with university; have depts. (tech and business) for grant writing.
- Tlingit/Haida: resource for Tribes to call to get bearing on projects pitched to them
- Need avenue in DOE to discuss technical, project finance, environmental; not to guarantee that is correct answer but that project is coherent and feasible.
- Taxation is an issue: has to be addressed (state governments)
- Project financing a big issue; Tribes need expertise in assessing project jeopardy
- Need changes in formatting issues with grants (putting everything in .pdf); have to hire someone for \$35K to write a grant for \$25K
- Some Tribes have substantial conventional reserves; have transmission needs for community
- S. CA: has been on both sides of table (grant writer and developer); can't develop renewable energy with grants; too many rules and regulations that conflict; different agencies money can't be combined; get all agencies that have renewable money to work together
- Could be partners with universities; they use lots of energy; Tribes could sell.
- All federal agencies want to do own thing; don't talk to each other; how can that be changed?
- Tlingit: president asked agencies to streamline environmental process; can be done by extending secretarial order 306; apply least restrictive conservation; only applies to DOI and bureaus (ESA); could extend to other agencies
- Transmission – bottleneck at local utility – PPA; EISA 2005 said Tribes opportunity to sell to federal agencies; price for cue is significant
- Geographic recognition that different realities in different parts of the country
- DOE advocate to utilities to put premium on solar energy (increase renewable energy tariff)
- 477 very helpful for Tribes. If could do the same for energy development would be great.

Round Table Meeting Notes Reno, Nevada March 16, 2011

These notes are not a verbatim recording of the discussions, but an attempt to capture the main thoughts expressed.

Pilar Thomas, Deputy Director of the Office of Indian Policy and Programs opening comments: Office of Indian Energy Policy and Programs (OIEPP) has been working for about 10 weeks. The goals are to provide grants, technical assistance, and education in Indian Country. These Round Table meetings are designed to kick start discussions in Indian country, and also to get feedback for the Energy Summit on May 4 and 5. For instance, what are the Tribes expectations? What would you like to get out of the Summit? All DOE leadership should be there, not just Indian leadership. OIEPP wants to begin to look at policy to lead change. The past is full of examples of fits and starts, now we want to see imme-

diate results, and put efforts in place to provide resources when the Tribes are ready. The plan is to develop short-term, mid-range and long-term plans as well.

Reba Fuller, Tuolumne Bank of Mewuk: There have been projects already agreed to on federal land, but on Tribal Sacred Sites. The Tribes need to figure out what they want, whether it is money for cultural centers, jobs, or other benefits, since the agreements are in place, and the government is now working after the fact to check into the legal issues. Tribes need to push for their rights because of their sacred sites. There is no current law to protect sacred sites not on Tribal lands, but within their aboriginal areas.

Tara Hess-McGeown, Washoe Tribe: Need comments from Tribes on IES.

Pilar: OIEPP wants to hear from Indian Country. Consultation laws, NEPA issues, etc. making sure companies live up to their consulting requirements. OIEPP will give comments on project issues that have DOE funding or loan guarantees.

Tansey Smith, inter-Tribal Council of Nevada: Some Tribes don't know how to make comments. Technical training and knowledge is needed. What kinds of comments will people consider? Responses with only emotion and no substance will be thrown out.

Tara: Document does not treat Indian Country as an individual state. Need more technical writing knowledge.

Wendy Helgemo, US Senate, Harry Reid's office: Clarify Native Nations as states.
?:Government to government relations ?

Wanda Batchelor, Chairwoman, Washoe Tribe: Need Best Practices, and share formats that get results. Translating Tribal stories and ideas into English often loses the effectiveness. Need to tell the Tribe's story. Washoe will send examples to other participants.

Reba: Need MOUs on government consultation with Agencies. Feds give more effort with an MOU. Most just consider Tribal recommendations, but don't have to comply. Need to build good working relationships with agencies.

Wanda: True government to government consultations are necessary. Also, need to work closely with the local agency employees. As they say "you are either at the table or on the menu." Tribes need to work together to help all, especially smaller Tribes with less resources.

Donna Marie Noel, Pyramid Lake: Need comments on lots of EISs or EAs. Tell the story, but also ask a pointed question so they have to respond and not gloss over the whole paragraph. This forces them to come up with an answer, and includes all other thoughts above it.

William Big Bull, Piikani Nation, Alberta, Canada: If no DOE funding, OIEPP will not comment?

Pilar: For these fast track projects, DOI through BIA BLM etc contract lands. EPACT 2005 pushed projects, something like 10,000. NEPA is required for major federal actions, which these are. If projects

use DOE funding or loan guarantees, DOE gets involved in NEPA and EIS for the project. Cooperating agencies work together on decisions. Doe is only a cooperating agency if DOE funding is used.

William: This goes back to consultation. Uses land and hurts critical sites. They are still traditional territory. Rights still exist, there is no severance of rights. Tribal governments don't have the acumen to see the bigger picture in energy issues.

Pilar: DOE will only see projects that involve them. Tribes must seek out others (BIA, DOI, etc) to use them when energy is not involved.

Pilar: Let's segway to technical assistance and education issues. What needs do the Tribes have? What is DOE doing well? What education and assistance is needed?

Reba: OIEPP definitely needed. As Tribes get to know the office they will be very favorable. On-line classes would be helpful.

Victoria Guzman, Walker River Paiute Tribe: Need energy technical assistance. Big companies come in with big proposals. Tribes need to know how to evaluate them and decide what makes sense for them. Need to understand before they look at agreements. Funding is needed for legal efforts for instance geothermal agreements.

Pilar: Does Nevada have an Indian Legal Office?

Daryl Crawford, inter-Tribal Council of Nevada: Yes, they have offices in Reno, Las Vegas and Carson City.

Victoria: Legal office is not always thoroughly up to speed on energy issues.

Pilar: Lots of technical assistance in energy areas, but no thought to law. How many Tribes have In-house counsel or outside counsel?

Laverne Roberts, Walker River Paiute Tribe: In-House counsel does not always have expertise in the energy arena.

Pilar: What if OIEPP finds energy lawyer to help?

Wanda: there would need to be more than one or they will work them to death.

Reba: Do you have grant funds?

Pilar: We could use grant funds for pre-development. Almost anything to prepare for a project qualifies as pre-development, lawyer costs could fit. Must involve lawyers as early as possible.

Lynelle Hartway, Washoe Tribe: DOE has focused their projects similar to BLM; lease the land to someone to develop. Tribes need help with the agreements, but also Tribes want to create something that

they own, not give it all away to a developer. There are tax issues, partners, etc. Should go beyond shopping out for lease agreements, need partners to work with Tribes.

LaVerne: Tribes want to control agreements and resources not give up everything with leases to developers. We want to keep jobs, gain expertise and ownership.

Lynelle: Ownership is the goal, not just get a project in the ground, but get long run benefits.

Pilar: Do you have a feel for what expertise is needed? What you need to construct, own and operate?

Donna: Pyramid Lake is working on geothermal, people come in to lease the land, take all the profits and leave. Studies and plans took all of the money for the project and left nothing to implement the project. Need to get a grant to go forward. Tribes need to take the time to do it right, to learn everything BEFORE agreeing to anything. Pyramid Lake is thinking about trying to get a demonstration project or implementation grants to continue with the project. Maybe start small and then grow larger and also grow in related areas. Pyramid Lake wants to own it when they are done. Maybe get a partner early and buy them out after 5 years. Give us time to teach Tribal members and gain the necessary skills and expertise.

Lynelle: Expertise is built over years of trial and error. Not needed if the old system is used where the Tribe just leases everything out. Need to slow down and make sure to learn and do it right.

Debra Drecksel, Sr. Facilitator, USIECR : Are you looking at a DOE policy to build Capacity (Tri-bally owned)?

All: YES

Pilar: Each Tribe must decide on a model that works for them. Some have financial resources and some don't. Tell u what you know and what you need to know to make decisions. Buy or build decisions. Look at the Tribal Energy website. It has lots of information and workshops. It is under EERE. It needs updating, but is a good starting point. Please tell us what is missing on the website so any gaps can be filled. Tax issues are legislatively driven, and code must be amended. OIEPP is looking for folks to give creative ideas for tax structure to take advantage of the 30% tax credits for renewable projects. Tribes can't make money like outside developers because of the tax credits. We are putting together best practices.

Tara: I want to take pictures of the group, is that OK?

Debra: Seems to be alright with everyone.

William: A 10 year process was mentioned. It took his Tribe 10 years to get to 1 Megawatt. They hired the chairman of an energy company as an advisor. You need access to transmission. Ramp up and ramp down of the grid. Must plan for maintenance of equipment. Tribes must get energy experts to advise on energy projects. You are going to have to get approval from an energy company before you can plug in to the grid. The energy sector has no time to wait for Indians to become experts. If you wait too long, projects will happen across the street. Tribes are looking at 100% ownership, but end up with 100% of

5%. They applied for tax credits and got them to pass along to investors. Tribes must find a way to pass tax incentives to investors and developers. The Tribe ends up paying for the energy anyway, pass benefits from savings to customers and it benefits Tribe in the end. (Not at all sure this is exactly what he was saying)

Debra: We are going to have a break soon, so let's take a look at the big picture. Take a few minutes to write down what you would like to see in the second half of the meeting.

Reba: What is Pilar thinking about in policies? This might help energize our ideas.

Daryl: ITCN Energy Coalition did a training session on Tribal Renewable Energy. The handouts I provided summarize the topics. The back sheets provide an evaluation of the program. These could help with thought on the needs and priorities. Local community assessments of the needs and resources can help turn into a strategic plan for how to use the available funding in the most effective way. I would like for these handouts to be incorporated into today's comments.

Pilar: 4 general areas:

"Future Policies" we want to build policy and programs around Tribal needs. 2005 Energy policy Act is very general with our requirements. The general issues have been known for a long time.

We need to get priorities from the Tribes, immediate, mid-range, and long-term issues.

"Energy Issues Coordination" Successful groups figure out how to use all available grant programs; DOE, DOT, FDA, DOL, SBA all have energy grants. How can we better leverage all these opportunities? What do we need to fix? What works?

"Feedback on DOE Policies" Please give us feedback on EECBG grants which are DOE specific. Any experience working with our National Labs? Other programs? Do you even know they are there? Let us know please.

"Priorities" priorities feed programs.

Discussions of the 4 general areas:

"Feedback on Policies"

- 1) **Lynelle:** Tribe's feasibility studies, Tribes need technical assistance with the Statement of Work to help figure out what they need and how to maximize their funds to leverage resources wisely. Policy development need: mechanism to build internally.

Pilar: We need to figure out DOE assistance, a technical person to assist with grant programs.

Tara: Washoe will be facing a similar issue soon.

Pilar: How do we make DOE resources available to the Tribes? TEP figures out general issues to work on, but we need to provide assistance specific to a Tribe's programs and needs.

Victoria: How did you get a grant without a SOW?

Pilar: The grant was for feasibility to do "X" but then must figure out what to do with the money and document plans

- 2) **Tara:** DOE needs to increase webinars, teleconferences, and regional workshops to help Tribes without a big budget for travel and training. Also, enhance the website to share experiences, successes and pit-falls.

Pilar: The TEP website has resources for Tribes, presentations from workshops, case studies from existing projects. Is there enough content on the websites? What is missing? Please tell us so we can fix the websites. They can deliver training anytime anywhere. DOE can also do in-person workshops. How do we communicate to Tribes what is happening? Is the website enough? Let me know please.

Tansey: Do you have a ListServe?

Pilar: Yes, it has about 4,500 names, sometimes they come across as spam.

Reba: You should add TEP as its own tab, not under EERE.

Pilar: We are working with the webmasters on that now. Trying to put Tribal energy on the front page, maybe in the section where you pick "Are you a Student?" You can also use the search box in the upper right hand corner and enter Tribal energy. The first link is TEP website. It has lots of information.

Daryl: Personal calls are a great outreach tool, it certainly impressed me.

Reba: maybe you can do an acronyms page.

Pilar: A glossary is a good idea. I found a renewable energy handbook. I will send the link out. It was put together by a law firm and is a good high level resource. It has a legal issues section, a section on funding etc.

- 3) **Dore Bietz, Tuolumne Bank of Mewuk:** Consistency with technical assistance is needed. There is a lot of turnover in the EECBG program. We had a grant application in and the 1st person said it looked good, but before it was awarded, a new person became responsible. They wanted more information, but before it was completed, there was a 3rd person who wanted different information. This is very frustrating and even turns some Tribes away from the program.

Pilar: This was a very new program and was stood up very quickly. In many cases, this was the employees first time working with Tribes.

Reba: We will be cautious before applying again.

Pilar: There is no new EECBG funding available, but I will take this information back to management.

Donna: The DOE program is good for studies, but is lacking in technical assistance and iron in ground. We are drilling and looking for other options for a low temperature plant, a partnership, not a lease. Tribes need to know what the partners know so the Tribes are not taken advantage of. Need feasibility study before deployment, need a reservoir study, etc. What are the options on the grid, FERC matters, business models?

Pilar: There is a case in New Mexico, one of the pueblos, a specific Tribe working with a National Lab, who is partnering with a university to help with education and studies.

- 4) **Scott Nebesky, RSIC:** Need to assist Tribes with FERC projects. FERC has a bad attitude about government-to-government consultation. They listen and ignore. Someone needs to reign in FERC. "Listen and Do", not "Listen and Ignore."

Pilar: FERC is an independent agency. They are not required by law or executive order to consult with Tribes. The attitudes about this seem to be changing, it is a problem.

- 5) **Tansey:** We need education on government funding and coordinating with government agencies. Need Part 2 of the training on government programs and more training in Nevada. Also for consortiums, information is needed about grants.

Pilar: Consortiums can get grants. Lots of consortiums out of Alaska get grants.

- 6) **Scott:** We need to continue working with HUD and DOT, promoting and funding sustainable communities. Homes should be built with energy efficiency, not build and retrofit.

Wendy: The Tribes need to pay attention to this issue. There is a lot of interest and momentum for sustainable communities. Get involved. Make sure your needs and interests are known. It may be more difficult with the Republican Congress, not as workable. Congress is requiring Agency Secretaries to work together when they have similar programs.

Pilar: The OIEPP is required to look at ways to stabilize or reduce costs and get electricity to Tribes and Indian homes. HUD is working on it, but it is not in the regulations yet. Tribes can adopt international building codes requiring energy efficiency standards. Community scale projects are an option. There needs to be a policy initiative for community scale projects, not commercial scale. We need feedback – Is this a priority to Tribes? What is Indian Country working on?

Dore: Tribes can adopt green building codes. New homes at Tuolumne have solar now, the Tribe pays for electricity for the elders and this is creating huge savings. Grant programs must allow costs to build efficiency into buildings and homes.

Pilar: We need to change the thinking to go beyond commercial scale projects and include community scale projects as well. What are the obstacles you are seeing? Funding, legal, HUD, etc.

- 7) **Donna:** DOE geothermal grant funding was insufficient to cover the costs of the whole program so they linked it with BIA grant funding. The NEPA issues went very smoothly, DOE did not participate in the NEPA issues, they just concurred with BIA finding, and the BIA handled them very quickly. It went through in 60 days. Davis-Bacon Act is more of a problem with wages and other issues.

Pilar: It is all about timing with DOE. Most of the work is done in the field and doesn't come to Washington D.C. unless there is a problem. Department of Labor can be a problem with Davis-

Bacon Act wages. Tribes have an exemption from Davis-Bacon Act wages, but ERRA funds removed the Tribal exemption.

- 8) **Donna:** There needs to be a forum for communicating who the good or bad contractors are.

Pilar: Like an Angie's List for Tribes? We are looking into this issue, but how do we vet contractors/developers? Possibly a seal of approval, we are looking at something like the Energy Star rating system. The problem is can DOE legally provide advice, due diligence, etc.

Tansey: ITCN is looking at putting out a listing of developers.

Pilar: The Plains Tribes, mainly the Sioux, got rushed by wind energy developers. They developed "Wind Energy Tribes United" to help each Tribe learn about issues and not let the developers play the Tribes off each other. The Tribes must be willing to share for something like this to work.

Tansey: Many Tribes have already signed off on their deals. Once the deal is signed it is done.

Donna: Is there a government "do not use" list?

Pilar: The federal government has "Debarment" for egregious violations of contracts with the federal government. Once a company has been debarred, no federal agency can contract with that company. A similar system would be hard for consortiums. They are not really big enough for all the hassles. You also have to be very careful, you don't want to be sued for Libel.

- 9) **Victoria:** Are there any new leasing regulations?

Pilar: Yes – there is a consultation tomorrow covering business, residential, and renewable energy leases. A second consultation will be held in Minneapolis and a third in Albuquerque. They are doing it right and having the consultations first, before the proposed regulations. The regulations must allow Tribes to gain other benefits than only fair value. Some Tribes lease for \$1, but require payments to scholarship funds. The regulations must be flexible to allow for this.

Dore: The BIA is an obstacle in Indian land leasing. Getting leases approved takes a long time and if approval is not received timely, it can cause a project to fail. Land into trust issues are also problematic. Many Tribes, especially in California have little to no land base. They need land for energy projects. BIA needs to establish priorities or something to help.

- 10) **Lloyd Wyatt, Vice Chairman, Washoe Tribe:** Clarification and clarity of government-to-government is needed. Treaties have been established. Tribes should be respected as governments. DOE 101 follow-up is also needed. Regional meetings to understand how to work with DOE. The Tribes need to coordinate DOE contacts. Get one voice going to DOE and others. Tribes need templates and models – outline the steps required for these projects.

Pilar: In 1994 the DOE created a policy on government-to-government consultations. This policy is now under review as a part of the November 2009 memo from President Obama affirming the earlier executive order on Tribal consultations. This memo requires all agencies to define a plan to create consultations with the Tribes. David Conrad is the new liaison with the Tribes. Not always only on energy development. The rest of DOE is now beginning to get familiar with the Tribes. The Summit planned for May will be DOE wide, developing government-to-government relationships. The Department of Interior is not any better, even though they have been doing it a lot longer. Tracey LeBeau, David Conrad, and I have all been hired within the last 3 months. Regional workshops need to be more regular and more relevant to the region. Each Tribe should comment to OIEPP. One voice will not be any more powerful than each Tribe commenting independently.

11) **Reba:** The bosses in DC have their policy, regional employees interpret that policy, which is interpreted in turn by the local workers. Policy needs to be consistently applied.

Pilar: DOE is not structured like the other giant land holder agencies. DOE has a structure to make sure that leadership knows what is going on in the regions.

12) **William:** Tax incentives – Tribes must capture tax incentives to pass along to members. They can be used to minimize expenses, to spread it around. Give a rebate to members for efficiency; saving energy creates savings to the Tribe. This can help reduce the cost per kW hour, and stabilizes costs. (There was a fairly long discussion of how this would work, but in trying to understand what he was saying, I was not able to capture all his thoughts. I also failed at gaining an understanding of the concept he was espousing, other than it is important to use whatever methods are available to save energy, saving funds, not just for the Tribe but for all members as well.)

13) **Scott:** Tribes need a mechanism to take advantage of the tax incentives for renewable energy projects.

