



INDIAN COUNTRY ENERGY AND INFRASTRUCTURE WORKING GROUP

ICEIWG MEETING SUMMARY

January 24, 2014

Seminole Hard Rock Hotel
Hollywood, Florida

MEETING OVERVIEW

The 12th meeting of the Indian Country Energy and Infrastructure Working Group (ICEIWG), established by the U.S. Department of Energy (DOE) Office of Indian Energy Policy and Programs (IE), took place on Friday, January 24, 2014 in Hollywood, Florida. The meeting site was hosted by ICEIWG Member, the Seminole Tribe of Florida.

ACTION ITEMS

1. Final review of waste-to-energy letter to Secretary of Energy.
2. Final review of DOE Tribal Summit request letter to Secretary of Energy.
3. Review and comment on letter expressing ICEIWG priorities to the White House Native American Affairs Council Energy Subgroup.
4. Determine time and place of next meeting.

PARTICIPANTS

ICEIWG REPRESENTATIVES AND MEMBER TRIBES

- Tribal Council Representative Harrison Ben, Mississippi Band of Choctaw Indians
- Councilman Barney Enos, District 4 Council, Gila River Indian Community
- Mark Fox, Tax Director and Water Resources Coordinator, Three Affiliated Tribes
- Board Representative Joe Frank, Seminole Tribe of Florida
- Jana Ganion, Energy Director Blue Lake Rancheria
- Vice-Chairperson Susan Masten, Yurok Tribe



- Jim Manion, General Manager of Warm Springs Power, Confederated Tribes of the Warm Springs Reservation (ICEIWG Co-Chair)
- William Micklin, CEO, Ewiiapaayp Band of Kumeyaay Indians
- Elizabeth Neptune, Project Coordinator, Passamaquoddy Tribe at Indian Township
- Max Osceola, Jr., Seminole Tribe of Florida
- Board Representative Steve Osceola, Seminole Tribe of Florida
- Vice-Chairperson Arla Ramsey, Blue Lake Rancheria
- Chairman Robert Shepherd, Sisseton Wahpeton Oyate Tribe
- Chief Joseph Socobasin, Passamaquoddy Tribe at Indian Township
- Representative Susan Weber, Ho-Chunk Nation
- Tribal Council Representative Stella Willis, Mississippi Band of Choctaw Indians

FEATURED SPEAKERS

- Pastor Paul Buster, First Seminole Baptist Church
- Senior Policy Advisor Jodi Gillette, Native American Affairs at the White House Domestic Policy Council
- N. Dean Polchies, Legislative Associate, National Congress of American Indians (NCAI)
- Associate Director Raina Thiele, White House Office of Intergovernmental Affairs

U.S. DEPARTMENT OF ENERGY (DOE) OFFICIALS

- Tracey A. LeBeau, Director, Office of Indian Energy
- David Conrad, Director for Tribal and Intergovernmental Affairs, Office of Congressional and Intergovernmental Affairs
- Brandt Petrusek, Program Manager, Office of Environmental Management

OTHER PARTICIPANTS

- Syd Colombe, National Center for American Indian Enterprise Development (NCAIED)
- Jerry Pardilla, Director of Environmental Resource Management, United South & Eastern Tribes, Inc. (USET)
- Mindy Bridges, Research Analyst II, National Conference of State Legislatures (NCSL)
- Brooke Oleen, Senior Policy Specialist, NCSL
- Jim Reed, Group Director, NCSL

OPENING

Director LeBeau opened the meeting, welcomed all participants and thanked the Seminole Nation of Florida for hosting. The opening invocation was given by Pastor Paul Buster, First Seminole Baptist Church. Opening remarks on behalf of the



Seminole Tribe of Florida were given by Max Osceola, Jr. who provided some history about the tribe and expressed its intent and interested in working together with ICEIWG and the federal government.

OVERVIEW OF THE INDIAN COUNTRY ENERGY AND INFRASTRUCTURE WORKING GROUP (ICEIWG)

DOE provided an overview and organizational background to the Working Group members regarding the establishment and authorities of the working group in their role as a consultative collection of representative tribal leaders with expertise in energy and energy infrastructure issues which provides their individual viewpoints to the Department (See <http://energy.gov/indianenergy/services-0/indian-country-energy-and-infrastructure-working-group> for more background information on ICEIWG.) The group was reminded that ICEIWG meetings are open, and letters and meeting agendas are posted on the DOE Office of Indian Energy web site for transparency.

