

DOCKETED

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Regional Roundtable 7: CEC Order Instituting an Informational Proceeding on Tribal Affairs and Tribal Energy Sovereignty

April 15, 2026

Welcome and Opening Remarks





Meeting Logistics

- Public Comment Opportunities
- Principles of a Respectful Meeting

GAVIN NEWSOM
GOVERNOR



CHRISTINA E. SNIDER
TRIBAL ADVISOR

CALIFORNIA TRUTH & HEALING COUNCIL

PRINCIPLES FOR RESPECTFUL MEETINGS



Agenda for Today

- Welcome and Opening Remarks
- Tribal Consultation
- Tribal Energy Sovereignty
- Tribal Energy Equity Indicators
- Lunch Break
- Best Practices for Tribal Energy Grants
- CPUC Tribal Consultation Policy and Tribal Land Transfer Policy
- Improving Energy Project Development Processes
- Tribal Cultural Resource Considerations Regarding Clean Energy Development
- Closing Remarks

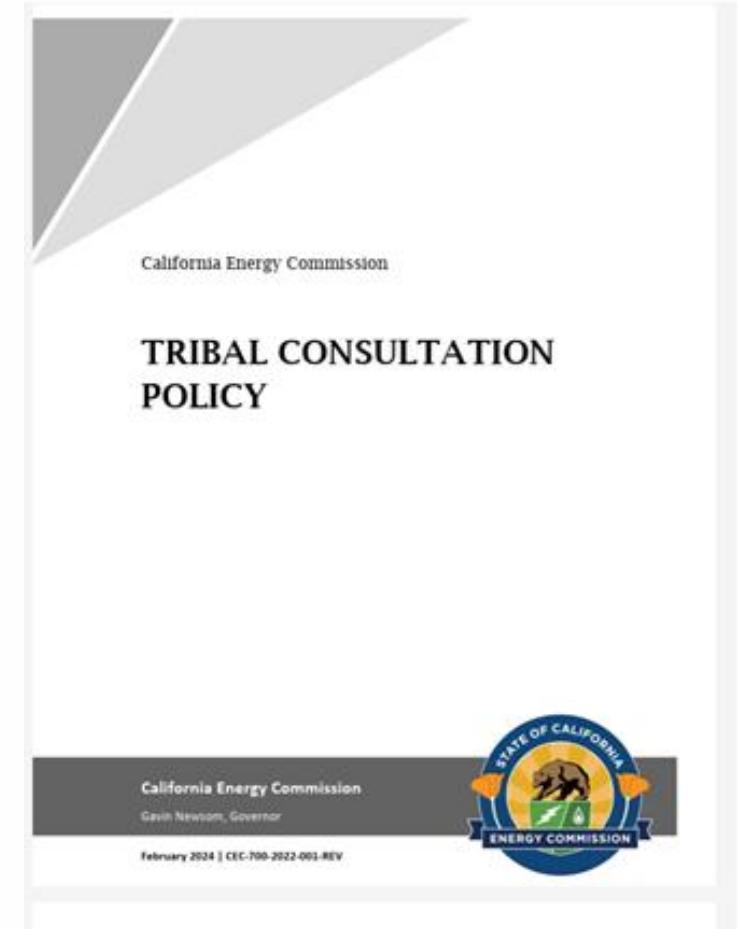
Tribal Consultation Policy





CEC Consultation Policy

- Adopted 2014
- Administrative Update February 2024
- California Natural Resources Agency Tribal Consultation Policy November 2012 (Recently updated 9/2025)
- Assembly Bill (AB) 923





CEC Tribal Consultation Policy Overview

- Identifies the responsibilities and organization of the CEC
- Designation of the CEC Tribal Liaison and Assistant Tribal Liaisons
- Affirms CEC Tribal Liaison participation in the Tribal Liaison Committee
- Outlines CEC's tribal consultation process
- Mechanisms for exchanging confidential information
- Stipulates filing and disclosure requirements concerning CEC tribal communications
- Suggests ways for fostering long-term relationships



Examples From Other Consultation Policies

- Adequate preparation
- Mutual respect
- Relationship building
- Co-management
- Traditional Ecological Knowledge
- Importance of cultural resources and restoration
- Transparency and on-going communication



What would Tribes like to See in CEC's Consultation Policy? (slide co-developed 04/15/2026)