Priorities:

Tax Incentives

Education

? (I was unable to capture all of these quickly enough as the list was read)

More grant opportunities

Assistance with grants

Establish Tribal policies through consultation with the Tribes

? (I was unable to capture all of these quickly enough as the list was read)

? (I was unable to capture all of these quickly enough as the list was read)

Need Business models with and without investors and developers

Pilar Thomas concluding remarks: Thank you all for coming. We know you are busy and hope you found the time valuable, I know I did. Going forward, we are going to complete these Round Table Meetings, pull together a summary report that will be available to the Tribes on the website, by email, or postal service. The messages heard at these meetings will inform the Summit. Our current plan involves a meeting on the first day, May 4th for Tribal Leaders and DOE policy leadership, the Assistant Secretaries for the various offices within DOE. Meetings will be divided up among areas of interest. The second day will be the main Summit day, May 5th. The Secretary of Energy, leadership from other agencies, and congressional representatives will be in attendance, including HUD, DOI, EPA, and others. This will be the jumping off point for planning and prioritizing policies. Please send in your comments, there are several methods available, the email address listed in your Tribal Leader Letter, contacts listed in your handouts, I have a stack of cards with my information so you can send them to me as well. We will add these to the list of conversations. Tracey LeBeau, the Director of OIEPP, and I want concrete results, including Best Practices and Models, create policies and programs to help Tribes get Steel in the Ground, and set conditions so that help is ready whenever the Tribes are ready to go forward.

Victoria: We need to educate energy companies on Tribal laws. They should work with the Tribes, not against them.

Debra: Please fill out the evaluation forms so we can make future meetings better.

Round Table Meeting Notes

Pala, Nevada

March 23, 2011

These notes are not a verbatim recording of the discussions, but an attempt to capture the main thoughts expressed.

Debra Drechsel, United States Institute for Environmental Conflict Resolution opening comments:

Four main topics have been identified by the Office of Indian Energy Policy and Programs (OIEPP) for inclusion in these meetings: Tribal priorities, feedback on existing policies, energy issues, and future DOE policies.

Pilar Thomas, Deputy Director OIEPP: education, energy efficiency, parts of development, all have challenges and opportunities. All of the information gathered in these Round Table Meetings will be put together to develop the Tribal Energy Summit. We realize some issues are more important to some Tribes than others. We need to get the Tribal priorities to know where to focus our efforts first.

Rod Lewis, Gila River: Solar energy development is a priority in Arizona; it is a perfect place for development. Will OIEPP focus on solar energy? Arizona Tribes should start solar projects. Why don't they? Uneasiness about the future and funding issues. The DOE should help Tribes establish public/private partnerships. Tribes lack understanding of what is possible. Public, private companies and Tribes should work together. This is especially important and profitable in Arizona.

Tracey LeBeau, Director OIEPP: This is what OIEPP is exploring...what are the areas of need?

Will Micklan, CEO Gwiiapaayp: The Energy Policy Act of 2005 called for 10,000 gigawatts of renewable energy power by 2015. This is an aggressive goal. Indian Tribes own 10%-15% of the renewable energy potential in this country. We are not going to make this goal without the Tribes. DOE must address the reasons for no renewable energy development in Indian Country. Tribes are uneasy, they want to be equity partners in development, but they can't monetize the tax credits that outside developers can get for developing renewable energy. In order to make the project pay, Tribes have to lease their land to private developers who can make use of the tax credits. This is very problematic for Tribes. Some Tribes would like to be in a position to even lease their land, but there are environmental issues. We must address NEPA issues for projects solely within Tribal Lands, and also financial issues like tax credits and depreciation so that Tribes can develop renewable energy in a competitive manner with the developers who get these advantages. Individual Tribal homes also need energy. Some Tribes have developed energy, but still have very little for their own homes. Tribes also have problems because their remote locations make it financially infeasible to connect to the grid. The power lines that are near reservations are controlled by others who make it difficult or impossible to gain access for Tribal energy. Distributed production – “use where you make it” – may be a way for Tribes. Waste energy, Tidal energy, wind energy, etc. Tribes need actions to use existing programs and funds for Tribal energy development. There are no new appropriations at Tribal levels. The old colonial position is problematic; Tribes are just giving away all their ownership profits. The tax policy must be reviewed. Give benefits to Tribes, not just states and local governments; not a single penny comes back to the Tribes. There is no incentive for Tribes to develop energy. Incentive is the key. Tribes would develop renewable energy if there were incentives. Developing on public lands is cheaper than Indian lands.

Monique LaChappa, Chairperson, Campo Band: I concur with the tax position comments. We at Campo Band have commercial development but the county gets possessory tax, not the Tribe. The government can push laws to California. This is not acceptable. I spoke at a meeting with the Treasury Department. Officials at the top don't understand Tribal sovereignty. Tribes can't fix roads, etc. If the Tribes add taxes so they can get some benefit, it would kill the projects because they would not be financially competitive. The developers are making millions of dollars, the Tribes are not. DOE can help the Tribes by working to change policies. Tribal projects should be exempt from taxation and Tribes should be allowed to tax projects from outsiders on their lands. When I go to non-Tribal stores, I pay their taxes. When outsiders come to Tribal Lands, they should pay Tribal taxes. DOE should help with tax issues and sovereignty. It is not fair that states can tax and Tribes can't. We need more information on Tribally owned utilities. How can Tribes come together to sell energy to their own people and the outside? We need to go see Tribes like Navajo who have utilities. This will help put money back into the community. Our Tribe is on Interstate 8, which has been designated as an energy corridor by Congress. They didn't tell the Tribes. There was a consultation by someone, I forgot who. The corridor stops at the boundary of the Tribal Land and then picks up again right after. Must beware of eminent domain against the Tribes. Where is the protection for the Tribes? The consultation said that eminent domain was not going to happen. No one asked the Tribes about the corridor. No one has purchased rights of way. Can someone come and take land if the Tribe doesn't want the project? We need education on how to protect our lands, sell energy, develop economically from energy. We need to know the rules of the game if we are going to play. The federal government helped the Tribes before, but caused more problems. Education is the key. The government needs to know how to do things in a respectful manner. The section 106 process is tremendous, to the point of being overwhelming. We need to check with sister Tribes. Devel-

opers want quick access, but we have to have some control over our sacred sites. We need more than two weeks to comment on all of these proposals before the project goes ahead. Tribes respect today and yesterday. Section 106 consultation. Tribes get big stacks of requests every day. Section 106 consultation must be changed and coordinated. Tribes want to work with projects but need to streamline the process.

Chris Deschene, Affiliated Tribes of Northwest Indians: We need fresh ideas. The EPA has the authority to delegate to states and Tribes. Tribes must first go through the process and be certified. Tribes can develop their own policies when the states don't. DOE can help by providing a template. It is in the interest of the energy companies to keep their monopoly. The Tribes should develop their own policies, with DOE taking the lead, in the absence of state leadership. Tribes can get ahead of the state; this could be a tax issue – sovereignty. I tried to add legislation in Arizona to change the formula to get funding to the Tribes in Arizona. It is a long education process. The Tribes have the land base, resources, and opportunities for energy development, but can't crack the laws. Templates should be developed to help Tribes with all aspects of the process: NEPA, funding, and permitting. Tribes need to tell the government to do their jobs. This is how Tracey can help, tell Secretary Chu to tell Secretary Salazar to "do your job!"

Pilar: I am thinking about this notion of Tribes taking the lead. DOE funds organizations that help state and local governments. We might be able to leverage that for Tribes. Should Tribes develop their own RPS? For instance buy 30% of energy from renewable energy projects, or default to states RPS. Large land base Tribes could develop their own RPS. Campo could develop their own utility code and run the show. Include eminent domain and rights of way. These are sovereign laws that the states must recognize. We must start with laws and codes.

Will: The courts don't respect the Tribes. States have the ability to regulate and tax projects on Tribal lands. This is supposed to be predicated on some level of service to the Tribes. But the courts don't even respect their own tests from the court precedents. TERA was established by the Energy Policy Act of 2005, but it was not incentivized. It puts the burden on the Tribes to defend.

Josiah Spurr, Nottawaseppi Huron Band of Potawatomi: There seem to be strong similarities between this discussion and one I heard earlier. Joe Garcia and Ron Allen were talking about a Handbook for Telecom and broadband expansion. They talked about a plan where the Tribes would have to pay taxes, but would get most of it back.

Monique: New Mexico and Arizona Tribes can put together large land bases. In California, Tribes have very small land bases. The feds should say that they must play fair.

Matt Ferguson, Campo Band: The incentives that exist for renewable energy are for the taxable private sector. We need to create incentives for Tribal Lands, They must be available to the Tribes. Need to use the same credits and depreciation for the Tribes, Net Present Value from 30% to 70%. The Treasury could quantify it: for renewable the Tribes could get X amount. This would put Tribes on par with the outside developers. Our country has decided to incent renewable energy, but they ignore the Tribes.

Tracey: Do you mean expand the tax credit?

Matt: The tax credit is not available to Tribes. It is only for tax payers. Tribes want to do energy projects on their own. Current incentives do not allow Tribes to play. Incentives should allow Tribes to play on a level playing field with tax credits. Policy makers are left with two decisions; NO – it will cost the government more money. However, there is no cap to the available tax credits now. The attitude is build it and the government will pay. But for the Tribes there is no incentive – no way for the Tribes to own their resource development.

Pilar: If you do it for the Tribes, why not do it for the City of Tucson?

Matt: Tucson has the ability to raise capital. There are rules about private land versus public land. These rules are not equal. There is no specific energy program to get states and cities involved. States have normally done energy. The feds incent through tax credits. There should be incentive for Tribes too.

Will: San Francisco owns energy from the dam. Energy companies are investor owned, but rate payers, citizens, are constituents. Tribal constituents are members. Tribes are public entities, but are not treated as such.

Rod Watkins, Pala Tribe: I was a City Manager in a former life. The city owned a utility. They thought about buying into a coal fired plant, but built their own instead. We worked with the feds to get it done. Tribes can write their own regulations. Policies are built on regulations. The priority should be flexibility. Navajo has hundreds of thousands of acres. Pala has 1,200. Other Tribes have 3 acres. The feds think all Indians are the same. This is simply not true. DOE must be flexible. Some Tribes will build commercial scale projects. Some want to power a single house way away from other buildings. DOE must be flexible with policies to help all. Please eliminate paperwork. They had to file more paperwork for a \$33,000 grant than for millions in other grants. The feds should facilitate programs, not make them more difficult.

Matt: It seems like there is either tremendous incentive or tremendous fear. Tribes want an equal playing field. These issues can't be resolved quickly, but are the right thing to do.

Debra: Should be a guiding principal? How do we make the field level in all decisions?

Matt: I am finding out there is an informal group throughout government, working on Indian issues. It is a start in leveling the playing field. Government must consider Tribes as another constituent. They need to think about how this decision will impact individuals, corporations, non-profits and NGOs, and Tribes.

Will: The consequences of the tax policy are transparent to the Treasury. There are no consequences to the Treasury. Tribes are ineligible by government rules. This is not intentional, but Tribes are an after-thought. However, it doesn't get fixed afterwards either.

Matt: I tried to move away from tax but can't. Insurance companies understand that they are unique. Corporations receive income and pay tax the same year. Insurance companies said "you can't bill us for all our revenues, we have to save some to pay claims down the road." Treasury made a separate tax section for insurance companies. Tax policy and taxation is a tool of the government. The Tribes are just getting into position to affect tax policy. Churches are not taxed, they are doing something for the public

good. The same thing should apply for Indian Country. We are a distinct constituent. We need legislation encouraging Indian energy development. Marketing is controlled by the federal government. The government devised tax credits and depreciation for incentive to develop energy. These incentives are given to the majority of people. Indian Country has resources which should be incentivized.

Will: This is a sensitive issue. Taxation is the hallmark of government. Tribes are domestic sovereigns. The courts established it early in the Moran case. There was no Tribal severance from the 1920s through the 1970s. The first cases before the Supreme Court were Tribal taxation cases. What do we want OIEPP to do? Act as an advisor to the Secretary of Energy. Understand that renewable goals can't be reached by rooftop solar in residential areas as has been said recently. 10%-20% of renewable resources are on Tribal lands and must be tapped in order to reach the goals. It is imperative to develop these resources, but Tribes must have incentives to allow Tribes to develop renewable energy and create jobs, economic development, energy, and meet goals. Tribes control their land, but they won't develop them without incentives. Someone must develop a quantitative study to prove that economic development on Tribal lands support non-Tribal lands as well in order to get anything done. This must be pitched at the cabinet level. It cannot occur without a coordinated effort. We need to break down the silos between agencies and even within DOE. This will be hard with different funding, priorities, authorities, etc. We must also bring along the career level folks who try to defend their own jobs and territories. The President asked what we have to do to encourage renewables. An example is section 3206, which only applies to DOI. Conservation as mitigation to damages on Tribal lands. Tribal lands are not like other lands. This would be a great thing to apply to all federal environmental policy. We need to require across the board coordination and recognize that Tribal lands are under Tribal jurisdiction and laws. We need an Executive Order to instruct that environmental issues on Tribal lands get an exemption. The Tribe protect species better than others even without the rules.

Monique: Campo has butterflies that are on the endangered species list.

Will: Tribes are mitigation zones for endangered species, air quality etc.

Pilar: Mitigation issues, under NEPA, get biological opinion, Fish and Wildlife consultation, Mitigations like noise, dust, and traffic. Solar programmatic EIS, looking at not just BLM lands but all lands within a six state area. Trying to build a template to look at project funding.

Will: Chapter 5 is all about mitigations. DOE needs to understand mitigations from BLM perspective, for instance, for a wind project, the roads around the array create a fire break. Fire suppression is horribly under-funded, but a project mitigation issue. Transmission lines create an un-mitigatable issue but the project as a whole actually mitigates the fire danger by limiting the spread of any fires that start. Another example, if there is an eagle in the proximity of wind turbines can cause legal issues. Laws make any eagle take illegal, even if the turbine kills the eagle. The Fish and Wildlife folks on the ground take killing eagles personally. Eagles are sacred to Tribes, but they are not personal, like giving them a name or something. Another example is the arroyo toad. They are required to provide lands for the arroyo toad environment, even though the arroyo toad does not live in their territory. The Fish and Wildlife people are more worried about the arroyo toad than people.

Monique: DOE should mandate and government should buy Tribal energy. Give preference to Tribal energy over non-Tribal energy. This would definitely encourage Tribal energy production. Thank you

for this meeting. It is good to see Indian people in high places in the government. Hang in there, it will be tough. Call if you need any further discussion of Campo issues.

Debra: The Tribal Summit is May 4 and 5.

Rod: The purpose of credits and depreciation in the private sector is to make renewable energy projects profitable and competitive with other types of energy. Kind of like the farm subsidy program, which was created to prop up the price of the commodity sold to give farmers a decent wage? The government could do something similar for Tribes for renewable energy. A subsidy instead of a tax credit could provide the needed incentive.

Pilar: Municipal utilities are non-profits. They don't own their generation, they just buy it as cheaply as possible.

Rod W: Power purchases come in two pieces: Supply and demand. You pay for 80% of peak demand. If you can lower your peak demand, you can save a lot of money. We set up a system to bring power to the Tribe. We bring it over the grid to a substation and then to members. We set up a utility for this.

Pilar: How do we develop reliable energy to the Tribes? Is there incentive to try to stabilize costs for an energy user facility like the Pala Resort?

Will: The state has a program "SChip" which is expiring in April. Cap 1 to 1 ½ megawatts for generation on site. Off load production – self-generation to protect peak demand.

Rod W: It was set up so utilities put up the money to develop generation. It was financed by public utilities, but is ending next year. The feds could do something similar for renewable. Developers want to bring in solar for the casino. After 20 years the Tribes would own the project. That would give the developers a guaranteed customer. Tribes don't want to use tax exempt bonds.

Pilar: if we want to promote purchasing by the government or Tribes, is there an opportunity for public/private partnerships? Tribe A sells to Tribe B? The government doesn't want to support gaming facilities. What would keep you from buying power from other Tribes?

Rod: FERC used to have regulations that set up stable wheeling charges. We need similar rules today, wheeling generation to consumers. We must stabilize wheeling charges and consider them in the total prices.

Will: Federal rules allow and encourage buying Tribal energy. However, it is never really done. It is the same as 8(a) contracting issues. There are also grid problems; they are choke points.

Debra: Do you have any comments Linda?

Linda Fong, Gwiiapaayp: No, just listening.

Will: Linda's project has an EERE grant. That is a great program. Replacing GHGs. No electricity on reservation. Four reservations in the area have no electricity. Alaska needs distributed energy solutions;

Waste power, wind, wave, and solar energy. There is no grid system. We have an energy cooperative in the inside passage. We use diesel fuel, but we must eliminate that. Hydro power needs to be termed renewable. Transmission is a real problem. Villages are very rural and remote. It is prohibitively expensive to put in lines. The rate payers can't support the costs of keeping transmission. Many people must make the "heat or eat" decision. Right now we ship our solid waste to Washington state for \$200 per ton. The shipping interests oppose converting to waste energy system. We need to set up a system of using waste to provide energy, assisted by wind. Communities need help to generate their own energy for their own use. We must reduce costs. We need help with design and development and to overcome obstacles. The Tribes need their own economy to replace jobs and money lost with the shipping, diesel, and other jobs if we make changes in energy production. Carbon based fuels costs are paid behind the curtain (not at the pump). To be fair and equitable with other energy, they need to be transparent. This is an education issue.

Rod W: Scientists are working on sexy products. Energy is not really rocket science. Feds love planning and new technology. Let's finance stuff we know how to do. The lab in Golden can finance 1 project and 6 planning projects a year. There have been lots of planning projects, but no money left for implementation. The Tribes are trying to put something on the ground that works.

Will: Concept, get energy at reasonable costs. Skip the new creations. Do what works!

Rod W: People know what works, just do it. Solar is simple, Tribes can do it. We need to educate the councils. Spending money on innovation is silly. Put something simple on the ground.

Chris: Legislation wise, this is good policy. The Energy Parity act didn't go forward. Transmission is a big thing. Tribes should be a part of energy transmission planning. DOE can help: WAPA, BPA. DOE should encourage Tribes to take an active part. Priorities:

Funding

TED Bonds – one time deal or law. We can do it again. Can we use it to do energy projects?

We need non-traditional energy like biomass. Tribes want tax credits.

Feds have to do their jobs

Does DOE have the ability to help? OIEPP has a direct line to the Secretary – use it.

Tribes have 10% to 20% of the renewable energy resources – use them

Will: Priorities

Energy efficiency

LIHEAP, Alaska is not applying because of the Tea Party.

Low energy appliances and HVAC for homes.

Energy efficient houses

Alaska needs pelletized heating

Rod W: I am disappointed with Congress backing off the light bulb issues.

Will: We have appliances going to India and China. Alaska needs them. They should not be just for export.

Debra: Use the input mechanisms to comment to OIEPP. The Summit will be based on your input.

Tracey: Thank you all for coming.

Rod W: Thank you for being here.

Round Table Meeting Notes
Washington, D.C.
March 30, 2011

These notes are not a verbatim recording of the discussions, but an attempt to capture the main thoughts expressed.

JR Bluehouse, United States Institute for Environmental Conflict Resolution opening comments: Four main topics have been identified by the Office of Indian Energy Policy and Programs (OIEPP) for inclusion in these meetings: Tribal priorities, feedback on existing policies, energy issues, and future DOE policies.

