
The U.S. Department of Energy Office of Indian Energy Policy and Programs

Tulsa, Oklahoma, Roundtable Summary

April 14, 2011

Prepared by: The Udall Foundation's U.S. Institute for Environmental Conflict Resolution

DOE Tribal Roundtable on Tribal Energy
Tulsa, Oklahoma
April 14, 2011

TULSA EXECUTIVE SUMMARY

The Tulsa, Oklahoma DOE Tribal Roundtable convened on April 14th, at the Hard Rock Hotel and Casino. The meeting was hosted by the Department of Energy (DOE) Office of Indian Policy and Programs and facilitated by Debra Drechsel, Senior Program Manager, Senior Facilitator, Udall Foundation's U.S. Institute for Environmental Conflict Resolution (U.S. Institute) and Brian Manwaring, Program Manager, U.S. Institute. They were assisted by Lindsey Sexton, Program Associate, U.S. Institute. Tribal leaders and representatives from multiple tribal communities attended the roundtable. David Conrad, Director of Tribal and Intergovernmental Affairs, DOE Office of Congressional and Intergovernmental Affairs represented DOE at the meeting.

Participants introduced themselves and shared their goals for the meeting, including to:

- Hear from other tribes and their priorities
- Learn about development opportunities
- Learn about community level projects

Participants shared their energy policy and development priorities, which included the following:

- Geothermal development
- Wind energy development
- Capacity building

The facilitator reviewed the four topics on which DOE would like feedback:

- 1) Tribal energy priorities
- 2) Feedback on DOE Tribal policies and programs
- 3) Federal government-wide energy issues and coordination
- 4) Suggestions for future DOE tribal energy policies

Listed below is a sampling of additional key issues raised by tribal participants:

Feedback on DOE Tribal Policies and Programs:

- Challenges with current grant program limitations and access, e.g. tribal land requirements, information
- Challenges of regulations related to energy development, e.g. complexity, inconsistencies, and high volume of work

Federal Government-wide Energy Issues and Coordination:

- Streamlining regulations through agency coordination, e.g. environmental assessments and studies, and archaeological clearances
- Learning from agencies that work well with Indian Country, e.g. tribal consultation and input

Suggestions for Future DOE Tribal Energy Policies:

- Offering government loans to tribes for developing energy projects
- Creating a clearinghouse to aid energy project development, questions, and technical assistance

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The facilitator reviewed the roundtable agenda, introduced the facilitation team, and provided background information on the U.S. Institute and the Udall Foundation, an independent agency of the federal government, with offices in Tucson, Arizona and Washington, DC.

I. Introductions and Goals for the Session

Ms. Drecksel invited participants to introduce themselves and to share what they would most like to take away from the roundtable session. The list below summarizes many of the goals offered by the tribal leaders and representatives and other meeting participants:

- Learn about tribal energy initiatives in Oklahoma
- Discuss economic growth and the technologies for conserving energy
- Learn about green building opportunities
- Discuss economy of scale for these projects, including community level projects
- Learn about resources

David Conrad from DOE shared information regarding the Office of Indian Energy Policy and Programs (Office of Indian Energy), the purpose of the roundtables, and the upcoming DOE Tribal summit.

The Office of Indian Energy has a broad scope and mission, including a priority on clean energy development in Indian Country.

Mr. Conrad added, "We are hoping to have a dialogue about the existing programs and policies and to learn about your energy priorities."

The facilitator reviewed the four topics on which DOE would like feedback:

1. Tribal Energy Priorities
2. Feedback on DOE Tribal policies and programs
3. Federal government-wide energy issues and coordination

4. Suggestions for future DOE Indian energy policies and programs

She asked that tribal leaders provide input first, followed by tribal representatives and other participants.

II. Tribal Energy Priorities

Access to the Grid:

Participants discussed the challenge in developing renewable energy across large areas of land due to the high cost of connecting remote areas to the grid. They suggested that the federal government make a serious investment in establishing access to the grid. This would be a national project comparable to the creation of the highway system.

Educational Resources:

Participants had questions about what types of resources exist to assist them in energy development. One participant is looking into burning trash and creating steam to purify water. A group of tribes are ready to develop this type of energy and they would like to know who has done a similar project for incinerating trash, going through cooling towers, and creating steam.

Regarding public and private resources, a participant said that Oklahoma State University has a lab that does research to find grants, and they could help tribes. A participant from there a company that does environmental and tribal consulting work explained that they conduct and develop feasibility studies on energy projects for sixty tribes across the United States. They also will help find grants for these types of projects. Another resource mentioned is DOE's *Clean Cities*.

Regulatory Constraints:

Many tribal representatives identified challenges in starting projects and dealing with complicated and sometimes inconsistent regulations across various agencies. One participant asked DOE to help tribes with the National Environmental Policy Act (NEPA) analysis phase of the process. Another participant represented a company that would like to invest in renewable energy on tribal land, and he said that the amount of regulations and paperwork makes it difficult to invest.

Energy Efficiency:

Participants mentioned the benefits of energy efficiency programs, including energy audits and retrofitting buildings.