UPDATE FROM SENIOR POLICY ADVISOR JODI GILLETTE, WHITE HOUSE DOMESTIC POLICY COUNCIL (BY PHONE)

Ms. Gillette stated that ICEIWG is an important group for the administration to hear Indian Country views on energy development. Because of the current focus on coordination between federal agencies in supporting tribal energy development, ICEIWG discussions are important to her office and she thanked the group for its work.

Ms. Gillette brought up Executive Order 16347 (<http://www.gpo.gov/fdsys/pkg/FR-2013-07-01/pdf/2013-15942.pdf>in 2013), of July 26, 2013 establishing the White House Council on Native American Affairs. It sets up an interagency structure to promote and sustain prosperous and resilient tribal communities, through greater engagement and meaningful consultation with tribes in developing any policies affecting tribal nations. A particular focus is promoting sustainable economic development, particularly concentrating on issues such as energy, transportation, housing, other infrastructure, entrepreneurial, and workforce development to drive future economic growth and security. This is an indication that Indian Tribes have had a high priority and high focus from this administration. Because energy is one of the priorities, in November at the White House Tribal Nations Conference, Secretary of Energy Ernest Moniz and Secretary of the Interior Sally Jewell agreed to co-chair a subgroup on energy development in Indian Country. Ms. Gillette emphasized that the sustainability of this work is key. One goal is to build structures that become a part of how the federal government does business.

ICEIWG Tribal Co-Chair Jim Manion asked about the recently proposed Clean Air Act standards to reduce carbon and greenhouse gas pollution from new power plants. These are game changers because conventional energy is important to tribes. When are these to be released? Ms. Gillette said they are still under consideration, with two big pieces under review.

EFFORTS OF WHITE HOUSE COUNCIL ON NATIVE AMERICAN AFFAIRS AND SUBGROUP ON ENERGY

Director LeBeau said that the White House Council has met two times to date. She sees an important role for ICEIWG in providing input and ideas to the Subgroup on Energy, and it was recommended that correspondence be sent to the Secretary as such input is developed. She noted that one of the first ICEIWG ideas was to catalogue all the various agencies that impact



energy project development and infrastructure in Indian Country. IE has done this, in terms of tracking to some degree. (See “Other Federal Tribal Energy Programs” at <http://energy.gov/indianenergy/services-0/other-federal-tribal-energy-programs>.) One focus is on creating a new baseline of Indian Country energy programs across all federal agencies. She referenced the in-progress ICEIWG letter to Secretary Moniz addressing these issues.

Will Micklin called attention to a recent study presented to a self governance advisory committee by the U.S. Environmental Protection Agency (EPA) of what tribes could be eligible for in the way of federal funding, across federal agencies, and not just tribal specific. He stated that the federal trust responsibility could be fulfilled by associating tribes with those programs for which they are eligible. He believes there is some lack of recognition and understanding of the trust responsibility, especially regarding how the central office conveys this to field offices in a more formal way. Cooperation between agencies at the field office level is often difficult to encourage and they need a ready path to better implement trust responsibility. ICEIWG could provide a road map of where each department has responsibility for tribal energy projects to help forge understanding and cooperation. Bringing these agencies together to support projects could aid tribes moving forward with energy projects, rather than starting anew with each new milestone with each project.

Mr. Micklin wanted to know when the White House Council was going to talk to leaders in Indian Country and how they would fit in to the process. He expressed appreciation to have Director LeBeau as an advocate, and he asked for help in guiding the group as to what is reasonable in terms of expectations for our input and how to best be helpful in getting something done. He expressed a desire for something actionable in the next couple years.

Director LeBeau responded that the timing is good for these types of discussions. Currently, the Subgroup’s structure and initiatives are being discussed amongst the agencies and it has been noted that Tribes have raised the question regarding face-to-face interaction with the larger Council. She said official correspondence from ICEIWG is one route the Tribes involved in the ICEIWG could use to recommend issues to the subgroup.

David Conrad stated that the Federal government is working to align the federal pieces to support Indian energy development across agencies, but one challenge is the large private involvement with energy projects which may or may not intersect with federal actions. Many successful tribal energy projects have not had significant federal involvement.

Mr. Micklin recommended addressing the finite set of viable tribal energy projects to review status and identify problems and lessons learned. The greatest impediment is often inaction, he said, and we as tribal advocates do not have a lot of weight in influencing movement in agencies. The Subgroup on Energy should identify and address impediments.