Tracey LeBeau, Director OIEPP: We listened to the President this morning. We met with Tribal leaders. We are embarking on this series of Round Table Meetings...OIEPP formally established in January, 2011... to get feedback on policy priorities so we can develop DOE policy. We want to get a sense of areas of consensus. We know there may be strong regional differences; we are looking for possible solutions to challenges. These Round Table Meetings go for another couple of weeks, and the Tribal Summit will be May 4 & 5. We want to know about issues from Indian Country (environment, energy, etc). What are your priorities? We need to get policy priorities before starting programs. These discussions will help us sort out what the priorities are and what staff we need, so we can get staff with the right skill sets to meet the policy needs. Pilar Thomas is the OIEPP Deputy Director, she is on detail from DOI, don't tell them we are not giving her back.

Pilar Thomas, Deputy Director, OIEPP: On your copy of the Tribal Leader Letter, we have listed the areas of discussion for the Round Table Meetings. Many issues have been identified through regional consultations within DOE, government agencies and Indian Country. The list is issue areas to begin discussions about what are the high priorities and what are the most problematic areas so we can get a better understanding of the issues; are we missing anything?

Introductions: Name, Tribe or Organization, what you want to get out of this meeting.

JR: The Dear Tribal Leader Letter lists an email address for providing additional information: This meeting is not your only opportunity to discuss with DOE your ideas and issues. There are also comment cards for you to use. President Obama is beginning to focus on National Energy Priorities.

Tribal Energy Priorities

Allen Urban, Yocha DeHe Wintun Nation: Our priorities are putting land into trust, creating policies and procedures to make the Tribe green/sustainable. We can't find models; we will have to build them from scratch. We have been working with UC Davis, but we need more help to create a template.

- Energy Shed Project – energy utilization study and energy generation. Help with transmission. How do we work with the private sector?
- Some Tribes have land, employment base, others have capital. How can Tribes work together?
- Do we really want to bring in equipment from overseas interests, or bring manufacturing to Indian Country?

Tracey: The third point has been kicked around. The ARPA-E program, a new program, is putting money into innovation. This is early-in money. Helping to attract private capital. We need to pair up in Indian Country. The ARPA-E program was started under the Recovery Act to leverage federal investment. Grants to start conversations and projects. The Tribes always get new proposals, but need to know if they are good or bad. DOE can help with early innovative areas.

Pilar: What about public/public partnerships? Tribe with Tribe...energy development, manufacturing or both.

Allen: Both – working within Indian Country and a couple of Tribes, feds, state, developers, etc.

JR: If a Tribe wants to start, how do they go about it?

Tracey: Come to DOE and we can help.

Jack Ehrhart, Hualapai Tribe: Our priority is survival. Utilities still have farm in them. We need to work on a utility authority to control energy, and to maintain our energy independence, create economic development, to partner with climate change. We need to get all federal fees waived for Tribes. They are very difficult for Tribes to pay. Interconnection issues are confusing and expensive.

JR: What elements of the relationships are problematic?

Jack: The provider pulled the plug on our neighbors the Havasupai. Hualapai is worried about the same thing happening to them.

Dean Suagee, attorney, Hobson & Straus: The provider is a rural coop. They are regulated as a utility. The line goes to Havasupai down a canyon (built by BIA many years ago). They stopped wanting to maintain the line because of the costs. They produced a quit claim deed from the coop to the Tribe, but the Tribe didn't accept it, also because of the costs.

JR: Can you work more effectively with WAPA?

Jack: No – WAPA is huge and complex. Interconnect issues take years. They are very expensive to deal with. Tribes are blocked from wheeling transmission by local coops.

Bob Loftur-Thun, Wise Solar Development: Manufacturing is the prize. One opportunity is to look at the market first in your state and federal government. What is the key? RPS in some states. If there is no market, then building doesn't make sense. States and utilities have to pay a fine if they don't meet the RPS. These create jobs building EPC's. Solar has less capital intensive projects, but you must understand the market.

JR: Thanks.

Dean: Energy efficiency should be a priority. The potential to reduce demand by increasing efficiency is huge. New construction is one very big source; incorporating things that are relatively cheap in new construction, but very expensive to retrofit. Retrofitting has a \$4 billion in Recovery Act. Tribes can theoretically administer it directly, but it doesn't really work. It is income based; at least \$20 million should have gotten to Indian Country. New construction emphasis on green building is on windows. Soft low-e, most windows are built this way. Hard low-e is better on solar gain.

JR: I am hearing that the priority should be coordination between states and Tribes.

Dean: DOE needs to help. States and local governments get help with building codes on efficiency, but Tribes don't.

Jordan Exantus, Red Lake Nation: I agree, survival is very important. We need to create jobs. We have to twist everything into a mold. We built a Boys and Girls Club. We used grant money for the construction, but the grant doesn't support the maintenance. The heating bill is around \$30,000 per year, and that is not sustainable for us. We are thinking about heating systems and building codes. There are so many pressing issues. We must begin to think about efficiency to save money and create jobs. We need to do it all in sustainable ways.

Pilar: IDCBG from HUD. Tribes can use funds to add efficiency. What is your sense of trade-off between spending the extra 5-10% today to reduce long-term energy bills? How do we help?

Allen: We are trying to calculate that today. We have to start at the beginning. Building codes lag behind technology. We want to make it as cost effective and efficient as possible. We don't know what the outcome will be. As we bring land into trust we want it all to be sustainable. We built one net 0 building, but don't even know if it will meet needs.

Dean: Tribes need technical assistance to do these evaluations. A program to finance incremental costs to make better building codes. When the International Code Council redoes their codes, DOE is supposed to review the codes and the states are supposed to adopt them. The tricky thing is to train people to work with the new codes. Should the codes be performance based or materials based? There is a group in New Mexico that is proposing to make net zero building mandatory.

Jack: Once you get started it gets easier. We built 5 commercial buildings. We didn't have the money to get them certified, and didn't really care to anyway. It is absolutely worth it to do it right originally. It is an arduous process to get efficiency, but absolutely worth it!

JR: Any comments from our legislative staff?

Xavier, Congressional Aide: Tribal building codes are 20 years old. Codes are adopted county by county. Tribes need to get ahead of the counties. USDA has grants and training to help. Several programs are being cut, Congress trying to get put back in. Building right the first time is the best way if you know the building will last. It depends on your location, it is cheaper to build in the south than it is

in the north. You can build all year and not just in the summer. Tribes can use federal home loan guarantees.

JR: So, in addition to working with the Administration, Tribes should work with their congressional delegation?

Josh Pitre, Indian Affairs Committee: The committee has a new chairman. Dorgan dropped the Indian Parity Act. What do you all think about it?

Jack: The Tribes like it.

Josh: We will keep working on it.

Jack: Can OIEPP work with the Senate Select Committee?

Josh: Yes

Neil White, Cocopah Tribe: A company came to the Tribe last year looking to build a solar project. They looked at funding, did an assessment, and the Tribe gave permission for them to negotiate with APE. We missed opportunities because others signed up first. There are lots of other opportunities. We need to have something in place to help the Tribes work through all of the steps. Coming to these meetings and talking to DOE is a good resource.

Debra Pine, Sault Tribe: We need grant funding for geo-thermal.

Feedback on DOE Programs and Policies

Debra Drecksel, USIECR Facilitator: This section is to give DOE feedback on existing policies and programs. Is there anything you would like to discuss?

Jordan: We are grateful for DOE funding. We would like to see a little more outreach to the Tribes. We would like to see more help identifying the next steps. Let existing projects grow.

Debra: How would that be packaged?

Jordan: Keep up the discussions. There are others who have done similar work. A lot of studies have been done, but they just sit on a shelf. Without funding it dies and there is no follow-through. Help us find funding.

Pilar: EECBG grant? And use for Energy Audits?

Jordan: Yes, an Energy development plan. Also, put together guidelines to give teeth.

Bob: ICLEI.org is a cheap resource for an inventory of GHG, community energy planning etc.

Dean: ICLEI put on a public hearing to develop a community energy plan. They used the Mayor's Handbook from Seattle as a guide. The guide was put together by ICLEI. Nobody has put out a hand-

book for Tribal governments. Tribes are in some ways more like local governments than states. Codes could be adopted by Tribes.

Jack: The program has worked. We couldn't have moved forward without it. Lizana Pierce has helped with feasibility and first steps. The required matching of funds is difficult for Tribes. We need to eliminate the matching requirement. They are too stringent and Tribes have to stretch too far. This leaves Tribes out when they can't match the funding.

Jordan: The issues are often complex. We are only able to address a small part of the whole issue with government agencies because of assistance rules. We need to have a better mechanism to bring all of the pieces together to address the issues all at once. An example is contamination; it is not directly related to energy, but it is indirectly related.

Debra: That is a good segway to the next session.

Coordination among governmental agencies

Jordan: We have to apply 6 different grants to get a project done. How do we consolidate?

Dean: Part of the Parity Act was to coordinate agencies.

Tracey: Pilar has spent lots of time working with HUD, DOI etc, surveying for funding; talking with them to find ways to leverage their funding. We are trying not to duplicate the programs of others and water down their efforts. It is confusing and frustrating with all agencies having energy components. DOE OIEPP understands transitional process. We see new technology, know it is viable. Loan guarantee program is a good resource. We are looking into some of the deals and working with counterparts in other agencies and coordinating how to do it. All agencies are authorized by different statutes, and have different funding sources. We need to lay out project development statutes and funding to help the Tribes.

Pilar: There were coordinated grant mechanisms in the Parity Act. It was built like a 477 program. It is painful to get into. It brings agencies together. We are looking at models that might work, without duplicating the problems. We think we can do some of it programmatically without legislature to get it done. Can you give us feedback on how the 477 program works for Tribes or doesn't work? Can we align grants? Coordinate training? One place to call? Please give us feedback.

Allen: Didn't the Energy Policy Act authorize loan guarantees?

Pilar: 80% of the money was spent on planning and feasibility (front end spending). EPA does planning also. Most funding is up front, not for finishing and development.

David Conrad, DOE: Tribal Energy Grants and EECBG block grants can help. Are block grants good models? Are discreet projects good models? How Tribes can be accountable for the money but also give Tribes freedom to use the money?

Dean: EECBG should be an ongoing program. Staff should be devoted to the subject. DOE should learn to leverage others systems; need to avoid the start/stop cycle that has been happening. Make the program carry on.

Pilar: EECBG grants were authorized under the Energy Policy Act but weren't funded until the Recovery Act. Congress has to appropriate or the program won't last.

Jennifer Romero, House Natural Resources: NEPA, BLM permitting, nationwide agreement will impact Tribes. Better coordination is important. Tribes are overwhelmed.

Dean: The process of consulting with Tribes has been very inappropriate. There should be more coordination and support. We need resources so Tribes can participate in consultations. The government hires resource consultants who look at sites, but don't talk to Tribes. Mitigation means moving, but can't do that without Tribes.

David: Brownfield sites, DOE sites, developing energy on these sites. How do Tribes feel about these? How do Tribes fit into priorities? Are there examples of Tribes working with the government on accessing lands?

Allen: The Tribe is looking at renewable on bases. There are good opportunities. Help meet RPS, protect bases with energy security. Must get vehicles to set up these programs. They should not be open to competition. The military wins, the Tribe wins, the local area wins with overflow from the projects.

Jack: We need to move to a policy where Tribes are the first choice for energy purchases. The government uses a lot of energy. Tribes should be able to sell to the government. It would be nice if DOE could back up the Tribes. We got an EECBG grant and built a solar project, but the energy company won't pick up the energy. Can DOE help and avoid FERC mediation?

Pilar: One of our goals and challenges is how do regional issues exist. We are trying to understand the regional issues to begin to work through them. We can't work out a national solution, but might be able to help with some regional solutions. We can help regions work out some issues.

Debra: come to OIEPP and they can help try to put together solutions.

Future Policies

JR: What policy initiatives would Tribes like to see?

Jordan: There are grants for residential and commercial buildings, but not for Tribal buildings or facilities like Tribal government centers. There is no funding for these buildings.

Allen: We would like to see preference for Tribally owned energy projects selling energy to the federal government.

Jodi TallBear, DOE contractor: There are two areas in the Energy Policy Act of 2005, but the projects must be majority owned by the Tribe. Since Tribes can't get tax credits, not many energy projects are majority owned by Tribes. Tribes can sell recs and the government will get double credit.

Allen: Tax credits could be tradable. How do you modify depreciation? Must get financing.

JR: Could this also work for local BIA Offices or state schools?

Jodi: The federal government is the largest purchaser of rec credits. E vast majority of the government is not buying Indian energy, but rec credits. If Tribes can un-bundle rec credits, they can push projects to profitable with the double credit if the project was marginal.

JR: So we need education to help Tribes understand these issues?

Allen: Education at various levels is critical. Need to educate those who will work at the utility, Tribal leaders who will own the projects, build management capability. Projects need funding.

JR: So technical development, jurisdictional education, etc?

Dean: I worked as an energy planner in a former life. I read a book in the 80s. the lesson is that for any project to be successful, there needs to be three effective roles: a political leader, a technical leader, and a community organizer. Probably have to have lawyers in Indian County too.

Jack: That is exactly what we are doing without even knowing it.

Bob: Need to unbundle the different attributes of projects. Corporate investors with an appetite for losses. Sell equipment to investors who can get Investment Tax Credits. Tribe sells energy to government for rec credits. Help Tribes to maintain investments.

Pilar: Funding/Financing/Incentives. How do cities do the same thing. They don't tax. Cities and Tribes can issue tax exempt bonds. Cities and Tribes can apply for KREBS, but they are going away. Cities and Tribes may be able to get together to see how things work. Tribes can use cities as models for Tribal development.

JR: Other ideas?

Jack: Eliminate all federal fees for Tribes.

Aurene Martin, Spirit Rock Cons: DOE is so big and confusing. Make OIEPP a resource for learning about all DOE programs and possibilities.

JR: sponsorship or support for Tribal project knowledge sharing with support from DOE. A clearing house for information.

Jordan: Intellectual capacity building. Keep things moving forward. We are all very young and inexperienced. DOE can do aggressive outreach and help build expertise. We are missing opportunities that we don't know are there. Maybe set up apprentice programs and then return to the Tribes to use the knowledge gained and share their knowledge.

JR: The body of Tribal experience takes years to gather.

Allen: An internship program would be a great idea. UC Davis is working with Indian Country but needs Tribes' help.

Aurene: A mentorship program could be effective and not require funding.

JR: They could be packaged into 1 week training programs.

Dean: There are a handful of Tribal utilities. They are more similar to municipal energy companies. Help Tribes get to the next generation, not just energy production, but all energy services. Examples are Sacramento Municipal Utility District and Austin Electric. Use these good examples to learn how to do it. PPAs and funding options, etc.

Allen: We are very open to these ideas.

David: Another example is Seattle City Light; they are interested in working with Tribes. Education for rate payers and general public education might be a good idea.

Jennifer: Maybe a person working with the feds like USDA. Regional Reps working with the Tribes for coordination and education.

Bob: Tribes could work with local community colleges to educate people. Develop local capacity. Local or Tribal community colleges are good resources.

Tribal Energy Summit

Tracey: DOE is hosting a Summit at the Marriott Crystal Gateway in crystal City. There will be a Tribal Leader Round Table on the 4th and the Summit on the 5th. We will be getting information out on the web site in the next few days.

JR: These Round Table Meetings will be used to inform DOE Leadership on issues for the Summit.

Pilar: A summary report from all these meetings will be available on the web site including information from all 9 meetings and the priorities and issues raised.

Allen: I am new to the federal level. Is it available to Tribal Leaders and DOE? How does it get to Congress?

David: First there will be a pre-Summit day on the 4th, afternoon Tribe to Tribe meetings. Start to make connections and establish priorities and mechanisms for communication. Give information to OIEPP, then DOE, then other agencies. Tribal leadership needs to find a way to get to congress. DOE Intergovernmental will not serve as Tribal lobbyists. Tribes coming together can get the message directly to congress.

JR: Must be timely information to get to congress.

Jack: The summary, will it be a draft where Tribes can give input? Tribes may want to help prioritize policies being suggested.

Pilar: What we hear most may be a priority. The summary is just to let Tribes know what we have heard. The 4th is the Round Table with Tribal leadership. This is not the end of the conversation! We

will get more input. The summary is to share what was aid in each meeting. It is an information sharing piece.

Jack: Could the summary transfer information to DOE management?

David: It could help you reprioritize and contact DOE.

JR: There is value in understanding that if an issue is heard more than another issue it could be a priority. Please take a minute and fill out the evaluation form to help us better use these meetings. There is also a comment form for you to use if you have other issues you did not get to share.

United States Department of Energy
Office of Indian Energy Policy and Programs
Round Table Meeting – Washington, D.C.

March 30, 2011

Feedback Form

Your comments are invaluable to us and we want to be sure you had the opportunity to voice your thought and opinions! Please take a few minutes to reflect on a few of the items we have covered today and provide any questions, comments and/or concerns. When you have finished, simply leave the form on the table and it will be collected and given to the Department of Energy, or, if you need more time, return the form to Charlie May when you have completed documenting your thoughts. If you want your comments to remain confidential do not fill out your contact information. If you would like your questions, comments and/or concerns addressed please include your contact information so we can get back to you. Thank you for taking the time to attend our conference today.

Name: DEAN SUAGEE

How would you like to be contacted? (Check the best option): Phone () Email (X)

Please provide your phone number or email address: dsuagee@hobbsstrauss.com

Please provide your questions, comments and/or concerns below:

- 1. Issues
 - a. Tribal Energy Issues and Priorities
 - b. Feedback on DOE Tribal Policy and Programs in Indian Country
 - c. Federal Government-wide Energy Issues
 - d. Future DOE Policies

c. Fed Govt-wide energy issues

The Low-Income Weatherization Program

How to make it work better to reach low-income Indian families. The program is run through the states, ~~A ~~that~~ Direct funding to tribes~~ is theoretically possible, but in practice it ~~has~~ has been awkward.

I think we ought to investigate how much of the \$4 Billion appropriated ~~for~~ in the Recovery Act for weatherization actually reached ~~to~~ eligible Indian families on reservations.

w/about 0.5% of the national population
~~The~~ Indian country should have received at least about \$20 million.

Round Table Meeting Notes
Phoenix, Arizona
April 5, 2011

Green Energy Campus - for Tribes to test, own, operate green housing.

Kelley Geny S: Proposed a question of off-reservation development. Question about funding opportunities, can funding happen off the reservation?

Pilar A: There are grants up to \$10M. They are limited to Tribal land. Otherwise they are like everyone else. They are restricted to on-reservation projects. Know of 3 geothermal grants that were given.

Tracey S: In order to change legislation, need to go to energy committee on the House side and Senate side.

David Conrad S: Looking at macro-level focus. Indian energy is smaller. Tribes can look at lowering their own cost. Can be a private/public company, Tribes can start their own for-profit company. Osage lowered its cost first, then it's going to move on to the profit side.

Kelley Geny S: DOE grants need to be on Indian land, want DOE to look at new building and grants for new construction.

S: Complex tax structures haven't been used yet. Wants to see how IRS will work. Double REC credits does not matter because the agency did not need to have renewables. Want double REC credits to be incentives with cities and states.

Pilar S: It's just the fed now, but would like to see cities and states.