- Acknowledging indigenous ecological knowledge; moving from TEK to ITEK (Indigenous Traditional Ecological Knowledge). Recognize cross-border nature of TEK. Expand the definition and acknowledge this. Knowledge can be shared and utilized across borders. Support pan Indigenous networks.
- Have minimum standards for early engagement around projects; There should be clarity on: what is the process for receiving comments? How is information going to be used? Timeline for how information will be used – check-ins, surveys?
- Include Tribes early enough in the process to make a change or a difference in policy.
- When CEC has limitations, it should be clear with tribes on what those are. Understanding of the limitations that CEC face in incorporating tribal input and clear documentation on input. If not incorporated, let tribes know why not.
- Identify how conversation topics can be shared and to gather input
- Annual reporting on effectiveness – collaboration between CEC and Tribes to share information ; communicate what has worked, what hasn't.
- Providing Tribal feedback options – create and send planning document phases, timeline of goals, something to track progress. Are goals being met? Timelines can be flexible.
- Reviewing dense reports can be difficult for Tribes and unhelpful; executive summaries are more helpful; share the top level points and goals/objectives.
- Creating Tribal Advisory Council – establishing formal agreements with Tribes who are willing to move forward
- Reconciliation implies the importance of gathering and communicating; important to be HEARD and changes to be made from Tribal input. Important for Tribes to see results from the conversations.
- Giving a better understanding of the limitations that CEC face in incorporating tribal input. Sometimes there is leadership support but then things aren't implemented at the staff level.
- Conversations are good, but there needs to be action associated with conversations
- Having Tribal members included.
- What western knowledges says is cultural resources is not what tribes necessary define them as. Making sure understanding non-western cultural resources that come from the Tribe
- State agencies should have oversight committees to ensure implementation on policies; connect with Tribes on implementation; make sure not performative. Tribal representative could have a seat on Oversight Committee – application process for Tribes to become involved and represent the Tribe within the Committee



How to Implement CEC's Tribal Consultation Policy (slide co-developed 04/15/26)

- Tribal advisory council
- Oversight committee – adding a position for a Tribal member. Having both representatives that are Tribal members and work for the Tribe for better understanding of their community. Both provide a unique perspective.
- Regular check-ins with Tribes through different methods

Thank You!





Tribal Energy Sovereignty





History of Resolution Committing to Support Tribal Energy Sovereignty





Advancing in Tribal Energy Sovereignty State Partnership Frameworks

Continued





Components of Resolution Committing to Support Tribal Energy Sovereignty

Goals

- **support** tribal self-determination, self-government, and **energy sovereignty**;
- **enhance tribal consultation** and participation in decision-making related to clean energy planning and development in California;
- **improve the protection of sacred sites**, cultural resources, and access to ancestral lands;
- **increase tribal access** to federal and state energy funding opportunities;
- **provide opportunities** for economic diversification, career development; and investment in renewable energy for California tribes;



Components of Resolution Committing to Support Tribal Energy Sovereignty

Actions

- enter into memoranda of understanding (MOUs) with interested California tribes to establish **frameworks for collaboration** on key energy policy and planning initiatives;
- develop **capacity building** and technical assistance resources to support clean energy transitions, advance the development of tribal energy enterprises, and increase access to clean energy programs;
- increase **tribal set-asides** within State programs and funding opportunities;
- partner with California tribes to pursue **federal funding** opportunities;
- prioritize **community benefits** within programs, policies, and planning initiatives;
- enhance **land-use considerations** in clean energy planning for the protection of tribal cultural resources;
- increase cultural awareness and **knowledge of tribal priorities** among Commission staff to better inform the development of programs, policies, and planning initiatives.



Components of Resolution Committing to Support Tribal Energy Sovereignty

Actions Related to Land

- provide assistance to facilitate California tribal government access to existing **information concerning land that may be of interest** to California tribes, including the environmental condition of the land;
- encourage and support opportunities for entities with whom the Commission conducts business with or otherwise regulates or interacts, including, but not limited to, publicly owned utilities, to provide California tribes **access, use, and co-management of lands** and to work cooperatively with California tribes that are interested in acquiring lands in excess of State needs; and
- encourage and support local agencies, as defined by Government Code section 54221(a), with whom the Commission interacts, to **transfer ownership of surplus lands** with which California tribes have a cultural connection or are within a California tribe's ancestral land.



Where we are today...

State Funding Eligibility Expanded

- Energy Conservation Assistance Act (ECAA)

Capacity Funds

- California Clean Energy Policy and Planning Program (CCEPP)
- Offshore Wind Capacity Fund

Tribal Set-Asides

- Tribal Specific Equitable Building Decarbonization Program (Tribal EBD)

Removing Funding Barriers

- Tribal Electric Vehicle Infrastructure, Planning, and Workforce Training and Development

Tribal Engagement in Planning

- Offshore Wind
- SB 100

Advancing in Tribal Energy Sovereignty State Partnership Frameworks



Structural Models for Tribal Energy Sovereignty

TACE



Tribal Advocacy Council on Energy



What does tribal energy sovereignty look like for your tribe? (slide co-developed 04/15/26)