Director LeBeau mentioned an idea regarding a potential model project process initiative to focus in on a model project requiring multiple actions or permits across departments. She stated that a purpose of the subgroup is to identify and address institutional problems and not do what the agencies can and are already doing on a specific project-level basis. Instead, a purpose is for the agencies to communicate and better collaborate, and the creation of better processes.

Chairman Robert Shepherd suggested that ICEIWG commission Director LeBeau’s office to submit a project to the subgroup as a case study to look at removing internal administrative barriers. Should there be a legislative effort, NCAI could assist, he said, since ICEIWG itself cannot recommend or advocate legislation.



Director LeBeau said it might be helpful for Tribes, as an example, to look at work done on interagency priority projects, such as the rapid response transmission team initiative. Dashboarding of key performance indicators to aid quick and informed decisions and the use of checklists that identify who is responsible could be helpful in moving specific projects and potential technologies forward.

Mark Fox stated that this working group is effective for outreach and making connections. As an individual tribal leader, what comes to mind as most important for the Federal government to do is facilitating on-the-ground development through incentives, tax relief and other means. The second part is a concern about policy. Because of private influence over energy projects, only so much can be done, but because the federal nexus is so strong, we want more priority on better federal policy that will open up the on-the-ground development. He wants this group to take the lead in policy and in creating outreach. There is a need to have gatherings for all tribes to participate and express their specific concerns on needed policy changes. An Indian Country Energy Summit is needed.

Director LeBeau noted that draft ICEIWG correspondence is to be considered today to encourage a tribal summit through a joint letter to the Secretary from ICEIWG and the State and Tribal Government Working Group (ICEIWG). A critique of the prior summit was that there were so many high-level officials that there were a lot of speeches and not enough time devoted to interactions. IE would welcome ideas about how to better organize future summits.

In terms of strategic interactions going forward, Mr. Conrad said both Secretary Moniz and Secretary Jewell are very active and personally engaged on this and he recommended that the tribes do their homework Director LeBeau said that Secretary Moniz is very focused on climate change and resiliency, which fits in well with tribal interests. As well, her office is focused on deployment—getting projects done with existing technology.

Mr. Micklin said that they need to address the perception of private developers that costs associated with development on federal lands are higher than that of private lands. As well, he said that adequate preparation is needed for tribal consultations and meetings. He noted a perception that little progress is made because tribes list their tribal-specific troubles and federal officials recite their programs that they think will help. It is not a dialogue and little progress is made. He recommended that work be done ahead of time to be more productive. Participants need to hear about the challenges and issues and best practices in a tangible way. He also advocated finding better ways to place the new jobs created by these projects with tribal members and to locate ancillary support facilities and services on tribal lands whenever possible.

Vice-Chair Susan Masten urged that tribes support efforts of the Subgroup to help problem-solve. She suggested that ICEIWG could do some pre-work to identify projects and challenges for dialogue at these meetings for solutions and also identify projects representing lessons learned.

Director LeBeau noted that one broader practical approach, for purposes of lessons learned and to perhaps suggest to those agencies directly, might be to identify those projects which are further in the pipeline and are already financially viable, that could be helped by a focus on permitting by those agencies which have roles to play in permitting.

ICEIWG Tribal Co-Chair Manion mentioned his concern about what is not happening in Indian Country and helping to focus broader policy objectives. He asked, “Do we want projects or do we want jobs and economic development?” Tribes cannot use many existing incentives that are out there. Also, many incentives are sun setting. He urged ICEIWG to continue to make the larger point to all agencies to see the huge potential for renewables on tribal lands. We want the tribes to



develop the projects and capture the value through ownership. Financing is a key impediment because tribes need financing but they cannot make use of the incentives. The playing field needs to be leveled. The economy will soon need new capacity and tribes can offer a lot. In his area, some key hydropower projects will be shutting down in the next several years. He said time is of the essence in getting our agenda organized to get things done with this administration. He urged getting ICEIWG official correspondence into the queue.

Mark Fox said that most tribes have some kind of resource, but lack financial ability to take advantage. The Federal government can help the tribes capture the value that is available. There are some things the federal government can do to fill gaps. He mentioned the need to have infrastructure to capture natural gas rather than allowing it to be flared.