Tracey S: About lease time, we have no evidence to show that it will take a long time. Have worked with BIA lease offices. My office will watch it hit the Hill and DOI. You cannot do an energy project in Indian Country without dealing with leasing. My office does not deal with that. I understand the permitting process and can help in that area. I can give on the ground real-time assistance with due diligence structures.

Pilar S: On the permitting side, BIA has drafts out to business permitting regulations for wind and solar. They are in the consultation process and looking at WSR as part of the regulations.

Kathleen Wilson, BIA S: NEPA and compliance drags down time. A definite lease would take 3 years. NEPA process and ASA takes time.

Derrick Wheeler, White Mountain Apache S: High unemployment is an issue. It is important to employee Tribal members and would like to see more material for young people. Want to know more about online courses to train Tribal members.

Phil Hobbs, Tohono O'odham Nation S: Green construction needs to be a part of new homes, and Tribes need to try and get students involved. Pine Ridge has millions of tons of clay for building. Big forest risk management is destructive.

Doyle Anderson, Indigenous Nations Inst S: The institute has distance learning from associates degree all the way to PhD.

Roger Fragua, AIPC S: Quite a bit of Tribes have energy potential. Inter-Tribal energy network (NCAI, CERT) and many Tribes in Arizona, including Navajo came up with a list of policy issues that was a wish list for the Indian Policy Act of 2005. They are trying to formalize that at ATNI conference. Looking for federal and Tribal relationship coordination of policy and development. How do projects get funded? Is DOE funding regional? Every state has received funding, and not every Tribe has. With organization of a regional coalition, could gather and go to DOE. If Tribal leadership changes, there at least would be local coordination.

Tracey S: Of the Tribal energy program, the recession has strained projects. Feasibility studies are the first steps. Many are ready for development or pre-development. Some find themselves in a year or two worth of data. Wind projects can take 2-4 years. There are many factors, i.e.- bird migration patterns. They started deployment and matching funds, have people trained on the ground level, transmission and marketing. Pricing in Great Plains is totally different than in California. Getting marketing to transmission will be regional and I am leaning that way.

Rod Lewis, Gila River Q: How do you vet private developers that can work with Tribes? How does DOE work with private developers? Also, it is important to impress on the BIA that projects not take 3 years.

Tracey A: Create a Who's Who form for best practices. Also have Tribes and developers/investors stand together and show how a JV was formed, and creating a SPC (special purpose company), also have tax incentives works with a joint venture.

Mike Many Horses, Oneida S: I moved my project off the reservation and had support from DOE, loan guarantee from BIA, IEED. Those are very helpful. Want list of Tribes that own their own projects, not a lease. Want to meet Tribes that own their own. List of Tribally-owned energy projects.

Roger Fragua, AIPC S: If developers are real and come with proposal, they should pay for the Tribal member's time and the due diligence. Do not want DOE or DOI to be the developers, just to oversee.

Pilar S: The fed has 6 agencies for grants. DOE, DOI, BPA, Dept of Commerce, USDA and HUD. Many spend dollars on the front side development, but not much on the back-side. EPA and USDA have money.

S: HUD ICPG dollars are available. Part of their charge is to lend Tribes assistance to know what dollars are out there. Maximizing federal funding is part of their charge.

Ken Lomayesgen, Hopi S: Can you fast track and expedite receiving funds for a project?

Keith Pahovala, Hopi S: People have wanted us to waive our sovereignty, and we do not want to do that.

Tracey S: There are leasing processes in place. Tribes have section 17 in place, and they and their partners can use it. Most want 25 years with optional 25 years.

Q: How do you set up a PPA? Is there one website that some can be sent to?

Pilar A: Travel and energy website for commercial scale.

Gerald Fayvent/Phil Hobbs, Tohono O'Odham S: Discussion - Looking at design scenarios in regard to land development. Know we are going to need to look at 50 years out, losing too many people every month. In the planning, GSA 10 year limits is nice, could do more with 25 years, tax incentives that never expire.

John Lewis, Gila River S: The Tribes need to work towards a mandate that's very inter-disciplinary that pulls all resources. And suggest that Tribes need to talk to other Tribes. Have to have a strong internal working group.

Grant? S: Let Tribes combine to create a Tribal utility authority. This would be integrated private/public partnerships. PPP's are how we will move ahead. Can see participating with BIA, DOE with Tribes is a way to move forward. To form a management level with more coordination is a way to move. Have a plan to take over the existing power plants. Need help integrating Tribes and don't have the ability at this time.

A participant added that companies are afraid to do business with Tribes. Once they see all areas that they can access for dollars inside the DOE. Tribes need to be in control of JV (joint venture) partnership.

Q: Question about SBA issues on ownership.

Pilar A: One of the responsibilities is capacity building. Focus has been with Tribal leadership and not private capacity. Technology transfer 8(a) companies working with SBA, Tribally and Indian-owned, working with economic diversity. Any comments on capacity building are welcome. Starts with the 4th grade, on up to the university level, on to business training. One thing I think they can do is hire more Tribal companies.

Doyle Anderson, Indigenous Nations Inst S: Power of education is underestimated. A student at our university has 7.5B in PPA work using the tools they got through their education. Tracey is doing a good job and was good on Native America Calling.

Kelley Geny S: We have education with young children to educate them on solar and beyond.

Pilar S: EERE website posts newsletters and technical assistance, is a good area for education. Education and information is the number one thing we are learning in roundtables.

Michael Derry S: Want an amendment white paper to the 2005 Indian Energy Policy Act and have it sent to the Indian Affairs Committee.

Tracey S: At both the roundtables and the summit, all renewable energy, coal, carbon sequestration projects, and transmission issues will be addressed.

Discussion on Summit agenda.

Closing prayer.

**Round Table Meeting Notes
Albuquerque, New Mexico
April 6, 2011**

Coordinators: Jonathan Blackwell and Charlie May

Facilitators: Debra Drecksal, Pat Lewis

Note takers: Sasha Stortz and Michele Cappel

Goal of Meeting: Learn about Tribal energy priorities and initiatives; receive feedback on DOE Tribal Initiatives in Indian Country; and identify future DOE Tribal policies

Welcome: Debra Drecksal

Opening Prayer: George Shento, Jr. – Lt. Governor of the Pueblo of Jemez

Introductions and Reason for attendance:

Tribal Leaders:

Tim Chavez – Tribal Councilman of the Pueblo of Acoma – Hearing concerns from attendees on all agenda items

George Shento, Jr. – Lt. Governor of the Pueblo of Jemez – Discussion of what issues are

holding Indian Country back regarding energy issues

Levi Pesata – Jicarilla Tribe - Resolving energy needs

Ernest Mirabal – Governor of the Pueblo of Nambe

Tribal Representatives:

Greg Kaufman – Pueblo of Jemez - Negotiator and Collaborator with DOE – Obstacles that Tribes face selling energy

Roman Pawluk – Renewable Energy Coordinator for the Pueblo of Zuni – Interested in federal government resources

Rob Burpo – Financial Advisor for the Pueblo of Zuni

Ted Pedro – The Pueblo of Laguna and American Indian Chamber of Commerce – Financial Programs

William Waquie – Pueblo of Jemez - What do Tribes need and where his Tribe stands

Gordon Hammond – Ute Mountain Ute Tribe - How to work with DOE with regard to funding

Derek Valdo - Councilman of the Pueblo of Acoma

Lee _____ – The Pueblo of Santo Domingo – Energy Block Grants, diversification of energy utilities, building efficiency, renewable energy

Rita Whitehorse Larsen - Navajo Nation EPA - Energy Advisory Committee

Neil Weber – Director of Energy and Cultural Affairs for the Pueblo of San Ildefonso – Projects available for economic development

Peter Desword – Navajo Nation – Economic opportunities and development

Adam Ringia - Natural Resources Department of the Pueblo of Laguna – Nuclear, Wind and Solar Power and Environmental Issues

Carolyn Stewart – Red Mountain Energy Partners – Representing the Pueblo of Jemez – Especially interested in solar issues

Amanda Montoya – Tribal Planner for the Pueblo of Santo Domingo

Heather Kie – Laguna Utility Authority - Finance area/Funding opportunities

Leonard Otero – Laguna Utility Authority – Uses of grants

Sandra Begay-Campbell – Sandia National Labs – DOE Tribal Representative – Inter-

ested

in Renewable Energy and Energy Efficiency and exploratory matters prior to the Summit in May 2011

Don Ami – NNSA – DOE

Pilar Thomas – DOE – With regard to Indian Energy – (1) Understanding primary needs for developing energy efficiency and renewable energy and (2) Top priorities of DOE for the Tribes

Mark Mitchell – Representing the governor of the Pueblo of Tesuque

- Gregg Sample** - Tribal Attorney from Drummond, Woodsum and McMahon in Portland, Oregon – Wind energy, enhancing Tribal capacity, leveling the playing field for Indian Country
- Jon Lee** – US DOI Inspector General’s Office – BIA Oil & Gas Assignment
- Daryl Woolems** – Ohkay Owingeh Housing Authority – Solar technology and rehabilitation work
- Vangie Redsteer** - Avanyu LLC Construction Company – Restoration of homes for pueblos with renewable, sustainable energy
- Bob Gruenig** - Attorney and Tribal Representative – Stetson Law Offices - Resources of DOE and interfacing with the needs of the Tribes
- Jerry Ryburn** – October Hill Funding - Funding opportunities for financial enhancement for issues beyond technical concerns
- Richard Fiallo** – Sacred Power – Native owned and operated – authority on renewable energy
- Don Pearson** - Environx – Solar Thermal Specialty – Manufacture of solar products – interested in knowing what the Tribes need
- Blane Sanchez** – Pueblo of Santo Domingo
- Lawrence Brown** – Sandia National Labs
- Shannon Locke** – DOI-IEED
- Dean Suagee** – Hobbs, Straus, Dean & Weller
- Brandt Petrusek** - DOE Facilitator

Agenda Item No. 1 – Tribal Energy Priorities

SANDRA: Invited to attend by Tracey LeBeau; Tribal programs over the last 10 years are gaining momentum. There has been growth in the availability of monies and pilot projects, such as the one on the SIPI Campus, for renewable energy and at Nature Ranch in the Pueblo of Laguna; Need to focus on access to monies and projects; Specific Solicitations for Energy Planning, Utility Development Energy Office and Human Capacity Development; Feasibility Studies account for 70% of projects, provide consultants who can narrow in on what the Tribe needs, results in a written report that Tribes can use to get funding which allow grantees to get to the next level – Development; Development includes Interconnection Studies and negotiated Power Purchase Agreements, partner Tribes and choosing a developer; Two (2) Solicitations are due in April: (1) Energy Efficiency – EBCBG Stimulus funding geared toward implementation to reduce costs by 30%, energy audits, choosing contracting, includes casino development, highlighted the fact that lighting is the source of the overall main cost and heating/cooling is a less substantial cost; (2) Renewable Energy Feasibility Study – Results in a report that can be used for funding – wind technology, solar/hot water/solar panels/geo-thermal (geared to large land based Tribes); \$10 million is target level (may be reduced after federal budget is in place); Possibility that monies could be carried over into FY12; there may not be a solicitation in FY12 so Tribes should get in the queue now.

BRANDT: Funding is key; need to look at the policy level and remove obstacles for projects that Tribes are pursuing – Key Policy issues should be discussed at the Roundtables and at the Summit in May

PILAR: Tribes are unfamiliar with DOE. They deal mostly with DOI but New Mexico is different. The Environmental Office works with five (5) pueblos; In the Tribal program (EBCBG) 520 Tribes out of 564

applied for grants; Referred to DOE handout to point out Secretary Steven Chu and the three (3) Under-secretary Offices – Nuclear Security, Science and Energy; DOE has a goal of building Indian Country – how to build solar, learning the technology, manufacturing the products; Contracting with DOE allows for Capacity building in the Tribes for construction, retrofitting homes, building wind turbines; Need to leverage energy resources; Highlighted each of the Offices (p.6 of DOE handout); The Office of Energy Efficiency & Renewable Energy includes the Tribal Program which covers all Indian Energy – oil & gas, coal, clean coal, carbon sequestration; Office of Fossil Energy supports technical and lab work – coal sequestration and some renewable forms of energy; Tribes have a need to provide electrification with stable and reliable electricity and rates; Smart Grid Program centers on upgrading power lines; Office of Environmental Management handles Nuclear Waste; Legacy Management handles uranium mining clean up; Power Market Authority – Bonneville Power and WAPA – The Grid – markets hydropower to federal dams, charged with providing technical assistance and access to the grid; Loan Programs Office – Energy Policy Act of 2005 established Tribal Guarantee Program at \$2 billion, however, funding was not appropriated. DOE is working on getting this program started; The Recovery Act authorized \$26 billion, limited to projects with “shovels in the ground” by the end of 2012 but no applications were received. Funds may be extended but would only be applicable to large scale development. The Office of Indian Energy Policy and Programs established by Title V of EPA 2005 (p.8 of DOE handout) sets out the charges to the Director. This office originally was not staffed or funded so there was no action taken. The Office is now staffed with monies appropriated. It is “resources neutral”- includes oil & gas, coal, fossil fuels, not just renewable/sustainable energy resources. Some goals have been carried out - \$20million/yr – trying to get it off the ground. EPA 2005 (p.9 of DOE handout) sets out statutory requirements for Power Purchases and preferences for Indian Country but is limited to paying market rate in negotiations with agencies to sell Tribal power – DOE wants feedback from those negotiations as it is trying to create a market for Indian Energy. PMAs deal with transmission, access and technical assistance; they bring in representatives to learn about transmission, work with WAPA (West/Midwest); DOE is looking at this model; Highlighted websites and publications (p.9 of DOE handout).

Main goal is to leverage Indian Resources

LEVI: Requested information on Loan Program Contacts

PILAR: Directed Levi to www.Energy.gov website

DON AMI: Education Capacity Building (p.8 of DOE handout); What are the Planning and Management needs? What are the Education needs? STEM (Science Technology Energy Math) in academic curriculum in the Tribal colleges training Indian students in energy issues. Education is very broad and includes economics and policy making taught through higher learning institutions to interns (3-4 per summer); DOI has a similar intern program for renewable energy; looking to fill in gaps in Education.

TIM: College students are our future leaders. He expressed an interest in establishing a scientific facility at the Indian School in Santa Fe perhaps through a consortium of pueblo councils. Pueblos are all competing for the same resources. The Pueblo of Acoma would like to see a multi-faceted research center and wants to know how to team with other pueblos. How can the Tribes assist? He is also interested in Teaming Arrangements for selling power.

PILAR: There are regional differences. There are Public Public Partnerships who understand key policy initiatives. These generally apply to large land/large population groups as opposed to those with a small land base. Some Nevada Tribes are creating a Regional Distribution Project with groups of Tribes regarding a Generation Facility and Transmission issues. Do the Tribes want help with that (something similar)?

DON: There is a \$280,000/yr. program based on the Kennedy education model that has been in existence for 10 years that has elements of STEM. IAIA is developing STEM curricula in Land Grant Colleges.

PILAR: DOE has education models not employed in Indian Country which can be replicated and or expanded to work for Indian Country.

TIM: Expressed a liking for the DOE education model idea and inquired as to how the Indian School can showcase this.

PILAR: Directed Tim to apply for a grant.

LEVI: Jicarilla is in need of adequate and reliable power. The local co-op system does not provide adequate supply. With reference to Indian Policy Development, he would like to see the federal government create more regulations to govern local co-ops. Individual members pay fees to be in the co-op. Public Relations is not getting involved. How can state laws support and come together? There have been so many changes in state regulations that it is unclear at this time which enactments are in effect. There are problems with franchise agreements. The Tribe is interested in going independent from the co-op and to provide the power authority for Jicarilla. The Tribe had undergone an inquiry process through the co-op and proceeded to Tri-State where it was asked if the Tribe has exhausted all resources. All forward motion ceased and the Tribe then had to start the entire process over. The Tribe is interested in going independent from the co-op and to provide the power authority for Jicarilla.

GEORGE: Agreed that progress is being blocked.

GREG K: There is a need for Fair Competition for energy contracts. FAR can be changed through EPA '05 with regard to Co-ops, Rights-of-Way. NM Tribal purchases generally go through Co-op from Tri-State out of Denver, Co. Co-ops have failed to maintain rights-of-way payments. There are millions of dollars outstanding involving 8 Tribes owed for expiring rights-of-way. The problem is severe and goes back decades. The Tribes are unable to recoup these funds as the Co-op will never be in a position to repay. DOE should look at bailing out the Co-ops to get the monies back to the Tribes. Wants a streamlined approach to access to WAPA lines and wants Tribal Preference. He is also concerned about Tribes that border Los Alamos. Their properties are contaminated and federal government assistance is needed to get the areas cleaned up.

PILAR: Can lines be bought and the Tribes take possession of them?

GREG: Sounds good.

PILAR: Indian Country wants to own systems and lines. BIA in Arizona conveyed lines or sold Tribes the lines. Can New Mexico do that? This would make Tribes self-sufficient. She wanted to be advised if this option is viable.

BLANE: Thinks the option is viable. Can it also apply to water rights? Tribes could build a compensation mechanism – Water for Energy.

PETER: Navajo Tribal Utility Project has a Wind Generator and the following issues: (1) EPA permits are a problem. What can DOE do to alleviate 1 ½ - 2 year delays? (2) Transmission – the project in the northern portion of the state and at Moriarity are both limited. The Navajo Transmission Project wants to go to green renewable energy. (3) Clean coal and Bio Mass fuel. There are two power plants in New Mexico facing EPA hearings. The 4 Corners Power plant can't meet the needs. There are issues with Desert Rock Project as well.

PILAR: DOE is not a Land Management Agency. DOI would have to take the lead on issues involving approving leases, issuing and maintaining Rights-of-Way and permitting issues. DOE is only involved in funding in these areas. e.g., the loan guarantee for solar systems in California. The only time DOE interfaces with EPA is through the funding process. If there is no DOE funding, there is no interaction between these two agencies.

TIM: The Pueblo of Acoma's resources are controlled by an outside concern. The pueblo wants to control its own energy. Tribes don't have income for loans/bonds or tax write-offs. Lightning storms take out the power transmission lines. He is in support of rules to govern co-ops. Local citizens far from urban areas receive approximately one-half the salary of urban workers. How can they invest in energy? Would like private citizens to be subsidized but have the Tribe retain ownership of the system. How to balance this? There is no capacity, no infrastructure. There is an attempt through the enterprises to acquire solar panels to offset the casino pollution, but can't develop a large enough scale to sell. He agrees on the question of turning permitting rights-of-ways back to the Tribes. There are many more steps for the Tribes to get to the resources on their own lands than for those outside the Tribe. As a gaming Tribe, Acoma applied for Tribal Energy bonds but the recession hit and the revenues dropped. He is interested in Acoma controlling their own transmission lines and also in development incentives.

ERNEST: There was a discussion with the co-op that services the Pueblo of Nambe. The nuclear situation in Japan was cited as a cause of concern for those Tribes that live around Los Alamos where a similar situation could occur. Does DOE have rules and regulations for nuclear agencies?

DON AMI: Referred Ernest to DOE's and LANL's websites.

MARK: The Pueblo of Tesuque is interested in developing green energy, solar power. It has a small land base and is looking at solar panels to offset pollution.