Capacity Building:

Tribal members talked about the varying degrees of capacity within their tribal environmental offices. One participant said their tribe has a lot of resources, but they need help in building capacity, including information to help build their program.

Another tribal representative said that they do not have a well-structured business office to work with outside investors. They said the volume of business transactions a tribe sees is very large. This is harder for smaller tribes. For example, developing a wind farm requires a great deal of paperwork.

III. Feedback on Current DOE Tribal Energy Policies and Programs

Programs and Policies that are Working Well:

Some participants expressed their admiration for the Energy Efficiency and Conservation Block Grant (EECBG) program and asked about details regarding the continuation of this program.

Improving Programs and Policies:

One participant works in the environmental office of a tribe that recently applied for an energy efficiency grant with DOE for energy audits of commercial buildings. He felt that the grants were not tribal-friendly; meaning that deadlines for the grant proposal proved challenging because grant applications and supporting documents go through tribal governmental review and approval by relevant tribal committees and the full tribal council.

One participant said the NEPA process for the EECBG was very difficult to get through unless something was a categorical exclusion.

IV. Federal Government-wide Energy Issues and Coordination:

Many participants discussed the need to streamline energy regulations and said that there are many regulations that overlap. They discussed the complexity and challenge in the amount of paperwork and regulations involved in even moderately-sized energy projects.

One participant expressed their frustration while trying to set up a small wind tower. They said they were sent to various agencies and did not receive the help they needed. They suggested DOE could help to coordinate this type of process. A checklist or flowchart would be helpful for a small project, for example, a solar panel for a health clinic. The flowchart could also list the appropriate people to talk to.

Another person said the Environmental Protection Agency (EPA) and U.S. Department of Housing and Urban Development (HUD) both do a good job interacting with Indian tribes. They suggested other agencies receive sensitivity training to improve their interactions with tribes.

Another participant mentioned that the federal government consultation process has been interpreted broadly across agencies. He suggested a meeting similar to today's roundtable that includes the EPA, U.S. Department of Agriculture (USDA), and the Department of Labor. He said tribes are overwhelmed by the amount of consultation.

A participant suggested that tribes have programmatic agreements with their federal partners so that NEPA processes will go more smoothly.

One participant was involved with a tribal advisory board related to the Energy Policy Act of 2005. The advisory board consisted of representatives from tribes that had wind, solar, oil and gas, and coal. It was a broad mixture, and some had corporate investments. There were also representatives from the Minerals Management Service (MMS), Department of the Interior (DOI), DOE, and other agencies. Because all necessary stakeholders were involved, they accomplished numerous objectives. After the transition of administrations in 2009, similar government coordinating meetings were not held. This participant would like to find out the status of this advisory board because it provided a productive venue for receiving tribal and federal feedback.

Another participant commented that the cross cut budget is a great model for a group similar to the advisory board. A crosscut budget is often used to present budget information from two or more agencies whose activities are targeted at a common policy goal or related policy goals. The Office of Management and Budget (OMB) set this up. She also mentioned the Region 6 Small Business Administration (SBA) Fairness Advisory Office as a good resource.

V. Suggestions for Future DOE Tribal Energy Policies

Meeting participants had various questions and suggestions regarding future DOE tribal policy. Here is a sampling of the issues mentioned:

- DOE should have a loan guarantee program for tribes
- DOE could provide better technical assistance, for example helping assess feasibility of waste-to-energy projects for a landfill
- DOE could help simplify the process for building grids within reservations
- There should be equal incentives. For example, tribes should be able to use the value of tax credits
- DOE should help create business best practice models to guide tribes

VI. Closing Remarks

David Conrad thanked those that attended the meeting and reminded participants that they could provide additional comments and also attend the May 5th DOE Tribal Summit.

VII. Roundtable Participants

Randy Bacon, Cherokee
John R. Ballard, Ottawa
Jamison Bear, Osage Nation
Ken Bellmard, Kaw Nation
Kay Bills, Osage Nation

Lance Clinton, Choctaw Nation
Diane Daniels, Osage Nation
Tom Elkins, Cherokee Nation
Carter Gipson, Chickasaw Nation
Jim Gray, Mandan Hidatsa, Arikara
Pat Gwin, Cherokee Nation
Tracy Horst, Choctaw Nation
Frank Johnson, Chickasaw Tribal Utility Authority
Larry Jones, Chickasaw Tribal Utility Authority
Ted Isham, Muscogee (Creek) Nation
Bruce Prince, Iowa Tribe of Oklahoma
James Ray, OKNABEC
Melvin Roman Nose, Cheyenne
Ramona TallBear, Cheyenne
Michelle Tinnin, HUD-ONAP
Larry Tippit, Peoria Tribe
Susan Two Eagle, Oglala Sioux Tribe
Meredith Webber, INCOG
Robert Water, Iowa Tribe of Oklahoma
Carol Wyatt, Cherokee Nation Businesses

Facilitation Team:

Debra Drecksel, Sr. Program Manager, Senior Facilitator, U.S. Institute
Brian Manwaring, Program Manager, U.S. Institute
Lindsey Sexton, Program Associate, U.S. Institute

Logistics Management:

Jonathan Blackwell, Chickasaw Nation Industries