Chairman Robert Shepherd said that the U.S. Department of Defense (DoD) is a big potential customer. Can DOE help facilitate a purchase power agreement (PPA)? Nine tribes in South Dakota are working on a project of \$10 billion, and it could flourish a lot faster with DOE help.

DOE-IE BUDGET UPDATES AND DISCUSSION

(SEE [HTTP://ENERGY.GOV/INDIANENERGY/OFFICE-INDIAN-ENERGY-POLICY-AND-PROGRAMS](http://energy.gov/indianenergy/office-indian-energy-policy-and-programs))

Director Tracey LeBeau presented information on recent developments through the Office of Indian Energy. She said her office focuses on these overall goals and objectives:

- Shift the paradigm for delivery of financial and technical assistance by funding proven approaches to development and providing “wraparound” assistance;
- Re-focusing on deployment and community/facility scale development;
- Build or identify models for energy development, capacity building that can be replicated and shared.

Fiscal Year 2014 goals include:

- Coordinating all Indian energy financial and technical assistance programs;
- Conducting project development and financing workshops;
- START: Round II completion (see <http://energy.gov/indianenergy/resources/start-program>);
- START UP ;
- NTER: National Training and Education Resource, on-line courses on Renewable Energy Project Development and Finance Program (<https://www.nterlearning.org/web/guest/course-details?cid=405>);
- Technical assistance webinar series (<http://energy.gov/indianenergy/resources/education-and-training/tribal-renewable-energy-webinar-series>).

Key recent activities include the following:

- START (Strategic Technical Assistance Response Teams)
 - Providing expert development technical assistance directly to tribal staff/leaders/projects;



- Alaska program and Lower 48 programs;
- Targeted energy development assistance – post feasibility & pre construction/finance;
- 10 new tribes/projects selected in Round II;
- Alaska program received \$1.250 million in grant funding;
- Adding START UP in FY 2014 – Tribal Utility technical assistance;
- Technical Assistance
 - 40 free hours of TA for tribes
- Education, Training and Capacity Building
 - Tribal leader and tribal professional renewable energy development and finance primer series – online and workshops.
 - Conducted commercial-scale workshop as well as community-scale.
 - Online Foundational courses: energy planning, technologies, transmission.
 - Online Energy Resource Library.
 - Tribal Renewable Energy Monthly Webinar Series.
- Innovative Deployment Technical Assistance
 - Alaska Microgrid/Energy Storage Design.

Further updates on IE include the recent hiring of a new full time program manager Givey Kochanowski, who will be based in Anchorage. Round 2 of START Alaska is underway. It is led by the Office of Indian Energy, in partnership with the Denali Commission, the DOE Office of Energy Efficiency and Renewable Energy, and the National Renewable Energy Laboratory (NREL). Through START, each Alaska Native community is receiving technical assistance focused on community-based energy planning, energy awareness and training programs, and clean energy deployment and financing opportunities. Additionally, each village that was selected was eligible for up to \$250,000 in financial assistance to deploy a renewable energy or energy efficiency project. Capacity building is a goal of the START program. IE is also supporting a study of existing wind-diesel power systems in rural Alaska to determine best practices for project development, design, financial feasibility analysis and operations and maintenance.

In Fiscal Year 2014, the budget (including the Tribal Energy Program) is \$9.506 million. Given this decreasing amount of funding for grant/financial assistance, one focus areas is IE is more actively surveying financing and other support opportunities at other agencies with which to collaborate. Part of the goal is to see what is already available given tight budgets.

Director LeBeau closed by discussing key energy sector trends and DOE's focus areas, including: tax credit uncertainty leading to project start and stops; utility sector disruption; climate change mitigation and energy system resiliency; and transmission solutions related to storage, programs and how projects are evolving.

Questions emerged from working group members about the DOE Tribal Energy Loan Guarantee Program and it was requested that the language for this program be made available along with the language for the IE office authorization from the Energy Policy Act of 2005. See <http://codes.lp.findlaw.com/uscode/25/37/3502> and <http://energy.gov/indianenergy/mission>.



DAVID CONRAD, DOE OFFICE OF CONGRESSIONAL AND INTERGOVERNMENTAL AFFAIRS (CI) UPDATE:

Mr. Conrad brought several updates to the working group.