SANDRA: In the area of Renewable Energy, there has been an emphasis on efficiency. Block Grants – Tribes are caught with a great need for many upgrades (like putting a Band-Aid on a gaping wound). There is HUD money available for Weatherization on homes, but the conditions of the homes makes weatherization difficult. Can Tribes get monies directly from DOE? Tribes in Arizona and Nevada have gotten exceptions. How to build new HUD specified homes with green energy features in a way to

assist low income households? LIEAP (Low Income Energy Assistance Program) will be cut. Going through states for monies for renewable energy is not feasible unless your home is viable for it.

ROMAN: Revenue generation – If the Tribe has no casino or tax base, development options are limited. Efficiency levels need large consumption base. There is a need to have a coordinated effort to redo transmission line grids. Tribes won't have a voice. Can DOE advocate for them? He would also like to see a Tribal set-aside on the new transmission grid.

BREAK

DEBRA: Called for any further comments on the topic of Tribal Energy Priorities – There were none.

Agenda Item No. 2 – Feedback on DOE Tribal Policies & Programs in Indian Country (current policies)

Effectiveness of Policies/Programs

GREG K: The Pueblo of Jemez is involved in a solar project and utility scale geothermal project and appreciates DOE's support. DOE has been extremely helpful to the Jemez project. The Pueblo of Jemez attempted to sell solar power to Los Alamos Labs and was directed to their utility – Department of Energy Partnership. The county was willing to purchase the power and ran it by DOE. There were procurement issues and everything came to a halt. Jemez went to NNSA and discovered 2-3 conflicts within FAR and Energy Policy Act 2005. Would like to see this addressed and resolved at the Tribal Summit, so he will clearly identify the conflicts. FAR requires the best deal for the government. Since the cost of renewable energy is always higher than fossil fuels or hydroelectric, there can never be competition between them. Similarly, the federal government cannot pay more than market rate for power. Federal Procurement Officers don't differentiate between hydroelectric, fossil fuels or renewable energy. If the Tribe has to compete on RFP, renewable energy will be defeated every time due to cost constraints. FARs need to change to separate out renewable energy in the RFPs. If the situation were reversed, oil & gas and coal companies would be forceful in reversing the situation. Separate renewable energy credits from power – saw price twice as high as coal. If the power price is offered separately, renewable sources can compete.

TIM: Referenced the footprint for real property being 3% of the total. There is a need for/interest in sustainability of buildings, maintenance, retrofitting the HVAC units and the rebate program.

ADAM: The Pueblo of Laguna has the largest open uranium mine and issues in that regard. Has there been any consideration for the Tribe to make use of the Legacy Management Office?

PILAR: No, but she will try to see if there is some application. She suggested that Adam attend the Tribal Summit and meet with the leadership of the Legacy Office. The Recovery Act has clean up monies available but it is one-time funding.

CAROLYN: There is no funding from DOE for rights-of-ways and acquiring transmission lines from co-ops. She would like to see that change. DOI can fund some issues involving the taking over of the transmission lines by Tribes, but DOE needs to be in the picture as well.

PETER: Does the Loan Guarantee Program cover Offshore investments in China or North Korea?

PILAR: No.

JERRY: Loan guarantee program discourages applications with long processing times, high fees and ongoing credit costs. There was intent for Tribal set-asides, but the funds were diverted to the “Cash for Clunkers” program. Are there any current plans to get Tribal set-asides back?

PETER: Does the loan program cover new market tax credit?

PILAR: DOE can't provide a loan on that basis, but some Tribes are using the credits in other ways. The credits are transferrable on all trust lands. The credits qualify as a tool for developers to bring projects in. There needs to be leveraging of the existing DOE program. In the loan program, there is a statutory limit on advanced technology. The Recovery Act added conventional, renewable technology, but it requires Congressional approval. BIA's loan guarantee program was reduced. DOE is talking with USDA and HUD to try to leverage the various loan guarantee projects to get them better aligned and to operate under the same rules. Set-asides can be set by regulations but will probably only apply to renewable energy sources. DOE is looking for administrative solutions to avoid going back to Congress.

CAROLYN: Loan guarantee program and market tax credits are very complex, but leverage is important. USDA can operate in market tax credits and the process can be used as a model for DOE to adopt administratively.

Agenda Item No. 3 – Federal Government-wide Energy Issues & Coordination

PILAR: There is a meeting pending between HUD, USDA, EPA, SBA, and the departments of Labor and Commerce for funding applications, learning the program and discovering who they are funding. Who has applied to the Department of Commerce for the EPA program or USDA Rural Development for Energy Efficiency?

GREG K: Looked hard at it, but ruled it out.

PILAR: Why?

GREG: Under EPA the “Provision of Jobs” element ranks high in the proposal. Solar projects are highly reliable but don't offer a lot of job opportunity after the construction phase. The project will require only one FTE (which they planned to split into two PTEs) to monitor, maintain and clean the facilities. The project fits but is thrown out due to the jobs provision. USDA ownership structure is a problem and the Tribe cannot qualify.

CAROLYN: Agreed with Greg. There needs to be a separation of Tribal entity and Tribe; Programs may fund Section 17 Bio Mass projects.

PILAR: Any other EPA applications?

PETER: Has applied and been denied. Brownsfield applying again in May. The Navajo Nation did well in the normal program but not under the stimulus program.

PAT: (Facilitator) What are the problems with the Integration of Programs?

ERNEST: The mighty old dollar. Small Tribes are left behind. One hindrance is the start up cost - \$20,000 for the initial paperwork. Small Tribes cannot proceed.

PILAR: Small Tribes with no resource income have needs for revenue generation. What specifically do the small Tribes want DOE to do – offer technical assistance? Publications? Contacts with agencies? The Tribal Energy Program under the Bush Administration pushed commercial ventures, but most Tribes don't fit these criteria. There is a need for other solutions for small land base or low resource Tribes so DOE can work on the policy. The website has some information on applications, but Tribes may need technical assistance or other resources. She wants to know which specific Tribes want DOE to look at or to do for them.

ROMAN: Small Tribes have a lack of understanding of capital management. It is very difficult to draft good applications. He attended a workshop that was very helpful with a one-on-one meeting that was the most beneficial approach. He would like to see a committee formed with economists, Tribal liaisons and energy technology professionals to meet on issues and review once a year.

[There was considerable non-verbal agreement to this idea]

DARYL: Agreed.

GREG: TEP program – The 50% cost match is tough – it amounts to millions of dollars. One fix is to allow Tribes to use the tax credit equity as the matching portion, but Policy and Regulations conflict. What is the market rate of renewable energy? NNSA forms a group to get an answer. DOE needs to look what the market rate is for solar and geo-thermal. He believes a study is needed.

PILAR: What is “prevailing market rate”? Have the Tribes asked for a legal definition?

GREG: He was told “what the current private sector receives.”

PILAR: That's defining market rate as wholesale vs. retail.

DON AMI: Only one statute and FAR was used to interpret the term. The Department did not want to state what the term meant. It wanted to wait due to a perceived national perspective impact. Defining this term will have an impact on all energy acquisitions and will cause a change in FAR. It is a national concern, not just a Tribal concern. Congress has tight constraints to use federal appropriations for renewable energy. The standard used is the cost of taking power (regardless of what type of power is at issue.)

PILAR: She is willing to look at the Tribes' view and interpretation of the statute. She would like to go back with the Tribes' definition and agrees that it is a national concern.

DON AMI: There was no open dialogue. Tribal interests did not have an advocate.

Agenda Item No. 4 – Future DOE Tribal Policies

DEREK: Inquired about Direct Funding vs. grants that go through states, e.g., where Nevada and Arizona get their monies directly.

SANDRA: The Weatherization Program.

DEREK: Educational assistance is needed and wanted. There are enough vendors and support but he wants technical assistance from DOE (legal, review of applications, review of contracts). The federal budget returning to 2006 levels is a big problem. He wants DOE to look at how each agency operates and leveraging (braiding) funding in order to streamline the process.

DON: Level the playing field with regard to prevailing market price. Congress will probably not do anything on the Energy Policy to open up the Renewable Energy market. What can DOE do to open up viable solar markets? On the state level, there is no system in New Mexico for Solar Recs

PILAR: DOE needs to find models/programs to adapt to Indian Country. DOE funds several state-run programs for state inspectors and PRCs, setting RFP standards and providing technical assistance. The Administration pushes clean energy. DOE might be able to leverage this model through state regulators and reach out to Tribes to seed the program with a Tribal component through OIEP (Office of Indian Education Program). Tribes should look at the website to see which programs can be adapted to Indian Country so that DOE can mirror and replicate the model. She then asked who is the room receives GAP monies.

ADAM: Acknowledged that Laguna received GAP funding. He wants to keep the environmental justice component to assist small Tribes. If a small Tribe has an environmental issue, a small population number does not garner much attention. He would like to see facilitation for diversion from co-ops to independent ownership. Prevailing market rates should be specific to the energy type. He agrees that oil & gas companies would definitely impose self-considerations if the situation was reversed, so the Tribes should do the same.

PILAR: Title V – Indian legislation - Define terms according to Indian perspective.

ADAM: Keep the Tribal Energy GAP. Get knowledge out regarding which Tribes had what type of problems with which specific policies (referring to Greg's early comments)

BLANE: EPA established regional Tribal operating committees. DOE should set up the same sort of meetings – Institutionalizing regional dialogues.

PETER: Had a meeting with PNM on a Power Purchase Agreement because the lines were full. Had to go to PRC and was caught in a Catch-22. Opportunities in manufacturing would give Tribes access to the existing marketplace. Generating Power Purchase Agreements are a pain. Instate operation must be set up before the RFP can be done. RECs provide an opportunity for energy development and initiatives. What about TEP bonds?

PILAR: I don't have as much influence as the Tribes.

TIM: Small Business Research Program

PILAR: DOE is in early discussion with SBA on (1) Economic Diversity Office and the 8(a) Program with regard to contracting with the federal government and expanding the number of 8(a) participants (Indian business) doing some of DOE's work. (2) SBA Federal Acquisition Initiative – Technology Transfer Initiative – “giving away” licenses and patents – making DOE technology commercially available. This would include DOE but would mostly involve SBA.

TIM: Reaching out to utilize SBA Innovative Research Projects – Tribes need a feasibility study on how the Tribes can best use their lands, e.g., Malpais.

DON AMI: NNSA has a huge investment in New Mexico - \$5 million/yr. \$103 million in Los Alamos is from Indian business and there is an interest in increasing this level of business. He also asked for Lawrence's input on SBA.

LAWRENCE: State legislation to provide technical assistance in New Mexico is \$2.4 million/yr. Tribal enterprises may qualify. Should leverage projects – those Tribes with common technical problems can pool their resources and consult together on these common issues.

PILAR: Many items will require legislation (tax credits, etc., 49 steps for permits). Tribal leaders have raised the issue of renewable and coal permanent extensions. Chairman Young will introduce legislation for energy development obstacles. Under the Indian Energy Parity Act – (1) Transmission lines and Preference; (2) Transferability of tax credits between tax/tax exempt entities. The Tax Credit/Tax Incentive is a function of the Tax Code and will require a legislative fix. What will Treasury's views be? There will be legislation from both the House and the Senate for Energy development.

GREG: Lending support to SEP Clone in DOE for duplication of state programs on federal programs (DEO) is good.

DON AMI: The entire nuclear fuel cycle is in New Mexico – Mining – Fueling – Oil & Gas – Waste Storage. Indian Country has sacrificed for that enterprise. This is why NNSA has strong plan in New Mexico. WAPA – Must develop integrated resource plans for Power Purchase Agreements and Transmission Agreements. All pueblos are assigned to TriState upstream. Tribal entity has turned authority to the regional level. He would like to see a reconsideration of individual pueblos to take at least a piece of the business for themselves.

SANDRA: One of the DOE programs is scheduled for Peer Review. The taking over of transmission lines by the pueblos is problematic. There is a 4-5 year cycle but there is momentum for where the Tri-

bes want to get to. SIPI got hardware on campus that helped in the long run, but she wants to see DOE funding for development with monies going directly to the Tribes. There are some issues between the Tribes and the consultants, but agency funding has always stuck with the Tribes. She will feed information to Pilar and Tracey at DOE. EERE (Energy Efficiency and Renewable Energy) is concerned with Wind, Solar and Geothermal energy. Tribes were not included in the Solar American Cities Program; it was restricted to cities only. However, the program can serve as a model for net metering, cutting trees, RFPs for procurements to track solar power locations. This information may be helpful to the Tribes. Take non-Tribal programs and apply them to Tribal interests.

DEBRA: Announced handout for feedback, the additional contact list and the evaluation form.

CONCLUSION

PILAR: Encouraged all to attend the Tribal Summit on May 4th and 5th. May 4th will be dedicated to meetings with Tribal Leaders and government leadership only. There will be broad discussion with all of DOE for the energy summit. Think about goals for the Summit. Where have we come from? Tribal Energy Program has been holding down the fort for ten years. There is one thing missing – Projects. There is funding, education, feasibility, but still lacking shovels in the ground. How to get from TEP 1.0 to TEP 2.0? Need to get steel in the ground. The Bush Administration wasted six years by not funding the program during that time. There is a need to sustain the program for more projects – Tribe's building projects for energy offset, revenue generation and initiatives. DOE may not be able to totally fund the project, but it can bring resources and assistance. The Roundtable meetings are critical to the connection between the DOE and Indian Country. She expressed her thanks to DOE, the Sandia representatives, the Tribal Leaders and all participants.

DEBRA: Asked for additional comments.

GEORGE: Public Tribal Government officers generally serve a one year term (some are 2 or 4 years). Information on programs, grants and funding should be sent annually so that Tribes can keep current on what's available each year. He thanked the DOE representatives and stated that he was looking forward to the Summit. He will also make a dedicated effort to take steps to streamline issues for the Summit.

GREG: Thanks to Pilar and DOE for past and continuing work on behalf of the Tribes. The future is looking brighter than the past.

DEREK: Closing Prayer

Meeting adjourned at 12:30 pm.

**Round Table Meeting Notes
Tulsa, Oklahoma
April 14, 2011**

David Conrad-

Welcome and introduction of DOE participants

Introduction of attendants

Discussion

- Mission of DOE
- Overview of energy offices within DOE, DOI & EPA
- Review of agencies within organizational chart.

Q: Does DOE have loan guarantee programs for energy projects?

A: Yes. As much as \$100M and up for energy projects. DOI's similar loan guarantee programs max at \$90M.

Discussion

- May 4th & 5th Energy summit in Washington DC

Tom Elkins Q: What is the difference between the May 5th meeting in DC and these roundtable discussions?

A: These roundtable discussions are in preparation for DC in May, to hone in on topic matters for the summit.

Reviewed

- Key offices and labs in DOE

In 2005, Office of Indian Energy Policy and Programs formed.

Tracy LeBeau, Office of Indian Energy

-- This office looks at how to remove obstacles from Native American energy programs. Her office is unique for that.

Meredith Tinnin Q: Does NREL and Argonne work with the Tribes?

A: NREL yes, not sure about Argonne. EERE has Tribal energy department, 3 grants and manages funding EECBG. There are several other locations that work with Tribes, too.

Tom Elkins Q: EECBG was funded this year, will it continue to be funded? I would like to see that.

A: It will be funded if it is appropriated, but it's not in the budget request.

Tribes have EECBG funding of 2% set-aside, 54M out of 2B.

This funding protects climate and energy efficiency.

Michelle Tinnin Q: Work on EECBG probably not going to be funded, but will it maybe be funded through another department?

A: Probably not. There is another conference in Washington DC in mid-May. This Energy conference will address what's next post-EECBG.

Discussion

- Office of Energy
- 2009-2010 funding 2 yrs, 5.5M from Congress, 1.5 from President
- Transmission and Infrastructure

PRIORITIES Discussion

Debra Drecksel - moderator for discussion on priorities.

Tom Elkins Q: What is out there that lets us burn trash? Mining issues - we want to burn trash and use steam for energy. We have a small USDA grant for a feasibility study, are there any other programs with this model?

David Conrad A: Oneida, Wisconsin has a municipal waste program, that is the only one I know of.

Tracy Hurst Q: What are all the possible sources of power? Learning that is our priority.

Q: Regarding setting priorities, I am wondering if there will be less or more regulations for us getting into energy programs.

A: There are new proposals to update and modify regulations and inconsistencies between regions. DOE lends expertise and has loan programs to offer assistance.

Michelle Tinnin/HUD S: We have lots of interest in geothermal and bio-mass, and are seeking information on networking and resources. We share as much info as possible if anyone asks.

Frank Johnson S: We have 2 hotels with 1500 units that operate on geothermal energy with a generator. It has saved us over \$50,000 in electric bills. In 1978, the federal administration said no natural gas, coal powered plants last 30-50 years, 50% plants are coal. This administration says we need something else. I am building several miles of natural gas lines (20 miles with our own money). A 30MW wind facility costs \$50M. Geothermal is expensive but will pay out. Changing over can be expensive but successful. Multiple presidential administrations make it difficult with different demands.

Susan Two Eagles Q: What kinds of opportunities will Tribes have to present information at the May 4-5 summit in DC?

A: There will be break-out sessions to interact closer with different groups, such as Nuclear Energy Defense, education and contracting development, energy efficiency and renewable energy, transmission and electrification. Also there will be a Tribes only session on May 4th to talk amongst yourselves before continuing the next day. On May 5th there will be question and answer sessions, a Tribal Leadership panel and Inter-agency roundtables. So there will be a variety of meetings including one-on-one sessions, Tribal only, and inter-agency discussions.

Michelle Tinnin Q: Is Notebook publication the only way to get funding at summit?

A: The summit is not really the place for this type funding requests.

Randy Bacow S: Some local resources for funding are the Oklahoma University, previously the Conoco lab, they do research in Ponca City, and OSU where graduate students in environmental science program need field work for class credit, so they can help in early field studies, and Intrix (sp???) a 400 person company focusing on water and other resources, who has a Tribal division that has done work for 60 Tribes around the US and can help with feasibility studies.

Randy Johnson S: We help do funding, too.

Edward Sutherland S: When working with Westerners, OG&E is experienced in PPA's (power purchase agreements) and ways to get into their grids. However, OG&E wants control, not partnerships. It costs \$400,000 to tie-in to OG&E's lines. We need more partnerships.

Larry Tippit S: PPA's are a big issue, and NEPA docs. Private wind energy can get in and out. Tribes have to placate Corps of Engineers, EPA and other regulatory bodies. Consulting agency lawyers are the only ones making any money. We are currently 2 years into a NEPA process that we see no end to, and lots of PPA's have come and gone because of that.

Jim Gray S: There are more down-sides than up-sides for us when negotiating Trust with the US. Tribes want us to negotiate Trust with the US, it's been a debate now for 5 years. South-

ern Utes are the only Tribe I know that have entered into negotiations and they are not done yet.

Ramona Tall Bear S: We have retrofit projects and are doing an audit. We need to set up a Tribal department of energy (just a Tribal office, not DOE) in the NE corner of the state for wind projects.

Jamison Bear S: 100MW wind farm project on our land as part of our Tribal energy, we are expecting problems. Also concerned about natural gas in light of our incinerator project. Our solar project includes hydropower.

Kay Bills S: Is CERT still active with Tribes? Previously they were very helpful.

Jim Gray S: As an energy consultant in some of the largest oil fields in the US, my concern is that oil on reservations is hard to get due to paperwork that takes over 49 steps.