- Fueled with Tribal ownership.
- More noncompetitive funding options for smaller Tribes to not have to compete with larger entities
- Exploration funding for tribe to identify needs and plan – research, identifying energy goals, land-based community needs to develop long-term sustainable energy sources that can bring revenue to Tribe. Funding for expanding workforce capacity.
- Important for each Tribe to decide what sovereignty looks like for them. Up to each tribe to decide if they want to be involved.
- If a Tribe wants to go towards a clean energy future, ensure tribes are involved
- It is not just a Tribe's own sovereignty, it is sovereignty for the entire community
- More protection of local resources and more transparency from developers/companies on what projects are happening.
- More transparency on where clean energy materials come from and those impacts (ie mining)
- Tribes want to own the story of building clean energy
- Tribes need redundancies in the plan, backups especially in rural areas
- Tribal sovereignty is standing in solidarity for Tribal sovereignty – all Tribal sovereign nations. Stand for each other all as one (even as separate nations)
- Clean energy source material – not having Tribal cultural resources destroyed in the clean energy transition.



What does tribal energy sovereignty look like for your tribe? (slide co-developed 04/15/26)



What would be the most critical thing to include in the draft Tribal Energy Sovereignty Policy? What can the CEC do to better support tribal energy sovereignty goals? (slide co-developed 04/15/26)

- Put into a draft policy, working with Tribe to include addendums so that tribes can insert their own definition of tribal energy sovereignty; Tribes can define for themselves – what does the Tribe want to happen?
- Add goals and objectives checklist to monitor progress on policy implementation.
- Options for flexibility, each tribe will want to do things differently.
- State should recognize each Tribe's sovereignty – Tribes should be able to sign contracts/documents without giving up sovereignty. Not requiring Limited Waivers of sovereignty in grants
- Developing data sharing agreements with Tribes; Respecting the right to share info the tribe feels comfortable sharing.
- Is there data that Tribes want from CEC? Some data does not exist. Ensure agreements exist so data does not get into wrong hands
- Building data agreements with the Tribe. Have a Tribal GIS liaison who understands what data exists and how it affects Tribes. Ensure there is a resource available for Tribes to better understand how data can be applied
- Expanding energy equity indicator tool – add Tribal specific data categories. Add ability to see what resources are being developed in Tribal regions?

Morning Break





Tribal Energy Equity Indicators



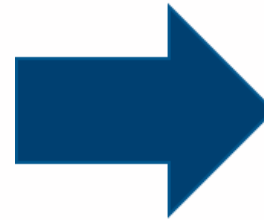


Energy Equity Indicators Tool

Data Visualization and Mapping



Database of Equity Data



Insights to Help
Prioritize CEC Efforts
and Investments for
Tribes



Geographic Data Layers



Data Access and
Analysis



Relevance to Other OIIP Efforts

Energy Resources

- Motivate equitable distribution of clean energy resources by increasing transparency
- Track progress over time to measure impact of CEC efforts

Energy Grants

- Help identify communities that could use support to tackle their energy challenges
- Provide quantitative metrics to help strengthen grant proposals