- The Loan Program Office (LPO) Solicitation for innovative fossil energy that includes carbon capture technologies. IE and LPO can do a more in-depth dive on the details should there be an interest. (See [http://lpo.energy.gov/resource-library/solicitations/advanced-fossil-energy-projects-solicitation/.](http://lpo.energy.gov/resource-library/solicitations/advanced-fossil-energy-projects-solicitation/))
- The Quadrennial Energy Review is focusing on energy infrastructure, and the purpose is outlined in the Presidential memorandum, but DOE is the lead federal agency and is also planning outreach (eight meetings or roundtables) with topical emphases (yet stakeholders can bring up any topic at any roundtable) between now and the end of August. DOE Office of Energy Policy and Systems Analysis (EPSA) is looking at the March timeframe for the State, Tribal, and Local government emphasis roundtable and thinking of Oklahoma, Texas, or Washington, D.C. as the location. Times and location are being factored using a number of inputs, but input from stakeholders from those groups will obviously also play into that process.
- State Energy Portals. The Energy Information Administration has released the State Energy Portal information. They will be hosting a webinar explaining the data layers and uses of the information on January 29 at 1 p.m. eastern time. If there is a tribal interest, DOE can host one for tribes as well, and get comments on the design of conducting one specific for Indian country (FY 14 project).
- The Colorado State University Center for the Clean Energy Economy recently released their report regarding 200 administrative action possible for federal and state leaders to consider to help move the clean energy economy forward. Mr. Conrad reached out to former Colorado Governor Bill Ritter’s Center and put him in contact with Tracey LeBeau to discuss moving forward with a tribal-state dialogue to further explore actions that can be achieved together at the state and tribal level.
- DOE Tribal Organization Executive Monthly conference call. DOE-CI hosts calls once a month to discuss items such as those above, and uses the tribal response of interest in developing further outreach on those subjects in concert with DOE programs.
- Office of Nuclear Energy’s Tribal Leaders Dialogue: Assistant Secretary Pete Lyons has created a dialogue with tribal leaders to discuss the state of play in the field of nuclear energy, so tribes can be privy to the latest developments in technologies and the markets and how those might affect decisions the nation will face in its research and/or other aspects of nuclear fuel cycle management.
- Sacred Sites MOU implementation: DOE is a signatory to the interagency MOU and an interim progress report is making its way through internal concurrence in each agency, and will be available for review soon. The important take-aways from this effort are that the signatory agencies are learning to work more effectively together on this topic, we are all attempting to raise our game to the high standards, and create a seamless approach to the subject on behalf of the federal government. We are aware that NCAI has created a working group among tribal subject-matter advocates as well.
- The U.S. Departments of Agriculture (USDA) and Housing and Urban Development (HUD) announced the five inaugural U.S. communities that have been designated as Promise Zones, which will benefit from a comprehensive approach to development that will enhance and connect local assets ranging from schools to housing to jobs. The Choctaw Nation of Oklahoma is one of the five inaugural sites.



- Interagency coordination efforts are on the rise, with initiatives such as: Sacred Sites MOU, White House Promise Zones; White House Strong Cities, Strong Communities initiative; the White House Task Force on Resilience and Preparedness; and the White House Council on Native American Affairs (and its Subgroup on Energy), all of which are somewhat larger more diversely focused versions of the DOE-IE START program. He wanted tribes to be aware of these efforts and to look for lessons learned coming out of them, while the federal government would be doing the same; looking for practices and models for improved federal service to tribes.

RAINA THIELE, WHITE HOUSE OFFICE OF INTERGOVERNMENTAL AFFAIRS (BY PHONE)

Raina Thiele discussed the Administration’s climate change efforts and the role of the State, Local, and Tribal Leaders Task Force on Climate Preparedness and Resilience. The Task Force is to recommend modernization of federal programs and provide actionable information and useful tools to state, local and tribal communities to deal with the impacts of climate change on communities. Two listening sessions will be held on January 31 with Karen Diver, Chairwoman of the Fond du Lac Band of Lake Superior Chippewa, and Reggie Joule, Mayor of the Northwest Arctic Borough, appointees to the Task Force. Several ICEIWG members expressed interest and asked for the details including Vice-Chairperson Susan Masten and Board Representative Joe Frank.