Michelle Webber S: Resource - DOE's "Clean Cities" alternative fuel program. Also, Tulsa and Oklahoma City programs for funding new fuels, education, meetings and conferences.

Frank Johnson S: We are working on perfecting a generator, hopefully completed in next 2-3 weeks. Might call it the "Tribal Authority Utility Generator", patent pending. We are totally self-sufficient energy-wise.

David Conrad S: Tribal Energy Security - if power were to go out across US, Tribes can secure their own energy by being "off the grid." Workforce Development considered another priority, with the need for education in the energy field for new types of jobs in this area. Indian Energy can be considered akin to Indian Water Rights, put your legal structures in place for long-term longevity.

BREAK

Brian Manwaring, Udall Agency - smallest or 2nd smallest US Agency, out of Tucson, AZ.

Review of upcoming topics - DOE Tribal Policies, Feedback on Tribal Policies, Future DOE Tribal Policies

Tom Elkins S: Grants are hard to do because of time restraints. Consideration of these grants has to go through our committees before being applied for that can take 45-50 days if there are no issues and 60-90 days if there are issues. 30 days notice on grants is difficult on Tribes. Also, cities and states get funding for purchases on equipment such as cars and mowers that don't use natural gas, but Tribes do not. And the NEPA process was terrible for us, it took forever.

Edward Sutherland S: As a lawyer, its easier to just burrow in the ground and say there are statutory and regulatory inconsistencies. It is difficult to move around through different agencies with overlapping statutes and regulations. Instead of coordinating regulations, streamline them.

Pat Gwin S: EPA regulations are very different for Tribes. Example - we have been given a timeline of 1.5 months to build a \$1B project because of regulations imposed to protect migratory birds. Streamlining may not work alone without eliminating some regulations.

Jim Gray Q: I was an advisory board member a couple years ago that dealt with overlapping agencies, and included representatives from Tribes, DOE, MMS, DOI, etc. An MOU was signed by all these agencies to work together. The meetings stopped in 2009 after the change in administration. Former board members still email and talk at RES 2011 and other conferences, and discuss seeking reinstatement of the board process. Is this consultation process taking place of that board?

Kay Bills A: Cross-cut budgets are an ideal model. Each agency gets together and put money in. OMB takes charge and assigns a leader. Also, I am taking a position on SBA's Region 6 Fairness Advisory Board. This is a process at the ombudsman's office. It takes more paperwork, but takes the issue to a higher level if you need it.

Tom Elkins S: Jealousies amongst agencies cause problems when trying to get them to work together. We need to work out policies ourselves, i.e. - "make decisions as people" like whether or not we decide to put up wind turbines and kill birds or don't build and save birds.

Carter Gipson S: Coordination amongst agencies needs to improve.

Randy Bacow S: On the financing side, maybe need a tax credit process for energy projects like those in low-income housing markets. Red tape on alternative energy projects is very complicated.

Jim Gray S: Part of the problem developing wind power is that access to the grid is not readily available. It cost \$2M per mile to put in transmission lines. We have access to funds for project development, but not for access to the grid. We need to look at project like to grid as a US federal problem. Previous project on grid building map shows Tribal land avoided, because of regulatory nightmare of building grids on Tribal land due to EPA and other regulations. Transmission building companies have too many regulations on Tribal lands, but the US government can build without all the same hassle. So the US government should do grid building in Indian Country.

Susan Two Eagles S: Tax Credits could possibly be used for grid building. Sometimes Treasury grants don't work.

David Conrad Q: Would it make sense for Tribes to put together a national association for reviews on alternative energy projects to help speed the processes?

Tom Elkins S: Regarding something else I heard over and over in Oklahoma City DOE meeting, we are not "rich casino" Tribes, that comment offends us. We create jobs, don't hand out money to members, but create jobs and that is how we help them.

Frank Johnson Q: Regarding Grants - Can Tribes eliminate some of their own "hoops" to move processes faster and get more grants?

Melvin Roanoke A: 99% of the "hoops" Tribes have to jump through are federal regulations, not Tribal issues/hoops.

Kay Bills S: Outside investors trying to do business with Tribes can be confusing. Issues like are you talking to the right person in the Tribe, etc - this is a familiar story. Tribes need to be approached at the business division or level.

Randy Bacow S: Oklahoma Tribes are good at building well-developed business sections. Some Tribes are looking at 10-15 business deals per week or month, kind of like venture capitalist firms. It is difficult if companies have to give business presentations to the whole Tribe versus just the business arm.

Jim Gray S: We made it part of our constitution that no elected officials could serve in our enterprise section. It is important to separate Tribal politics from Tribal business enterprises.

Kay Bills S: Resource - DOI's economic development arm published written assistance for government businesses, "How to Set Up and Structure Section 17 Corporations."

Edward Sutherland S: If people at local levels do not have enough experience dealing with these things, then pass the ball to higher agencies with more experience.

Frank Johnson S: Policies are easy to change, inter-agency policies are the low-hanging fruit or the easiest to change.

Kay Bills S: DOI is the only agency that works with Tribes on economic development. EPA, HUD, DOE and other agencies need to step up for Tribes.

Jim Gray Q: Does DOE have a loan guarantee program?

Brian A: Yes, but not really designed for Tribal projects.

Brian Q: Which is preferred, GAP grants or Block grants?

Tom Elkins A: I want Block grants so I can control my projects.

Edward Sutherland Q: Who do I call in the federal government to tell me the process or provide a checklist for how to do different projects? (i.e. - solar roofs, wind turbines and generators, geothermal projects, or other specific project types.) We get some help, but it is not understandable or complete.

Pat Gwin S: EPA and HUD do good jobs. DOE just setting up an Indian office does not do the job. DOE has to return phone calls and be responsive.

Michelle Tinnin S: I work for HUD. We had to take a class on working with Tribes, it was very helpful. Maybe other agencies could use that as a model and provide similar classes.

Randy Bacow Q: To turn the tables, what does DOE need us to take away from all this?

David Conrad A: Focus and attention on being green is about 2 arm lengths long, the Indian portion of that is about 1 hand length long. I believe most of the profit for Tribes is not in providing energy for Indian land, over 50% of Native Americans do not live on reservations, we are trying to figure out how to help these people. Link in with SBA to prepare for procurement, and be prepared for the larger energy economy where there is more money to be made.

Jim Gray S: Could be better if EPA, USDA and Labor departments were included and if they all traded info. We spent a lot of time talking about other agencies. Tribes are getting a lot of consultations lately and this environment is not very productive. Other agency talks should be recorded and sent to us.

David Conrad S: We are just getting going and there is White House initiative to pull the various agencies deciding with Indian issues together, and include them in the summit. Contact info for David given with note that he responds quicker to emails than phone calls, and it is okay to text if an immediate response is needed.

**United States Department of Energy
Office of Indian Energy Policy and Programs
Round Table Meeting – Tulsa, OK**

April 14, 2011

Feedback Form

Your comments are invaluable to us and we want to be sure you had the opportunity to voice your thought and opinions! Please take a few minutes to reflect on a few of the items we have covered today and provide any questions, comments and/or concerns. When you have finished, simply leave the form on the table and it will be collected and given to the Department of Energy, or, if you need more time, return the form to Charlie May when you have completed documenting your thoughts. If you want your comments to remain confidential do not fill out your contact information. If you would like your questions, comments and/or concerns addressed please include your contact information so we can get back to you. Thank you for taking the time to attend our conference today.

Name: TIM GRAY

How would you like to be contacted? (Check the best option): Phone () Email ()

Please provide your phone number or email address: gray.grayconsultants@yahoo.com

Please provide your questions, comments and/or concerns below:

- 1. Issues
 - a. Tribal Energy Issues and Priorities
 - b. Feedback on DOE Tribal Policy and Programs in Indian Country
 - c. Federal Government-wide Energy Issues
 - d. Future DOE Policies

Streamline the process of approving oil & gas leasing. Try to get BLM, MMS, BIA, EPA, Fish & Wildlife, etc. To find ways streamline the process.

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Name: Michelle Timm

How would you like to be contacted? (Check the best option): Phone () Email ()

Please provide your phone number or email address: Michelle.K.Timm@hud.gov

Please provide your questions, comments and/or concerns below:

1. Issues

- a. Tribal Energy Issues and Priorities
- b. Feedback on DOE Tribal Policy and Programs in Indian Country
- c. Federal Government-wide Energy Issues
- d. Future DOE Policies

A - Regulatory / Statutory barriers imposed on Tribes that aren't enforced on other local municipalities

c/ B - Federal Roundtables w/ the correct federal agencies located w/in jurisdictional areas - ie - a meeting in DC w/ the DC staff doesn't help things happen in OK

Determine the priority - saving birds / energy measures
Define where the line is - what is the priority?

lengthen times to respond to NOFAs to enable Tribes to have adequate time to go through Tribal gov't steps to approve an application - OR Accept applications pending receipt of correct documents (funding commitments, tribal Resolutions, certifications, etc)

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Name: Susan Two Eagle, Oglala Sioux Tribe

How would you like to be contacted? (Check the best option): Phone () Email (X)

Please provide your phone number or email address: susan2eagle@yahoo.com

Please provide your questions, comments and/or concerns below:

1. Issues

- a. Tribal Energy Issues and Priorities
- b. Feedback on DOE Tribal Policy and Programs in Indian Country
- c. Federal Government-wide Energy Issues
- d. Future DOE Policies

As a new Energy Assistance Program Director I am interested in the concept of providing education and implementing work force development at our local community offices so they can implement energy efficiency for themselves.

I know our tribe has more concerns and issues but I am unable to comment.

I am very interested in upcoming meetings so we may provide your office with what we are about.

**United States Department of Energy
Office of Indian Energy Policy and Programs
Round Table Meeting – Tulsa, OK**

①

April 14, 2011

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Name: Tom Elkins, Administrator of Environmental Programs, Cherokee Nation

How would you like to be contacted? (Check the best option): Phone () Email

Please provide your phone number or email address: 918-453-5237 tom-elkins@cherokee.org

Please provide your questions, comments and/or concerns below:

1. Issues

- a. Tribal Energy Issues and Priorities
- b. Feedback on DOE Tribal Policy and Programs in Indian Country
- c. Federal Government-wide Energy Issues
- d. Future DOE Policies

The DOE should work with EPA & HUD to better work with Indian Tribes.

I understand the EFCBC Program was put together quickly, but there have been restrictions on use of funds that were not supported by regulation or statute. These restrictions were not used for municipalities or states!

One of the big aspects of DOE today & working with Tribes is technical assistance. I called and left a message asking for TA for compressed natural gas (CNG). I was forwarded to a website. That is not technical assistance.

Round Table Meeting Notes
Anchorage, AK
April 14, 2011

These notes are not a verbatim recording of the discussions, but an attempt to capture the main thoughts expressed.

JR Bluehouse, United States Institute for Environmental Conflict Resolution opening comments: There is a DOE email address on the second page of the Tribal Leader Letter included in the package on the table. The power point packet will be discussed later. Also included in the paperwork are a survey form and a comment form so you can share any other thoughts with us about this meeting and energy in general. Now let's go around the room and begin with introductions. Please tell us who you are, what Tribe or organization you are with and what you would like to take away from this meeting. Now that we have completed the introductions, let me summarize what we have heard to see if I got it all. The highlights were:

- High cost of energy
 - People are leaving our communities, and taking our history and culture with them
 - We need economic development
 - There is not much Tribal Leadership in attendance, travel costs are high, we will share with Tribal leadership, build bridges of communication
- Is that about right? (Group concurs)

Bryan Maracle, CATG: Our communities are overwhelmed with communications from government agencies. There are too many requests and not enough resources to answer or attend them all.

JR Bluehouse: We understand and will try to work with you to resolve this issue.

Tracey LeBeau, Director, OIEPP: I am a member of the Cheyenne River Sioux Tribe of South Dakota. Thank you for coming out today. The Office of Indian Energy Policy and Programs was established by the Energy Policy Act of 2005, but the office was never funded, and not stood up until 2011. I am a political appointee and was appointed in late January. Since then we have been working through issues, getting office space, learning our way around the building, and getting Pilar from DOI. If you will look at page 8 of the power point packet, you will see the authorization that formed us and what we are required to do. There is so much need, we have to find out what is important and figure out how to prioritize the needs. We are pushing out into Indian Country to get to Tribal areas and to start the dialogue. We have had nine Round Table Meetings. But this is not the end of the process. We want to get out to your communities. Congress will have a lot to say about our ability to do what we want to do; they have to appropriate the funds. We are trying to document the needs in Indian Country to discuss on the Hill. We don't want to announce any new programs without finding out the needs and consensus across Indian Country. We have to talk to Tribal Leadership to get a sense of the size of the problem and consensus of the Tribes. We are NOT the office of renewables for Indian Country per our authority documents. There are no discussions behind closed doors in DC to push some "Master Plan." We must get ideas from Indian Country and work to meet the needs. We are working with other agencies to figure out how to coordinate and reduce confusion caused by all the programs covering energy. This is just the beginning

of the dialogue. The EERE – Tribal Energy Program has been the focus of discussions in Alaska. We have other offices that do similar work or work in surrounding energy areas. How do we support distributed energy? Our office is trying to coordinate across all offices and other agencies.

Pilar Thomas, Deputy Director, OIEPP: I am from the Pascua Yaqui Tribe. Communication with Alaska is a huge challenge. We are trying to figure out how to solve the problem, should we come up, have consultations? What are the best methods? Please give us comments. Even if folks can't come to the meeting, they can still contribute. They can use the email address in the Tribal Leader Letter and the web site. Please feel free to drop an email to us. You don't have to wait for us to come up. This won't be the last you see of us if Congress cooperates. We are looking at all of the challenges in Alaska and the Lower 48. We want to get a feel for how to deal with the issues of small Tribes. There are a lot more small Tribes than big ones.

JR Bluehouse: Now we will start the interactive part of the meeting, jump in if you have something to say. We have heard that you have said that you need funding, coordination, and technical support. Let's begin the dialogue.

Tribal Energy Priorities

Bruce Wright, APIA: I want to ask questions of the DOE for the Aleut from Chugach. As we develop Tribal energy projects, there is a very long permitting process. How can OIEPP help reduce the permitting problems? How can you help reduce energy costs and challenges? We are working on a hydro system, working on National Park Service land and water. We need a transmission corridor. Hydro is the cheapest power source in Southeast and South central Alaska. About 12 cents per kilowatt hour. We need to expedite hydro power to get cheaper power to the Calista and Doyon regions. We need to develop corridors of power for energy transmission.

Greg McIntyre, Yukon Kuskokwim Health: As a health provider, we support the Tribes. The Tribal Administrator is payroll, energy, grant writer, etc. The grant process is overwhelming small offices.

JR: Through these meetings we have had the opportunity to hear from Tribal leaders that Tribes need help with technical assistance for grant writing, running energy programs, and energy development. We are all facing money problems, how do we help the Tribes without raising costs more?

Orville Huntington, TCC: Thanks for coming from our Tribe in Huslia. When we come to DC we have to ask for money and wave our flags. I wrote an energy plan, but our village really needs homes. We need food security. We can't even see other villages from where we are. It is a huge area. There is no way to set up infrastructure. We need to work with other villages. The agencies say we have to save a little bird... what about us? This is not really about us, but our future. We can put in energy projects, but we need to be able to share what we produce. We have transmission issues. We need to think to the future.

JR: we see competing interests, energy vs. the environment. Nutrition, heat, education, these areas are all related to energy. This is an example of competing interests; community needs and endangered species.

Bruce W: Sand Point in the Aleutians wanted to put in a wind energy project. They did the studies collected the data. All agencies do things differently. The Sand Point project was held up three years because the DOE Secretary was not willing to sign off on the environmental studies. It is all about location or where you site the project to avoid problems. DOE should look at the science and sign off. We want to see science based decisions consistent with other agencies. DOI signed off on the same project one and a half years earlier. Now the project will cost a million dollars more.

JR: A follow up question, what would have been the issues?

Bruce W: The permitting was held up, now we are battling with FERC issues. We are hoping to turn the project on soon. Alaska has a clearing house to help work through all the issues. People are worried about killing birds and bats. The science is pretty good now for calculating bird strikes. We are only talking about one megawatt. It will have been three years in November. There are a lot of extra costs from the delays and not having cheaper energy.

JR: What is the benefit to the village?

Bryan M: They are paying more for electricity than they should be.

Dave Pelunis-Messier, YRITWC: The Secretary of DOE is nervous about signing off on a project that might kill birds. They should base decisions on science and be consistent with other agencies.

Orville: We want a hydro project. The only place is the river. Climate change is the problem, not the salmon. We don't want roads, they bring in outside hunters. We only want native people who only take what they need. They take care of the lands. We don't want a repeat of the buffalo like in the Lower 48. We love people. We are far away from any other people. We love to have people visit our village. We don't have other people talk for us. We need to protect people as much as little endangered animals. We fought nuclear energy because of problems like Japan is having now. We live in the "Ring of Fire" which is very unstable. We are not saying to prioritize us over the Lower 48, but listen to what we say. We share Mother Earth. We look to our children and grand children, the future.

JR: We appreciate the information; it helps as DOE forms policies.

David Harrison, Alaska Inter Tribal Council: We are not against the ANCSA corporations. They have their place. We are for the federally recognized Tribes and their sovereignty. Tribes shouldn't have to beg. Sovereignty means that we can figure it out ourselves, and tell them this is how we will do it. The corporation employees have been educated in the western way. The Tribes have traditional knowledge and live it every day. The Tribes need to understand sovereignty and use it. The corporations also need to understand sovereignty. The Tribes don't need to go to the state to get a license to do business. The Cook Inlet region wants to build a wind project. The transmission folks don't want another producer; they want to pay peanuts compared to what they pay others. It is a nightmare working with FERC. The state agencies don't recognize Tribes until the federal government says you must if you want your funding.

JR: There is a rich fabric of entities out there that have to work together. How do we learn about how to make it better?

David H: The ANCSA corporations need to understand the Tribes. President Obama wants to deal with the Tribes, not the corporations. President Bush was different. He worked with the corporations and their oil and gas. Relationships, he corporations are state entities. Tribes can do the same things, make entities and establish taxes. The Tribes don't have technical knowledge. The United States has a responsibility to assist the Tribes. The Tribes didn't choose the Alaska government, it was forced on us. The state was created by the federal government. Tribes, corporations and the state must collaborate.

JR: Collaboration IS important. Not only with the state and corporations, but also with the DOE. Are there any others who have not contributed who want to say anything on these issues?

Moses Owen, Akiak native Community: Energy affects everything: our way of life, even in big communities. When the cost of energy goes up, it hurts our communities. Shipping doubles the cost of goods. Energy affects everything. Some communities don't have fuel storage. It costs lots of money. Two to three times, if you have to fly in fuel. If the water level in the river is low, you can't bring it in by boat so you have to fly it in. These other villages buy fuel from us when they run low. It is good for us, but they use up our fuel. We need to work together. Another issue is that the funding directed by the government to the Tribes doesn't get to the Tribes. It gets eaten up by the state and other organizations, called the chain of command. The funding doesn't get to small communities. We need help with funding. The state prints up paper that says how they used the money, but that doesn't help the Tribes.

Bryan M: Our priorities are simplicity and consistency in applications and reporting. Maybe DOE can learn from EPA grants.