Energy Equity Metrics Categorization



Energy Metrics

Access



Reliability



Efficiency



Affordability



Programs



Clean Energy Adoption



Supplementary Metrics



Community



Health



Safety

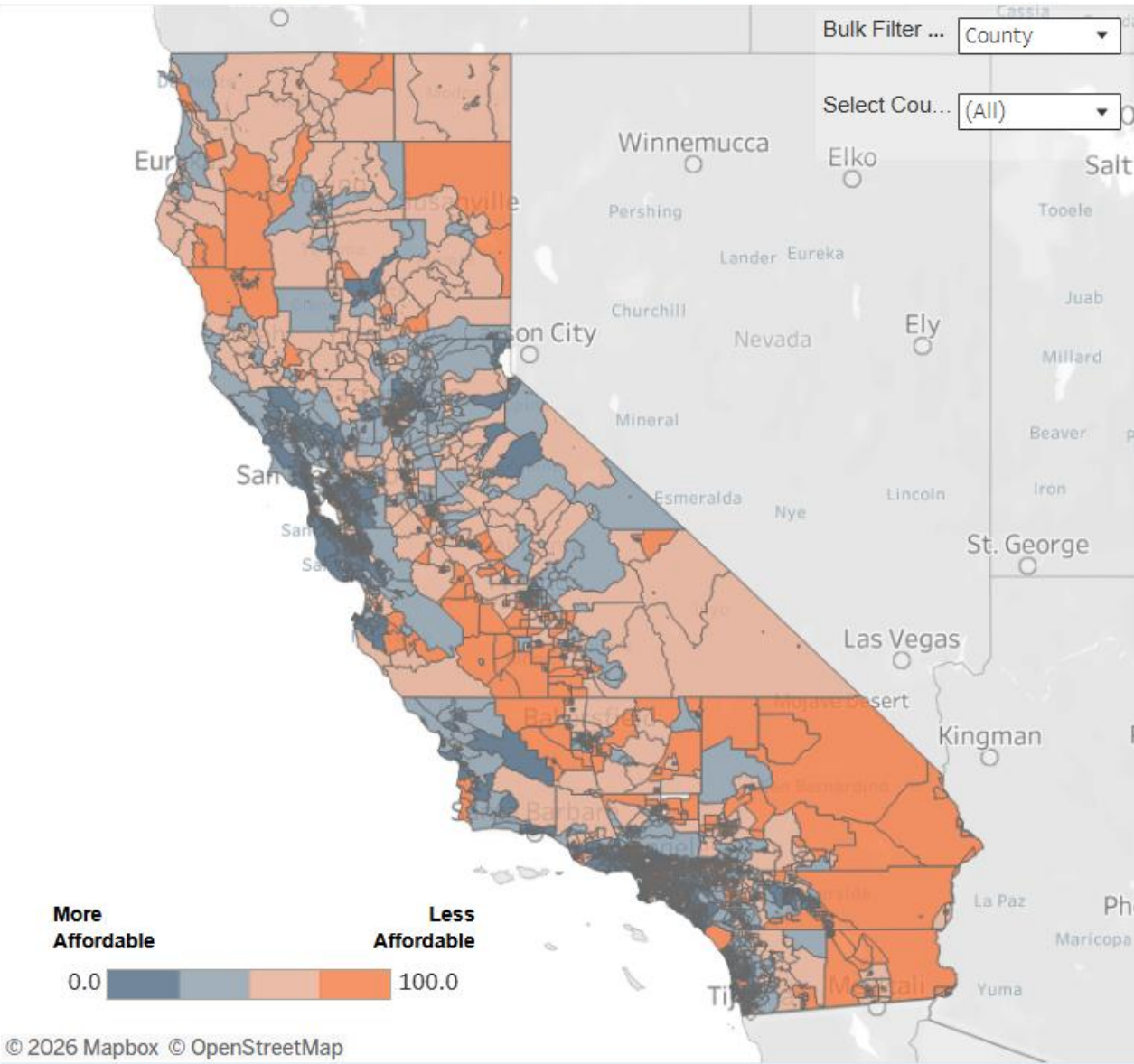


Socioeconomics

A Deep Dive into Energy Affordability

(Draft for Public Comment Only, Data is NOT Final)

Energy Affordability Index by Census Tract



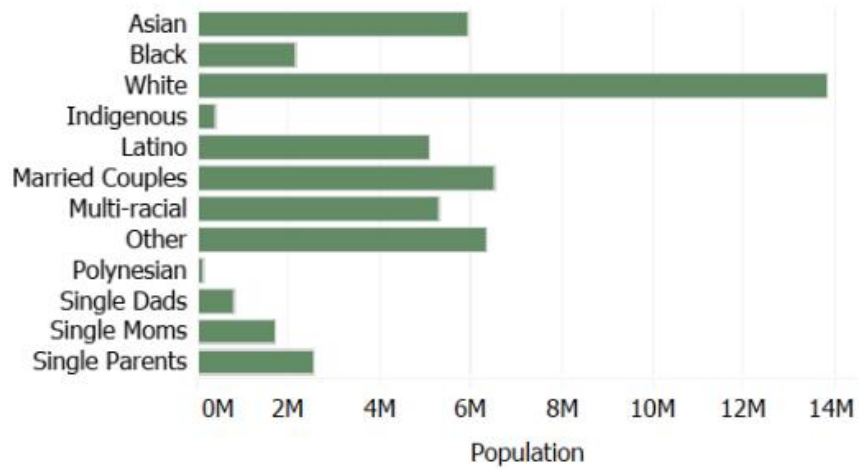
Pearson Correlation Tool

Independent Variable:

Vulnerability Variable:

r = 1.00

Community Characteristics



Population Selected **39,234,926** Average Household Size **3.0**

Average Energy Affordability Index **50.00**

Average Energy Burden **2.1%**

Total Energy Affordability Gap **59,216.8M**

Filters

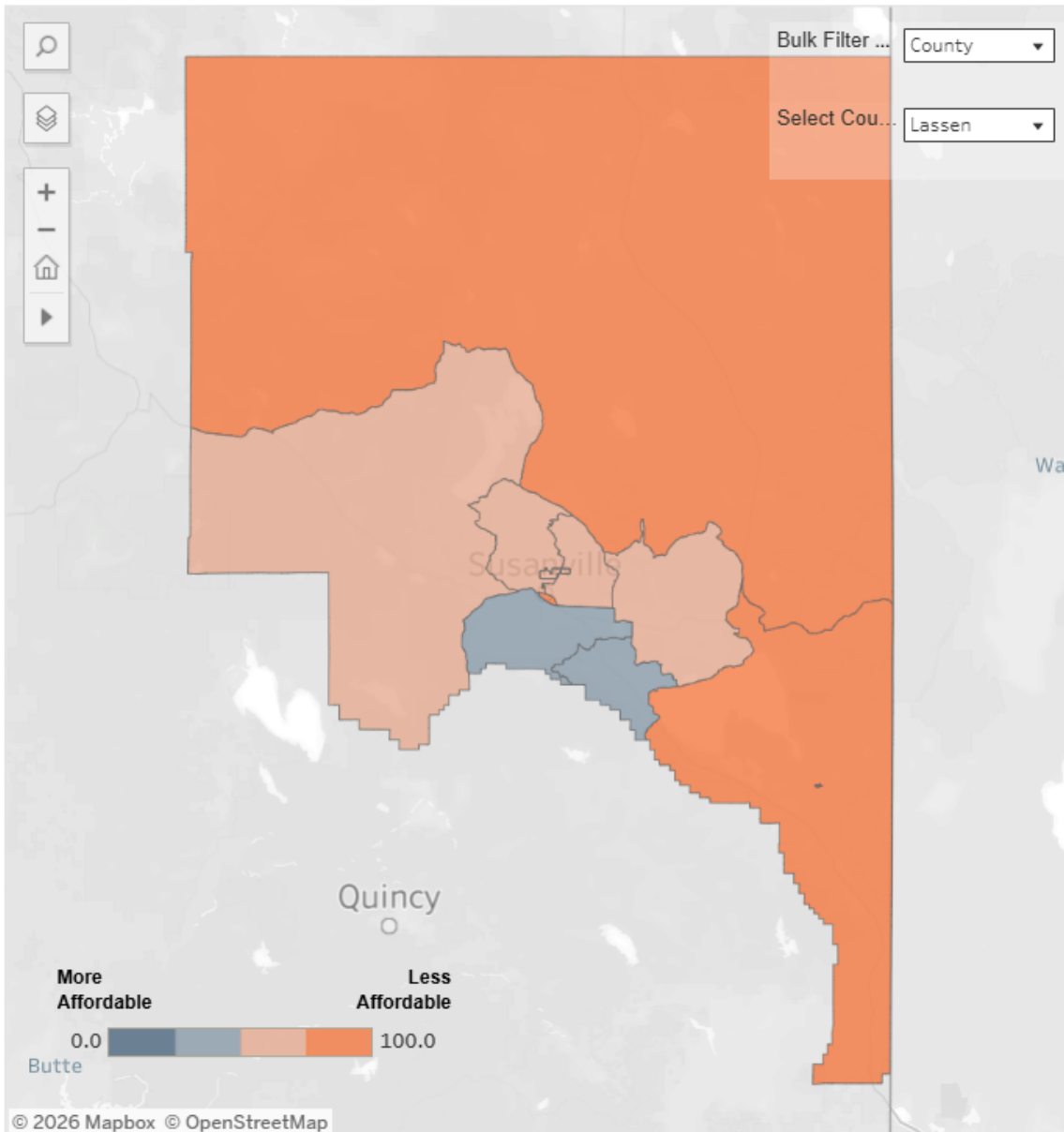
- Geographic Level:
- Census Tract
 - ZIP Code
 - City
- Metric:
- Energy Affordability Index
 - Energy Affordability Gap
 - Energy Burden
- Home Ownership Type:
- Combined
 - Owners
 - Renters
- Energy Affordability Index:
- Show All
 - Filter Top 25%
- SB 535 DACs Filter:
- Show All
 - DACs
- Justice Census Tract Filter:
- Show All
 - Justice Census Tracts



A Deep Dive into Energy Affordability

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Energy Affordability Index by Census Tract



Pearson Correlation Tool

Independent Variable:

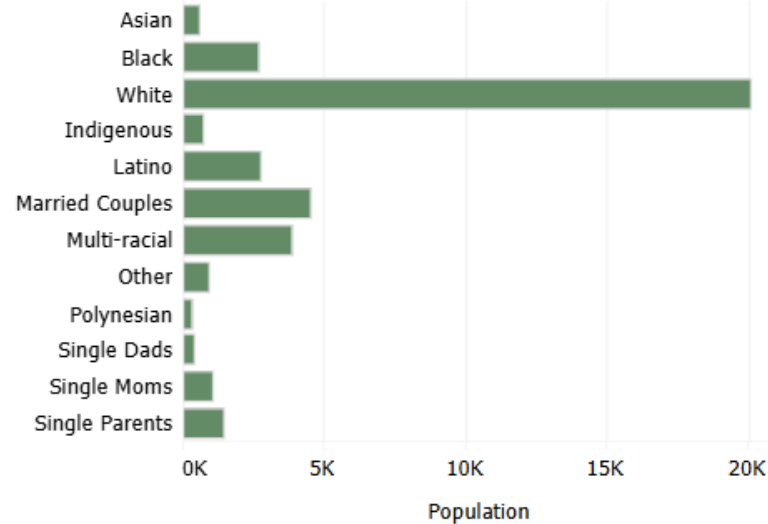
Energy Affordability Index

Vulnerability Variable:

Energy Affordability Index

$r = 1.00$

Community Characteristics



Population Selected **31,873**

Average Household Size **2.7**

Average Energy Affordability Index **66.97**

Average Energy Burden **3.9%**

Total Energy Affordability Gap **7.4M**

Filters

Geographic Level:

- Census Tract
- ZIP Code
- City
- County
- State Assembly District
- State Senate District
- Natural Gas Provider

Metric:

- Energy Affordability Index
- Energy Affordability Gap
- Energy Burden

Home Ownership Type:

- Combined
- Owners
- Renters

Energy Affordability Index:

- Show All
- Filter Top 25%

SB 535 DACs Filter:

- Show All
- DACs

Justice Census Tract Filter

- Show All
- Justice Census Tracts





How could your tribe utilize these metrics or this tool? Would it be useful for energy planning or grant funding? (slide co-developed 04/15/26)

- Feasibility related to energy planning – what are some of the options? What parts of the state are best for solar, wind, etc? Can the tool map this information?
- Very helpful when all these metrics are wrapped up into one tool. Try to combine tools when possible. Yes, this would be helpful for grant funding. Helpful to have one tool that can provide data for grant applications
- Geographic feasibility – the tool does not track this, although there are some CEC in-house mapping tools
- Having more energy affordability data is helpful for energy planning, especially related to housing. Loss of energy in this area and environmental factors – being able to track this data is helpful
- Is there a standard process for staff at the tribes to request staff time with CEC staff to have a TA assistance interpretive session to help narrow down search that the tribe wants, find the data?
- Individual staff emails, Energy Equity email address to contact staff to answer questions
- Having more Tribal specific data on map – showcase where funds and programs, success stories through funding have happened. Adding a story-telling data layer and see written text that features Tribal stories. Way to see how other Tribes are using funding and end results. Gives tribe the opportunity to reach out personally. More tribe-to-tribe learning
- Important for CEC staff to continue discussions with Tribes to populate with Tribal information that comes directly from the Tribes
- Energy bills can be impacted by various factors – sometimes difficult to determine affordability
- Affordability impacted by infrastructure; housing age, appliances and what kind of energy is being used. Tough to advocate for affordable energy when they don't have the infrastructure
- In Lassen 70 percent of homes built before 1980s – how is this tool being used to distribute funding to support infrastructure?
- The hope from CEC is that data is available to supplement a Tribe telling their story both qualitatively and quantitatively
- CEC can craft programs more effectively with this data and to invest smarter
- Cannot have Tribal sovereignty with such affordability discrepancies
- Ensure that tool is adaptive to each tribe. Add templates or piece of the tool that can be adapted to the area. Include a way to capture all the different land transfers that the tribe has gone through. Can tribes add their maps and overlay with the tool, especially in a way that is kept private? Would be very helpful.



Are there any other uses that your tribe would find beneficial? Other features that could be added?

(slide co-developed 04/15/26)

- Success stories, challenges, contact info to other Tribes included in the tool
- Geographic land use applications with EEI
- Standard process for requesting staff assistance – form or clear, documented request method
- Expanding energy equity indicator to have tribal specific data categories within. Ability to see what resources are being developed in the area.



Do you have any other thoughts on how Energy Equity Indicators can better meet tribal needs? (slide co-developed 04/15/26)

- Tool is adaptable to each Tribe, templates to use for planning
- Add Tribal maps to tool, do an overlay so Tribal information is included with other data
- Have a way to add/adapt land basis, especially as tribes acquire land or move land from fee to trust
- Should there be a separate Tribal EEI to protect privacy? Discussions being had by CEC to explore this option
- Will be important for Tribes to provide data/information to supplement the tool
- Tribes can add their own data; manage their own data and decide themselves what kind of info to add/share
- How is CEC verifying data within the tool? Some of the data includes aggregates, averages, so may not accurately reflect a Tribal experience
- Important to understand where the data is coming from – how recent? How thorough? Who is supplying the information?
- Beneficial to have a webinar series to showcase all the tool available and how best to utilize the tools and data

Thank You!



Quenby Lum, Energy End Use Survey Specialist
Martín Flores, Energy Equity and Energy Modeling Specialist

Group email: EnergyEquityIndicators@energy.ca.gov



Best Practices for Tribal Energy Grants





CEC Tribal Grants Working Group

Goals:

- Inform OIIP Process
- Identify Challenges
- Share Solutions
- Coordinate Implementation
- Collaboration Across Divisions to Build Capacity

EXAMPLE GRANT STRUCTURES





Example 1: Equitable Building Decarbonization Program, Tribal Direct Install

Overview: Retrofits to buildings and homes owned by tribes, tribal members, or tribal organizations.

Structure of grant:

- Tribal formula allocation with option for additional funding:
- Choice between direct grant administration or community-based organization as “implementer.”