N. DEAN POLCHIES, LEGISLATIVE ASSOCIATE FOR THE NATIONAL CONGRESS OF AMERICAN INDIANS (NCAI), NATIONAL LEGISLATIVE UPDATE RELATED TO ENERGY DEVELOPMENT IN INDIAN COUNTRY

Mr. Polchies gave a presentation on NCAI initiatives in the areas of climate change and energy development. Regarding climate change, 184 of 213 Alaskan Native villages, or 86 percent of all Native communities in Alaska are threatened by climate change due to potential flooding and erosion, caused by rising temperatures. He cited a 2003 Government Accounting Office Report detailing this threat (<http://www.gao.gov/new.items/d04142.pdf>).

On climate change, NCAI has recommended that a high-level interagency tribal government task force be established with funding and technical support to examine and propose solutions to the gaps across the relevant Federal agency relationships with tribes. He stated that NCAI was pleased on November 1, 2013 when President Obama established a Task Force on Climate Preparedness and Resilience (as described above). NCAI has offered to be a conduit of information for the Task Force to get the word out to Indian Country. NCAI is hopeful that this Task Force will act to help tribes in a variety of ways regarding climate change and especially will recognize the slow-moving climate threats to the Alaska villages and assist with relocating these villages, which are estimated to cost from \$100 million to \$400 million (2003 dollars) for relocating Kivalina.

Regarding climate change activities in Congress, Mr. Polchies said that on January 14, 2014, the Senate Democrats set up an 18-member Senate Climate Action Task Force to shift the politics of climate change back to legislating a price on greenhouse gas pollution. NCAI is hopeful the Senate Task Force will also support and encourage the administration to fund the process of relocating the Alaskan villages affected by climate.



NCAI, in working with the Pacific Northwest Climate Change group has also submitted comments and recommendations on Senate Bill 1202, the “Safeguarding American’s Future and Environment Act” to add reference to tribes into the bill. Sponsored by Senators Baucus and Whitehouse, it would establish an integrated federal program to respond to ongoing and expected impacts of extreme weather and climate change by protecting, restoring, and conserving the natural resources of the United States, and to maximize government efficiency and reduce costs, in cooperation with state, local, and tribal governments and other entities.

Regarding energy, Mr. Polchies reiterated that the development of tribal energy resources remains a priority for NCAI. Tribal resources are diverse, and include all components of renewable development to conventional. The vast majority of large-scale projects on Indian lands linger in the pre-development phase due to lack of tribal capacity, inadequate financing incentives which promote tribal ownership options, and lack of transmission infrastructure and institutional markets for energy produced on Indian lands, unclear tax regimes and procurement.

NCAI recommends that the Federal government:

- 1) Initiate a tribal capacity-building effort involving multiple federal agencies, universities and the private sector;
- 2) Revisit and reform core federal expertise, programs and funding to support tribal resource development and market access;
- 3) Prioritize transmission and electrification investments on Indian lands,
- 4) Affirm tribal taxing authority, and
- 5) Indicate preference for tribal energy products in procurement decisions.

Specifically on procurement, NCAI is working with Senate staff to amend Section 2602, (Indian Tribal Energy Resource Development) codified at 25 U.S.C. Sec. 3502 (d). “In purchasing electricity or any other energy product or byproduct, a Federal agency or department **MAY** give preference to an energy and resource production enterprise, partnership, consortium, corporation, or other type of business organization the majority of the interest in which is owned and controlled by 1 or more Indian tribes.” NCAI seeks to change the “**MAY**” to “**SHALL**”

Finally, he updated the group on the November 2013 announcement by Secretary Moniz that nine tribal clean energy projects will receive \$7 million to assist American Indian and Alaska Native tribes in deploying clean energy initiatives, enhancing their energy security and creating new job and business opportunities. The projects competitively selected are diverse in terms of technology, including upgrading refrigeration systems, installation of solar panels, deployment of a 1.8 megawatt wind turbine, and development of a wood biomass-fueled boiler to heat a tribal facility. These funded tribal efforts aim to support a sustainable energy future for their communities. Mr. Polchies closed by pointing out that the Three Affiliated Tribes of North Dakota broke ground on May 08, 2013 for their \$450 million Thunder Butte Refinery.

Discussion ensued regarding a variety of issues including access to transmission, preferences, tribal interactions with utility companies, and pairing up system power with renewables. Director LeBeau explained transmission access regulations and



requirements for posting of rate schedules in response to a question about tribes working with power companies to get access to wheel power.