Tracey: the government is looking at the 2012 budget now and will be in the 2013 budget cycle soon. The Hill needs to hear from the Tribes directly. The Senate Committee on Indian Affairs and the House Sub-Committee. The Senate Committee on Indian Affairs has announced that Tribal energy is a priority. The House sub-Committee has had hearings on energy; they are looking at leases, permitting, and development. I am telling you this to give a sense of timing. You need to communicate with them directly.

Dave: How can you help us? Knowledge of the Tribes helps. You need to gain an appreciation of the scope of the problems (size, distances, etc.). You can't compare us with other small Tribes. You can't drive anywhere, there aren't roads. DOE needs to have more people in the Alaska area to begin to understand. You have to start at ground zero and build around what you see. Until we have more knowledge, throwing money at the problem won't really help. We need education. We applied for a DEFOA grant, we have a Harvard graduate on staff who couldn't understand the application. People in DC and Colorado don't understand. You need to use your resources to get a better picture of the issues in Alaska. Thank you for coming.

Tracey: people are frustrated with the block grant program. There is not enough money. Everyone wants capacity building and someone in the community who can do energy. There is significant turnover in the staff. They get money to train someone and then they leave. We are not sure how to assist, but we are out here working on it. We can't put an energy expert in every Tribe and a grant writer. What can we do without doing that since Congress won't support it? What about technical assistance to build capacity on a regional level? We are struggling to think through all of the issues and see what might work; think of new ways to approach the issues.

Melody Nibeck, BBNA: Why can EPA do it but DOE can't? EPA has a program that puts people at the local level. That would solve the communication issues as well. EPA pays people to work locally.

Pilar: This is a funding issue. OIEPP is funded with \$20 million. EPA spends \$80 million on this program. Talk to Congress, tell them we need money. EPA has been in place for years and has been able to keep the funding for this program. We are working on it, but we need help from Congress. There are lots of things similar between the Lower 48 and Alaska, like human and natural resources, money, and land. You can't obtain some benefits because you don't have land. DOE typically promotes commercial scale development. There is very little on distributed energy. How do we help all small communities? You are at the whim of local coops. I understand your added challenges of isolation and distance, but we want to leverage solutions across ALL small Tribes. When money is spread by population, how do we help you all; what are the options?

Greg: There is one hospital in an area the size of Vermont, with one road in and out (in Southwest Alaska). We have seven months of winter and six weeks of temperatures below zero degrees. Health care is a serious issue, and energy is a big part. We send mammography equipment to all of the sub-regional clinics. Cancer is the number one killer in Alaska. Energy costs impact our ability to ship the screening equipment around. Energy efficiency could help reduce costs. We have a 30 year old hospital. We are replacing our insulation with two times the previous amount. This will have a six year payback. We are building an oxygen generator in one of our clinics that will have a one year payback, saving money not having to fly a generator around. This is an IHS facility, the Tribe is the landlord for a federal facility. Efficiency should be part of the program to allow more money to go to health care.

David: There are differences between Alaska and the Lower 48. The California small Tribes have a revenue sharing program from gaming Tribes, to help the small Tribes and make them not have to get into gaming. I worked with a small Tribe in the California Sierras; they got \$2 million from the revenue sharing. The New Mexico Tribes – I consider New Mexico my home away from home – many of those Tribes have casinos and do well. Alaska doesn't have that opportunity. Alaska laws and the state don't recognize Tribes. There is no medical care nearby. Transportation to Anchorage just to set a broken leg is about \$5,000. I utilize IGAP grants. I got one of the first IGAP grants (\$40,000). I travelled all over to EPA meetings sharing the need for parity. Over 180 Tribes are now getting IGAP grants. The federal Congressmen are set against federally recognized Tribes. Senator Begich is better. Congressman Young is not. The Congressional delegation is helping the corporations but not the federally recognized Tribes.

JR: Those are the political realities, there are interesting relationships. Greg, are there any other agencies working with health care, energy, etc.

Greg: Some agencies and state agencies realize efficiency is important. Conservation and efficiency.

Walter Rose, Kawesak inc.: We deal with about 15 isolated, very remote villages. No infrastructure, roads or grid. There are good wind resources. Some villages have geothermal. Woody biomass is at about half of the villages. Alaska Energy helped with the studies. We need strategic energy planning at the community level. Need to get village buy in. No one can tell the villages what to do. I have some other things to say, but they are probably not appropriate now.

JR: You can fill out and submit the comment form or we will also have more discussion this afternoon.

Walter: We need a one stop shop for permitting. DOE covers the three stages of energy development pretty well. Indian land definition causes eligibility issues. Alaska Tribes need to increase their ability to coordinate grants. We are different that the Lower 48 Tribes. We need help to get the definitions right. EECBGs take a lot of effort to get working. Now that Tribes are getting the capacity to work with EECBG grants, the program is going away. We need to redo the program. Lots of villages don't have internet. They have to mail hard copy applications. Some send their applications to me and I submit them for the villages. Phones are not very reliable.

Bruce Tiedeman, Alaska Energy Authority: The state of Alaska has done a lot of work. Home heat, transportation, electricity, and telephone are priorities. The feds can help homeowners, but other agencies can't.

Nathan Lojewski, Chugachmiut: would like to say a little about biomass. We are around Prince William Sound. Alaska villages are off the grid. We have no gas line, and no grid electricity. Money goes to diesel to run our boilers and electricity. Money goes out of the community. Biomass could help keep money and jobs in the community, and stabilize energy costs. There are four steps in any development project.

- Feasibility studies
- Resource Assessment
- Permitting and Design
- Construction

There is funding for the first and last steps, but no one will fund construction without the middle two steps.

Pilar: Has any one done a study on woody biomass material in Southeast Alaska? Take the material and convert it to pellets?

Bryan: On a case by case basis. Most of the woody biomass material is on government land. The amount that we can get to is a lot less than the amount that is there. Global competition and access issues shut down most logging operations. There is a big focus on developing a wood pellet facility to replace diesel fuel systems. Ketchikan and Sealaska have projects going and momentum is forming.

Pilar: Wood pellets can be shipped to villages without woody biomass resources. Has there been any discussion about that?

Bryan: Yes there is a wood pellet facility in the planning stages, and there is growing demand from the Coast guard. They are looking to increase their use in Kodiak, the largest Coast Guard base in the country. That would be a good base for demand to begin a facility.

Bruce T: There is some work going on. The 2011 biomass Conference is in May. Travel scholarships are available. I look forward to seeing you there.

JR: Is there a place on the internet or elsewhere where people can see all of the projects that are going on?

Bruce T: Our office has some.

Walter: The economies of scale in wood pellets are such that there must be sufficient demand. Getting that much demand is difficult. If the Coast Guard buys pellets, it may support and be the anchor for demand.

Bryan: We want Tribes to take advantage of large shipments to the Coast Guard and use smaller barges to take some pellets to the Tribes.

Walter: We would be willing to discuss that.

Melody: There is an Energy Efficiency working group through BBNA. I encourage all of you to participate to make sure the rural Alaska views are heard. Energy, education, and outreach are the goals of the group. See AKenergyefficiency.org. It has a working policy framework. There is a teleconference number for you to call in.

Bryan: The group is funded by DOE and is cooperative with the state of Alaska.

Feedback on DOE Programs and Policies

JR: Let's spend some time now focusing on policy issues. We have already talked some about this, but let's really focus on it now.

Nathan: Shipping in wood pellets is no different than shipping in diesel. Pellets are not the only woody biomass option. There is also stick fired, chip fired, etc.

Bryan M: We have a biomass project around Fort Yukon. Alaska Energy Authority, DOE and others have all contributed money to the project. There are very specific local issues that must be resolved.

Brian Hirsch, NREL: You can't ship sticks and logs.

Walter: Tribes need better resource studies. We don't know what capacity the forests can sustain.

Pilar: I am asking these questions because of the public/public partnerships you may have heard us talking about. What can we do to help the Tribes work together? Some Tribes who have woody biomass can ship to others who don't, or Tribes who use a lot of energy can buy from Tribes who develop energy. I don't know if it is feasible, but we want to explore the possibilities.

David: We have issues with our wind farm on Fire Island. You ask "Why don't you go to ANCSA corporations to sell energy to them?" The existing power corporations won't allow Tribes to connect to the grid to pass energy through. They don't want more competitors and they don't want to replace fossil fuels.

Sasha Stortz, United States Institute Environmental Conflict Resolution: How about areas of collaboration?

Melody: What are the rights and abilities of Tribes to finance projects? All Tribes are competing for grants. We need education to be able to figure this out.

Tracey: We appreciate your feedback. There is lots of need out there with similar issues. There has been a lot of talk of Public/Private partnerships since the State of the Union Address. The ERA was a stimulus issue. There is a realization out there that going forward, with this Congress and the money issues we are facing, we had better partner with governments in general and with private industry; there is no way a two Megawatt solar system, a \$10 million project: DOE just can't fund it all. How can we partner with private industry? I go to conferences and listen to the talk. No one wants to partner with industry. My own Tribe made a decision to partner with industry. We would like to own the project 100%, but we don't have \$100 million lying around. So we did it our way, with equity interests, etc. The tax law is what it is. Until Congress changes the laws, we have to step up and figure out how to make it happen. Start with a smaller project to learn how to manage it so later we can grow the project on our own 100% when the situation changes. Partnering with private industry is not the worst thing in the world. While we would love to see more funding for Tribal energy: maybe it will happen. We need good stories to tell about what is happening. We are beginning the process for May to update renewable energy maps and databases to further tell the story of the generation development possibilities in Indian Country. Public/Private or Public/public partnerships may be the way we have to go. The feds can't supply all of the money to support all projects. We need to use the private corporations who can use the tax advantages. We are working to make it easier and more understandable to the partners. One area of concern is How helpful are internet webinars to Alaska villages? We are looking at a course like Tribal Leader 101 on energy issues. Then we can do a second level for those who want to go farther. How can we get that out to Alaska Tribes? We still laugh at the FCC for having internet seminars for Tribes who don't have internet.

Pilar: Another area of interest is what are Tribes experiencing working with other agencies on funding? The Department of Commerce does strategic energy grants. USDA has a substantial budget for renewable and efficiency. The Forest service has agreements with Tribes to go to Forest Service lands to gather woody biomass resources. What is your general familiarity with these programs? And what is your experience with other agencies? What can we take back to DC to discuss with other agencies to help coordinate the programs?

Greg: Most people don't know what is available. One guy needs to gather information and send it to the Tribes to show what is available.

Walter: Lizanna Pierce has an excellent newsletter with opportunities. The Tribal Energy web page on the DOE web site is also very good. I produce a listing of energy funding possibilities. Let me know if you want to sign up.

Bruce T: We have some experience at the Alaska Energy Authority. We have worked some with USDA, and the Rasmussen Foundation, etc. Some Tribes have really good knowledge and experience but need to coordinate better. The fed side getting a list out to Tribes is really important.

Walter: In order to utilize opportunities, you must have a plan. You need a Tribal resolution, resource plans, etc. You need to be ready to jump in about one month.

Tracey: Lizanna does have a good page. She is also listing grants that Tribes may be eligible for, even if they are not Tribal grants. Some Tribes are interested in partnering with an R&D company. There are

lots of different energy entry points, not just normal energy opportunities. We will keep pushing information out to Lizanna, and maybe someday host something ourselves.

David: Tribes are sovereign and have all powers that the government does. We are not like the Lower 48. We have never been at war with the United States. We don't have treaties. We have citizens, not members of corporations. Under US laws, like title 26 section 7871(?) which discusses taxation, we have the authority to tax. DOE should use DOE similar programs to issue low income loans with no differentiation between rural and urban areas. Towns that have encroached on Tribal lands make the Tribes ineligible for rural funding opportunities. Our experience is that most agencies don't have enough to do. They will help whoever asks. We always ask for help to pass the information on to our villages. Consultation is another issue. Agencies have gone willy-nilly and not considered the workforce and travel issues of the Alaska villages. Agencies should coordinate consultations to make them more cost effective to Tribes and the government. They should at least go to the hub cities. If the government won't go to the hub cities, then the Tribes should ask for individual consultations to force the government to go to all villages separately.

Nathan: We are looking into biomass and funding. We don't have the money to put down on a loan. We are talking about small projects. Nobody wants to partner on small projects. We are finding grants there are no non-federal matching funds available to meet the matching requirements.

Bryan M: The regulations also say that the Tribe can have no federal partner, but most Tribes have federal partners.

Christine Klein, Calista: Thank you for coming to Alaska. I take offense to the comments about the ANCSA corporations. We work with our Tribes and help them with the problems they face. We sometimes provide money for fuel or other projects. We co-sign on loans, whatever is needed. It just depends on what Administration is in place and how the villages and corporations cooperate. I have been to DOI consultations; coordination is important.

Sasha: Thank you for your comments. We need to focus on how DOE can provide assistance to the Tribes and corporations and avoid politics.

Brian: Commerce, EPA, DOE web sites on grants are very intimidating. DOE is used to much bigger projects. We are looking at four kilowatt projects in Alaska, not big megawatt projects. Maybe we can tier things and have small, medium, and large projects. You need to help Tribes work through the process.

Bryan M: A four to five kilowatt system is huge to Tribes to help reduce costs and fill needs. The reviewers might see small projects as inconsequential, but they are huge to villages.

Art Singleshoe: Grants go through FedConnect. This is very hard to deal with. When we have problems, FedConnect says go talk to Golden, Colorado, Golden says talk to FedConnect. You also have to be a member of FedConnect. Since we are not members, we went through a member Tribe. After two months, we have still not been accepted. It is very intimidating, and I like computers and the internet. It is very frustrating not getting answers. Get rid of FedConnect. There are lots of grants, but eligibility requirements are different for each one. Wording is problematic. Simplicity is needed.

Bryan M: We have no issues with FedConnect.

Walter: FedConnect worked for me.

Marcie Sherer, AVCP: There seems to be money for capacity and capital, but no money for training to maintain a project. Models with different funding sources would be helpful. For example, a solar project for a village of 50. There continues to be a need for money to partner with industry. Not just for research but to continue for the remainder of the project.

Melody: The Denali Commission is very helpful. It is a very good resource out there. Let's not forget the Alaska Rural Energy Conference in September; September 27 – 29 in June. DOE should be a part of the conference.

Greg: The Denali Commission is great, one application fits all.

Walter: Nome is having a conference next week. I'll send info on conference calls.

Brian H: I do sit on the advisory committee for the Denali Commission. We added 10% add on for all grants for Tribes who work together. We are a good federal partner for Tribes. We were cut \$60 million this year.

Energy Coordination

JR: Do you have any information on unique collaboration needed in Alaska?

Walter: EPA has an opportunity. They will provide technical assistance for bordering polluted lands or lands being cleaned up.

Greg: There are inherent road blocks to funding. Some are federal funds passed through from the state. We must be careful. The end result is efficiency, but eligibility issues are confusing.

David: Back to coordination, the Justice Department recently initiated a program where all project areas are available to Tribes with one application. DOE might consider doing something similar. Things are working OK; there may be some issues, but need to make it easier for Tribes.

JR: Transportation issues keep coming up. What are some interagency solutions with say DOT?

Walter: There is synergy between DOT, roads, and energy. Villages are looking at putting roads between the villages and inter-ties between villages. Getting rights-of-way is hard, but once they are in place, we must make the best of them. Wind resources might be good between villages but not good at either village. Also water and sewer, you don't want to have to tear up the road once it has been put in.

David: DOI has a roads program. Go to the roads division and avoid BIA issues. Government money used to build roads makes them public roads. Tribes don't want the public coming in and using their subsistence resources that the villages depend on. Roads cut the Caribou migration paths. There is a planned railroad from American, coming through Canada into Alaska. This raises lots of issues about folks coming in. We have no objection to the pipeline, but we need access to the fuel and distribution checks if it crosses Tribal lands.

Melody: I have a policy question. Are there any standards and goals in Indian Country? Like the states have renewable energy goals (RPS)?

Pilar: Several round Table Meetings have discussed this issue. The large land base Tribes mostly. There has been some discussion with Tribes wanting to develop energy. They should develop their own policy to spur development. Tribes are free to write their own laws and can set their own RPS standards.

Bryan M: We are heavily involved in energy around Fort Yukon. We have some issues with Alaska laws.

Pilar: Tribes do have sovereign rights over their own government. The states are very different.

Walter: We see collaboration between DOE and Alaska Energy Authority. The Denali Commission and the Alaska Energy Authority could collaborate. The University of Alaska at Fairbanks could collaborate with the national Labs.

Brian H: We work closely with the University. NREL and DOE fund work with wind and biomass at the University. NREL and the Fossil Energy sit on an advisory committee. DOE funded Fairbanks work with diesel and wind.

Melody: Fairbanks and the Tanana Chiefs are working together. TCC has access to energy experts. They are working on a conference (Center for energy and power)

JR: There seem to be great resources out there. There needs to be collaboration on the type of reports and plans and coordination. We need to consolidate information so all can see where the collaboration is taking place and what is being done.

Bryan M: Maybe Brian H. can get a couple of people to be an information clearing house. Give all information the sixth grader test. Need to make the information simple. If a sixth grader can understand it so can others.

Water: I learned in school that order of magnitude can be gained by cutting through normal theories. Use video teleconferencing. Transportation costs are very high in Alaska. More people could participate and reduce travel costs. We need to hear really big ideas.

JR: Moses talked about using traditional knowledge for energy efficiency. How can we use that traditional knowledge for future efforts?

Pilar: I have questions about HUD. Their sustainable communities program. The Tribe focus went from energy to housing as mentioned earlier. Is there a general design espoused by HUD to make housing more efficient? NAHASBA or IIECBG grants program?

Melody: There is a model low energy home in Fairbanks.

Brian H: The CCHRC home, it went through 150-300 gallons of fuel versus the 1,500 gallons that is typical in a year. It cost \$150,000 to \$250,000 to build versus \$750,000 for a traditional home. There are

plenty of housing authorities out there. Paneled homes are more energy efficient and cost effective. There seems to be a gap in knowledge between regions.

Bryan M: Some regions get stuck on one design, even if it is not efficient. Knowledge is very localized and not passed through to others.

Walter: We have grant writers on staff and are working on getting roving grant writers.

David: There is a design for Quinghok, about 1,000 square foot house \$250,000 to \$275,000. I am building a 2,800 square foot home that would cost about \$30,000 in Wasilla. Transportation costs raise the cost substantially. There is a company in Wasilla that built a 3,600 square foot house that used \$600 in heating, cooking, and hot water for the year. It is a very good design. I asked the owner what is the difference between urethane foam and soy foam? Soy doesn't have the out gassing issues. The R value is similar. HUD for small villages still has funding equity issues. \$50,000 for Eklatna. A company built houses in the Mountain View area. They cost about \$1,000 per month. Most people can't afford that. Our per capita income is about \$2,400 per month. That is one full pay check for rent or mortgage. The area is supposed to be low income, but natives can't get in, unemployment is very high.

Marcie: Feds are catching up to Alaska. Alaska granted \$300,000 for weatherization. NAHASDA is formula driven for giving funding to Tribes. They set up competitive grant funds for innovative housing designs. Cook Inlet uses tax credits highly to build affordable housing in Mountain View. It is mixed use housing; there are a variety of options.