Example 2: Clean Transportation Program

Tribal Electric Vehicle Infrastructure, Planning and Workforce Training and Development

Overview: provided funding for Tribes, Tribal Organizations, and Tribally-owned businesses for:

1. EV Charging Infrastructure
2. EV Infrastructure Planning
3. EV Workforce Training and Development

Structure of grant:

- Supporting planning and building capacity
- Direct apply or apply with a partner organization



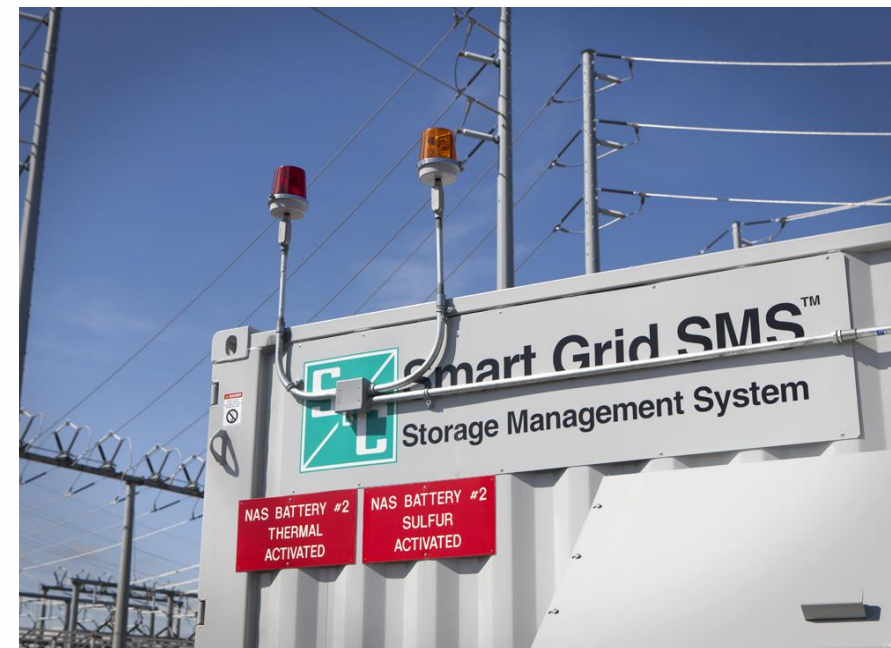


Example 3: Community Energy Reliability and Resilience Investment (CERRI) Program

Overview: funds grid hardening and energy resilience projects across California that increase community energy resilience and reliability, advance state energy policy goals, provide community benefits, and create good-paying jobs.

Structure of grant:

- Technical assistance
- Hosted "how-to workshops" to provide in-depth guidance on different parts of the application
- Two rounds of funding
- Simplified application wherever possible





Example 4: Funding Tribal Microgrids

Overview: Over \$130 million towards Tribal Microgrids funded through:

- Electric Program Investment Charge (EPIC)
- Long Duration Energy Storage (LDES)
- California Energy Commission's Energy Conservation Assistance Act (ECAA)



DISCUSSION





How do you hear about CEC grant opportunities? How would you like to hear about them? (slide co-developed 04/15/26)

- Email listserv for Tribes to get information is helpful.
- CEC uses listserv to send Tribal newsletters, information, grant opportunities (comes through Constant Contact – sometimes it is blocked). Some emails go to “Other” on Outlook or to spam folders
- IHS contact sent outreach materials. Distribute to partner lists.
- Word of mouth/referrals from other Tribes
- Consultations
- Faxes, letters, emails
- Word of mouth through other presentations, conferences, other organizations
- Communication with other Tribes
- Communication with representatives from non-profit organizations, community organizations
- Schools share information through courses, field trips, correspondence
- Making sure CEC is reaching out to non-profits, universities
- Include grant opportunities in an email signature



How can CEC better reduce the barriers to applying for grants? (slide co-developed 04/14/26)

- Base funding for all Tribes
- Reporting can be challenging, administratively burdensome
- Grant reporting could be simplified
- Technical assistance is appreciated
- Having a dedicated program officer is helpful
- Self-governance allows for Tribes to decide what's best for their own people – allow Tribes the freedom to have funding and authority to see how best it could be utilized. Draw lessons from federal compacting and contracting for state funding opportunities. Could there be an equivalent for flexible funding to tribes? Lessons can be drawn from federal grant process on a state level
- Expanding how Tribes can use the funds, not as restrictive with funding
- Simplified applications are helpful, but not too brief that there isn't enough space to make your case
- Story telling is important piece of grant application – allow enough space for the full story
- Government needs to acknowledge Tribal Rights and Sovereignty and include Tribes as a line item on a budget; ensure enough funding to support Tribal projects
- Recognize the responsibility of the state government to the Tribes
- Regional implementer to assist Tribes



What challenges have you experienced in grant administration? (slide co-developed 04/15/26)





What would you like to see in terms of the structure of CEC grant opportunities? (slide co-developed 04/15/26)

- Limit redundancy in applications
- Helpful to have lots of options
- Flexibility
- Tribal formula allocation with additional funding
- No one size fits all – helpful to have options for Tribes
- Guidance documents
- Implementer – statewide implementer to work on behalf of other Tribes to administer the grant
- Flexibility on how to administer the grant – some portions may require outside assistance, some can be done internally

THANK YOU!