SYD COLOMBE, UPDATE FROM THE NATIONAL CENTER FOR AMERICAN INDIAN ENTERPRISE DEVELOPMENT

Ms. Colombe invited the members to the 28th Annual National Reservation Economic Summit (RES) in Las Vegas. Convening March 17-20, 2014, it will feature respected tribal leaders, state, and local elected officials and top CEO's, along with networking, teaming opportunities, business development sessions, and American Indian procurement opportunities. A full day on Monday, March 17, will address tribal energy topics. Around 3,100 attendees are expected. See <http://www.ncaied.org/national-res-las-vegas-2014/>. A procurement EXPO also takes place on the Monday during RES.

Co-Chair Jim Manion inquired as to whether such a conference could be held in Indian Country or perhaps on a regional level, in regions where many tribes are present. Vice-Chair Susan Masten stated that part of the rationale for Las Vegas is has the facilities to be able to host such a large conference along with a large trade show.

STEVE OSCEOLA, SEMINOLE TRIBE OF FLORIDA ENERGY UPDATE

Mr. Osceola presented information on projects found on Seminole reservation land. One of the tribe's key objectives is to further develop on-reservation energy. The Hollywood Reservation has a natural gas pipeline running through it. Solar panels are under consideration for the Hard Rock Hotel and Casino in Hollywood. At the Big Cypress Reservation, solar powered street lights are being tested. Solar power is an option for the Seminole Immokalee Casino as well. The Brighton Reservation, with over 35,000 acres, is host to the Tribe's cattle, sugar cane and citrus operations. For that area, the Tribe would like to build a one-megawatt solar farm to supply power to tribal buildings including the casino. At the Seminole Coconut Creek Casino, a solar photo voltaic canopy is installed on top of the parking structure producing 23 kW of power. Biomass was mentioned as a possibility as well.

There are a number of issues facing Seminole renewable energy development. These include: No RPS in Florida and not much in the way of incentives; the monopoly of Florida Light and Power (FPL); a Tribal lawsuit on a proposed natural gas plant north of Big Cypress; challenges for renewable due to the low current cost of nuclear power; the reality of 170 MPH wind code; and tropical, cloudy days.

The Seminole Tribe's outlook is to create opportunities to produce alternative and renewable energy, using solar panels and other renewable sources on Seminole reservations, resulting in less dependence of FPL and more energy production from renewable sources. Ultimately, they would like to develop a tribally-owned utility.

ICEIWG ADMINISTRATIVE BUSINESS AND NEXT STEPS



The next meeting will be held in Washington, D.C. in the spring. Time and date will be determined. This could allow for time with Secretary Moniz if possible.. The meeting will be set up according to his schedule. (Also will try to coordinate around the NCAI meeting March 11-13 in D.C.)

Correspondence:

The waste-to-energy letter is essentially ready and it was agreed to finalize and send around one last time to ICEIWG for final approval. (The approved letter was sent to Secretary Moniz on January 31, 2014)

The “request for a tribal summit” letter combines the ICEIWG request with that of the State and Tribal Government Working Group to strengthen the request. It was approved by the group to send. (The approved letter was sent to Secretary Moniz on January 31, 2014)

The letter to the Subgroup on Energy was included for review in the meeting packets. Members were asked to review and send back comments.

Vice-Chair Susan Masten asked if the group could expand to include other agencies like USDA, DOI and EPA. Director LeBeau said that it would be appropriate to invite their participation in meetings, but that membership would be problematic since ICEIWG’s work is for the benefit of DOE. Vice-Chair Masten also raised the possibility of the involvement of these agencies on a regional basis such as when the group next meets in Denver, these other agencies could be invited. Co-Chair Manion endorsed the idea of inviting the other federal agencies involved in energy to the table.

Tribal Leader Forums

Additional ideas for forums were discussed.

- Role of USDA, possibly held in the upper Great Plains;
- Financing, including discussion of carbon credit;
- Utility issues –involve Bonneville Power Administration and Western Area Power Administration in BPA and WAPA, discuss the hydro reallocation issue, recent case studies, tribal utilities and capacity building. Perhaps discuss the work of Chicksaw and Osage in this regard. Vice-Chair Masten endorsed this topic.

Closing

Co-Chair Jim Manion invited final comments from everyone including, especially, anyone who had not previously spoken.

Steve Osceola asked that at future meetings there be scheduled a tribal leaders-only session to share ideas about what the tribal leaders should be asking for out of this process. Director LeBeau agreed to place it on future agendas.

She also recommended that the group start a web forum where people can share ideas, outside of email.

Upon adjournment, the tribal leaders convened in an executive session.