Walter: There have been waves of construction. In the 70s homes were not very energy efficient. The next wave was very tight efficient homes, but there were mold problems. There should be a new wave coming soon. People are working to solve the problems, but they have not yet been solved.

Greg: Alaska is huge. The Southwest is wet and the North is cold. The regional differences don't allow a one size fits all solution.

JR: Remember, this is not the only opportunity to contribute. There is contact information on page 12 of the handout. Send your thoughts and ideas to these contacts. There is also the email address in the Tribal leader Letter. Now I will turn the meeting over to Tracey and Pilar to talk about the May 4th and 5th Summit.

Tribal Energy Summit

Pilar: The Secretary of the Department of Energy has announced the Summit. It will be a two day event. On May 4th, the session is for Tribal Leaders only. The Tribal Leaders will meet with the political leaders of the department of Energy. The discussions will surround Tribal issues relating to the following areas.

- Transmission
- Renewables
- Electrification

- Training
- Nuclear issues (not much in Alaska, but some in the Lower 48)

May 5th is the Summit itself. The Summit is open to Tribal leaders, ANCs, interTribal organizations, etc. There will be speeches and panel discussions around Tribal energy. The Summit will not be the end of the conversation either, just another point in the conversation. Various offices from DOE will be represented, such as Energy Efficiency (EERE), Electricity Delivery and Energy Reliability (OE), Economic Development, and Science (Technology Transfer). We want to use this meeting to leverage into Indian Country. We are hoping this will be an opportunity for Tribal Leaders to meet DOE and for DOE to see Indian Country.

Tracey: Thank you for spending time with us today. It has been very helpful for us. We wish we could announce great solutions and funding, hopefully soon. It is great for us to be able to give information on DOE as a whole. Take a look at the web site, poke around and learn what is available. When we talk with other departments, we always ask “What kind of Tribal work do you do? What kind could you do?” We want to assure you that the information you have provided won’t fall on deaf ears. This information will feed deliberations and processes, and maybe increased funding. As mentioned earlier, we have initiated this series of Round Table Meetings with professional facilitators and note takers. We want to get a feel for the proportion of the issues. We will summarize what all Tribes are saying. This information will help us get ready for the Summit. It will help improve government to government relationships, and will reference themes and consensus points in the Summit. We will be sharing this information within DOE and the public.

Victoria Demmert, Yakutat Village and Tribe: May 5th there is also a Tribal Self governance meeting in Palm Springs. When you do a synopsis, will we still have an opportunity to comment?

Pilar: We will live stream the Summit. You can send comments to Tribalsummitquestions@energy.gov. You can submit your questions beforehand if you have any. The Secretary or Assistant Secretaries will answer the questions. We will hopefully live stream and video the event. We don’t know yet if it will be interactive, we are still looking into this, but we will work to show the meetings.

Walter: Can you live stream just the audio? We don’t have enough band width to see the video as well.

David: Can DOE sponsor federally recognized Tribes for travel to the Summit? Otherwise only the corporations will be at the Summit saying they represent the Tribes.

Bryan M.: The last time I went it cost \$5,000 for one person to travel to Washington, D.C.

David: I spent \$5,000 for one week in D.C. myself.

Victoria: We only get to take one trip to Washington, D.C. per year. We try to get lots done while we are there.

Pilar: We tried to get the Summit in while Congress was in session as well.

Bryan M.: Cherry Blossom time is very expensive. Try to coordinate around when Tribes come.

Nathan: Thank you for coming to Alaska so we don't always have to go to D.C. We would be happy to host you at our village so you can see firsthand.

JR: Please fill out your evaluation form so we can improve our services. If you have any other comments, you can also fill out the comment form so we can make sure your comments are heard.

United States Department of Energy
Office of Indian Energy Policy and Programs
Round Table Meeting – Anchorage, AK

April 14, 2011

Feedback Form

Your comments are invaluable to us and we want to be sure you had the opportunity to voice your thought and opinions! Please take a few minutes to reflect on a few of the items we have covered today and provide any questions, comments and/or concerns. When you have finished, simply leave the form on the table and it will be collected and given to the Department of Energy, or, if you need more time, return the form to Charlie May when you have completed documenting your thoughts. If you want your comments to remain confidential do not fill out your contact information. If you would like your questions, comments and/or concerns addressed please include your contact information so we can get back to you. Thank you for taking the time to attend our conference today.

Name: GREG MCINTYRE

How would you like to be contacted? (Check the best option): Phone () Email

Please provide your phone number or email address: greg-mcintyre@ykhc.org

Please provide your questions, comments and/or concerns below:

1. Issues

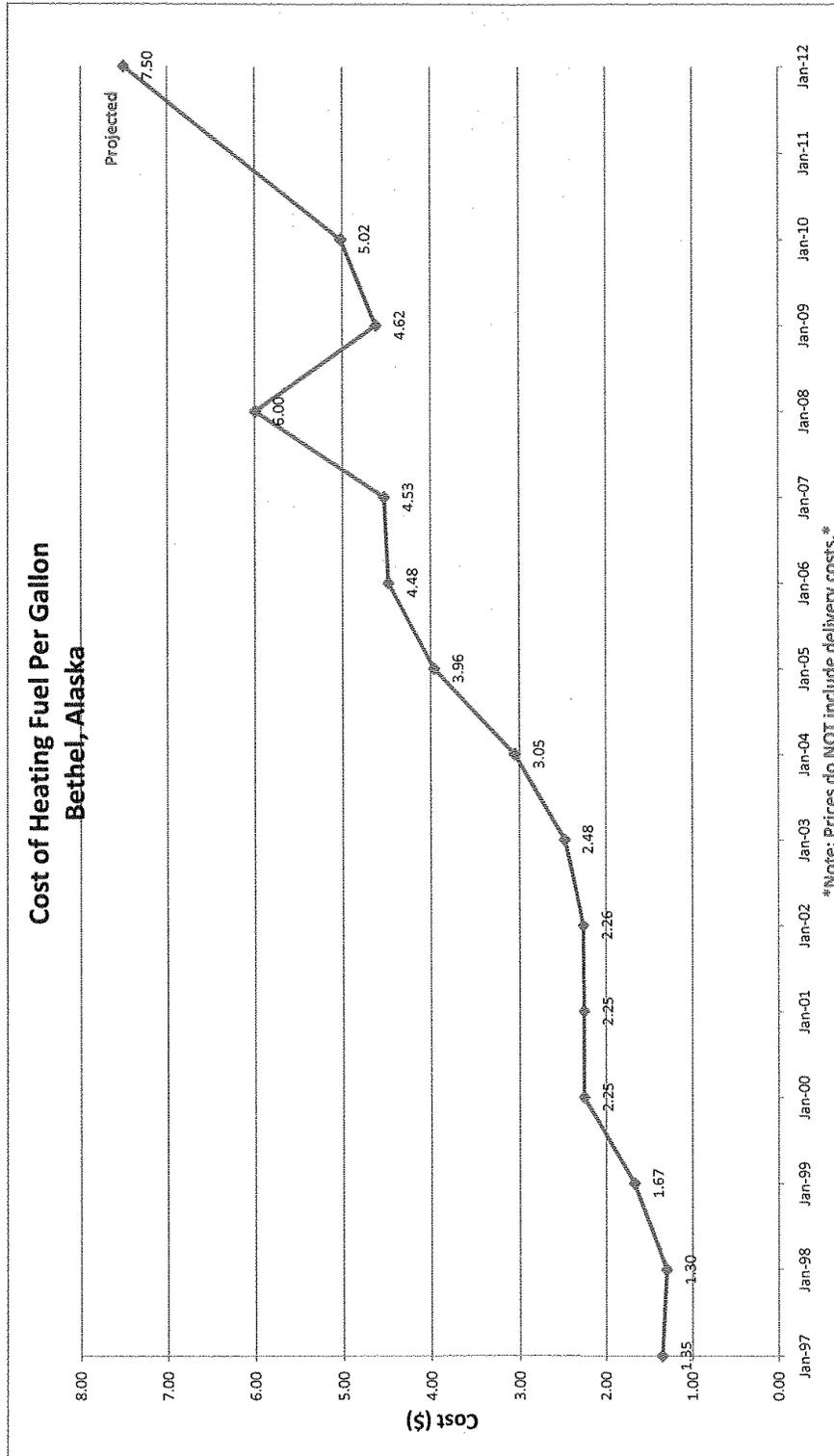
- a. Tribal Energy Issues and Priorities
- b. Feedback on DOE Tribal Policy and Programs in Indian Country
- c. Federal Government-wide Energy Issues
- d. Future DOE Policies

a) SHORT TERM ISSUES (FUEL COSTS) MAY NOT BE RESOLVED BEFORE LONG TERM ISSUES (ALTERNATIVE ENERGIES & CLEAN FUELS) CAN BE RESOLVED - SEE ATTACHED

b) I AM JUST PLEASED THAT DOE DEVOTES SPECIAL ATTENTION TO TRIBES. THANK YOU FOR COMING

c) NEEDS COORDINATION & COLLABORATION = SIMPLIFY

b) ALASKA INFRASTRUCTURE IS 200 YRS BEHIND THE LOWER 48.



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Name: Robert A. Walker

How would you like to be contacted? (Check the best option): Phone () Email ()

Please provide your phone number or email address: 907-663-6341 - POB 4149 Anchorage AK 99558

Please provide your questions, comments and/or concerns below:

1. Issues

- a. Tribal Energy Issues and Priorities
- b. Feedback on DOE Tribal Policy and Programs in Indian Country
- c. Federal Government-wide Energy Issues
- d. Future DOE Policies

Wood
Fuel-heating
Gasoline
" CITGO, Free Fuel - Energy Assistance
Subsidizing Air Fare also Gasoline Fuel
Get the state of Alaska in compliance
to recognize Alaska's tribes
I was here to listen & learn -
was very interesting

**United States Department of Energy
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April 14, 2011

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Name: Walter H Rose - Energy Specialist - Kawoak Inc - PO Box 948 Nome AK 99762
wrose@kawoak.org

How would you like to be contacted? (Check the best option): Phone () Email

Please provide your phone number or email address: 907-443-4366 wrose@kawoak.org

Please provide your questions, comments and/or concerns below:

1. Issues

- a. Tribal Energy Issues and Priorities
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- c. Federal Government-wide Energy Issues
- d. Future DOE Policies

Issues: Low income heating assistance LIHEAP cuts will be devastating here.
Eligibility: Definition of Tribal land includes land transferred under the ANSCA & subsequently transferred... see addendum to DE-FOA-0000422
: Alaskan tribes and tribal consortia are eligible.

Indian Energy Policy Act: Streamline permitting and regulatory approval, support strategic energy plans, resource surveys, feasibility studies, design & construction.

Recognize the opportunities for public/private partnership are limited here. There is no utility grid. Energy issues here relate to security; We are vulnerable to supply shocks, price shocks, variable appropriations for assistance (LIHEAP). Local & alternative energy hedges against these threats, promotes self sufficiency & economic development, keeps \$ local, etc.

United States Department of Energy
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Round Table Meeting – Anchorage, AK

April 14, 2011

We have excellent wind in the Bering Strait Region. There is no market for wind energy... it is for local use. Fuel is expensive & we use lots of it. 1,000 gal/year for residential heating averaging \$5.50/gal in 2010. We are low income, 40% or greater below the poverty line. There is tremendous creativity & energy waiting to be unleashed. Post 2008 40-60% of disposable income went to energy (before State and Federal assistance). Please help release the shackles of fossil fuel!

Every village needs a plan to move forward that includes specific projects eligible for funding.

When I say "Village" I mean Native Village - 95% or greater Native residents.

Additional Questions, Comments and/or Concerns:

I know LIHEAP is not DOE but... Expect to hear a loud painful scream from Rural Alaska's low income residents when the effects of LIHEAP cuts hit. #

Regarding USDA loan programs - Villages CAN NOT operate as independent power producers without a power purchase agreement. Financial realities & technical constraints unique to isolated mini-grids preclude this from happening. Only villages that own their own utility might utilize this resource.

Alaska is SO unique. Our issues typically get lost in the shadow of lower 48 issues & policy. We can not develop wind & sell to the grid. We are trying to survive!
Attentie

United States Department of Energy
Office of Indian Energy Policy and Programs
Round Table Meeting – Anchorage, AK

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Name: Christine Klein

How would you like to be contacted? (Check the best option): Phone () Email 907-644-6309

Please provide your phone number or email address: CKlein@calista corp.com

Please provide your questions, comments and/or concerns below:

1. Issues

- a. Tribal Energy Issues and Priorities
- b. Feedback on DOE Tribal Policy and Programs in Indian Country
- c. Federal Government-wide Energy Issues
- d. Future DOE Policies

Thank you!

-1- Providing basic energy availability thru generation and electrical transmission to low income, rural areas, and native/tribal lands seems to ~~need~~ actually be a low priority to D.O.E. It should be one of the top priorities, with the DOE emphasis on nuclear and security and education portions of DOE's mission less of a priority.

-2- Elevate the priority of energy, and ~~the~~ broaden what is considered "alternative energy". Why isn't hydropower considered alternative? *and public private partnership*

-3- tax credits - how can these be developed or established by DOE/IRS to help promote energy generation/transmission in low income areas ₁

**United States Department of Energy
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Name: Daniel Reitz, Alaska Native Tribal Health Consortium

How would you like to be contacted? (Check the best option): Phone (+) Email (+)

Please provide your phone number or email address: 907-729-3509 dreitz@anthe.org

Please provide your questions, comments and/or concerns below:

1. Issues

- a. Tribal Energy Issues and Priorities
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We are most concerned about human health and how it is related to energy. Energy cost in Alaskan Villages is extreme; operation of Sanitation Systems are very energy intensive because of the climate. Energy consumption of Sanitation Systems in many Villages can comprise up to 35% of the total Village consumption (electricity & fuel oil). The survival of the villages is directly related to energy.

For more on Connection of Health/Energy See excellent article: "Living in Utility Scarcity: Energy and Water Insecurity in Northwest Alaska", Laura Eichelberger, American Journal of Public Health, June 2010.

5.2 Round Table Meeting Attendance Sheets

**United States Department of Energy
Office of Electricity Delivery and Energy Reliability
Office of Indian Energy Policy and Programs
Listening Session
March 16, 2011
Sign-In Sheet**

Name	Tribe or Organization	Email address	Phone
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Karen hunter	Assembly of First Nations	khunter@afn.ca	613-241-6789 x203
Deb Painte	MHA Nation UTTC/Bismarck	dpainte@uttc.edu	701-426-3544
Delvin RabbitHead	MHA Nation New Town, ND	drabbit@mhanation.com	201-627-5154
Liz Walker	Walker Law	liz@liz-walker.com	703-597-6284
Richard TallBear	TallBear Silor	rtb@tallbeargroup.com	619-481-7518

Mike Hart	Sierra Energy	mhart@sierraenergycorp.com	530-759-9827
LeeAnn TallBear	Soboba Band	ltallbear@soboba-nsn.gov	951-654-3765
Jody Tall-Bear	DOE	Jody.tallbear@doe.gov	
John Alloway	Forest County Potawatomi	John.alloway@fcpotawatomi-nsn.gov	715-478-7200
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Steve Kearney		Kearney@suncarrier.com	719-360-3898
Alvin Moyle		chairman@fpst.org	775-423-6075
Barbara Ortega		baortega@surewest.net	916-212-7187

United States Department of Energy
Office of Indian Energy Policy and Programs
Round Table Meeting
March 16, 2011
Sign-In Sheet

Name	Tribe or Organization	Email address	Phone
Trina Vargas	ITCN		

Jeanette Williams	Walker River Paiute Tribe		
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Tara Hess McGeown	Washoe	Tara.hess-mcgeown@washoeTribe.us	775-265-8691
Daryl Crawford	ITCN	dcrawford@itcn.org	775-355-0600
Tansey Smith	ITCN	tsmith@nelep-nv.gov	775-687-9483
Scott Nebesky	RSLC	snebesky@rslc.org	775-221-1585
William Big Bull	Piikani Nation, Alberta, Canada	William.bigbull@gmail.com	313-588-3769
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Name	Tribe or Organization	Email address	Phone
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Reba Fuller	Tuolumne Bank of Mewuk	rfuller@mlode.com	209-928-5349
Wanda Batchelor	Washoe Tribe	Wanda.batchelor@washoeTribe.us	775-265-8600
Lloyd Wyott	Washoe Tribe	Lloyd.wyott@washoeTribe.us	775-265-4191

Donna Marie Noel	Pyramid Lake	dnoel@plpt.nsn.us	775-313-5861
Wendy Helgemo	US Senate	Wendy_helgemo@indiansenate.gov	

United States Department of Energy
Office of Indian Energy Policy and Programs
Round Table Meeting
March 23, 2011
Sign-In Sheet

Name	Tribe or Organization	Email address	Phone
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Rod Lewis	Gila River Indian Community	rlewis@atcgvmp.com	202-255-4950
Monique LaChappa	Campo Band	mlachappa@campo.nsn.gov	619-478-9046
Matt Ferguson	Campo Band		
Joe Cruz	Campo Band		
Linda Fong	Gwiiapaayp	lindaf@leaningrock.net	619-368-4367
Chris Deschene	ATNI	clarkdeschene@gmail.com	480-544-7381
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Rod	Pala Band	rwatkins@palTribe.com	760-

Watkins			891-3511
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Homer A. Mandoka	Nottawaseppi Huron Band of Potawatomis	hmandoka@nhbpi.com	269-986-1802

United States Department of Energy
Office of Indian Energy Policy and Programs
Round Table Meeting
March 30, 2011
Sign-In Sheet

Name	Tribe or Organization	Email address	Phone
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Dean Suagee	Hobbs Straus	dsuagee@hobsstrauss.com	202-822-

			8282
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Whitney Robinson	House Natural Resources	Whitney.robinson@mail.house.gov	
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Martin	Cons		2560-0477
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Wilson Pipestem	Ictan Consulting	wkpipestem@ictan.com	202-419-3326
D. Bambi Kraus	NATHPO	bambi@nathpo.org	202-628-8476

United States Department of Energy
Office of Indian Energy Policy and Programs
Round Table Meeting
April 5, 2011
Sign-In Sheet

Name	Tribe or Organization	Email address	Phone
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Mike Manyhorses			
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Jack Jackson, Jr.	AZ Legislative District 2		
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Wilburt Haosus	San Carlos Apache	Wilcacks88@yahoo.com	
Doyle Anderson	Indigenous Nations Institute		
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Richard Mathis	Tribal	Rmm535@aol.com	570-429-4680
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United States Department of Energy
Office of Indian Energy Policy and Programs
Round Table Meeting
April 5, 2011
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United States Department of Energy
Office of Indian Energy Policy and Programs
Round Table Meeting
April 6, 2011
Sign-In Sheet

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United States Department of Energy
Office of Indian Energy Policy and Programs
Round Table Meeting
April 14, 2011
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United States Department of Energy
Office of Indian Energy Policy and Programs
Round Table Meeting
April 14, 2011
Sign-In Sheet

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5.3 Tribal Leader Comments Database

CNI Professional Services has developed a database of the comments received during the Round Table Meetings. This database is an excel spreadsheet that can be sorted in a variety of ways to provide data to OIEPP for their future use in determining the Tribal priorities and energy needs. The database can be searched by key word, region (meeting location), and individual or Tribe.