Lunch Break

Expected to resume around 1:20 pm



California Public Utilities Commission Statewide Summit and Regional Roundtables

*Commission Process, Tribal Consultation
Policy & Tribal Land Transfer Policy*

Spring 2026



California Public
Utilities Commission



California Public Utilities Commission

CPUC Tribal Policy Rulemaking Rulemaking (R.) 22-02-002

CPUC Tribal Land Transfer Policy (TLTP) and Order Instituting Rulemaking (OIR)

- December 5, 2019: CPUC adopts a **Tribal Land Transfer Policy**
- January 14, 2021: CPUC adopts **implementation guidelines** for the Tribal Land Transfer Policy
- February 10, 2022 (OIR issued on February 16, 2022): CPUC opened a **rulemaking** to consider any necessary revisions to the Tribal Land Transfer Policy implementation guidelines, the CPUC's Tribal Consultation Policy, and address how to improve participation by Tribes in Commission programs and proceedings
- 2022-Present: CPUC consults with Tribes to receive feedback on policies.
- 2026: CPUC will make revisions based on Tribal feedback and publish proposed decision

OIR Areas of Focus

- Implementation and guidance regarding the Commission's TLTP:
 - Review and update requirements set out in TLTP Implementation Guidelines;
 - Assess data and information exchange;
 - and
 - Other issues identified by stakeholders regarding the TLTP;
- Review and update the Tribal Consultation Policy:
 - Protection of sacred sites and places of cultural importance;
 - Capacity building needs;
- Other mechanisms and processes to assist with capacity building and access for Tribal participation in Commission proceedings and programs; and
- Other relevant issues as may be developed

CPUC Process: How to Engage

How to Participate in CPUC Process

1. Submit comments on the proceeding's Docket Card (www.cpuc.ca.gov/Docket) or email public.advisor@cpuc.ca.gov.
2. Attend and speak at CPUC meetings where there are opportunities to make public comment or participate on a panel or present at a workshop or other public meeting.
3. Request Tribal consultation and submit written comments designated as furthering consultation which may be docketed in the proceeding by the assigned Administrative Law or Party to a proceeding.
4. Request to become a formal party in a proceeding. The Assigned Commissioner or Administrative Law Judge assigned to the proceeding will determine whether to grant party status.
5. Proceeding rules are governed by CPUC's Rules of Practice and Procedure ([www.cpuc.ca.gov/Party to a Proceeding](http://www.cpuc.ca.gov/Party%20to%20a%20Proceeding)).

Useful Tools for Tribes

Tribal OIR Docket Card

Find information and documents related to the Tribal OIR

CPUC Tribal Resources

Connects to the Office of the Tribal Advisor webpage, Tribal Consultation Policy, and Tribal Land Transfer Policy

Service List

To receive email updates from all parties and the Commission on the Tribal OIR

Subscription Service

Sign up to receive updates on documents published on the CPUC's website around the Tribal OIR

Useful Tools, not specific to Tribes

Docket Card

www.cpuc.ca.gov/documents

Subscription Service

<http://subscribe.cpuc.ca.gov>

Service List

<https://ia.cpuc.ca.gov/servicelists>

Daily Calendar

www.cpuc.ca.gov/Events/

People

Tribal Advisor, your local government liaison, Public Advisor's Staff, and industry division staff

Questions?



CPUC Tribal Consultation Policy

Darcie L. Houck, Commissioner

TCP Revision: Further the Goals of Executive Orders B-10-11 and N-15-19

- Recognize and respect Tribal sovereignty.
- Protect Tribal resources and treat those resources with dignity.
- Encourage Tribal government participation in Commission proceedings.
- Give timely and meaningful consideration to tribal interests and concerns and assess impacts of Commission actions on Tribal interests.
- Establish appropriate tribal consultation across divisions.
- Institutionalize the Commission's policy of "Early, Often, Meaningful" consultation.
- Set forth the responsibilities of the Office of the Tribal Advisor and Division liaisons.

Tribal Consultation Policy (Revision) R.22-02-002

Tribal Policies Rulemaking focuses on revising the Commission's Tribal Consultation Policy (TCP) and Tribal Land Transfer Policy (TLTP).

- The Revised TCP provides a coordinated and consistent approach to tribal consultation across Commission industry divisions.
 - ✓ Transmission and Substation Projects -GO 131-E
 - ✓ Gas Projects
 - ✓ Water Projects
 - ✓ Broadband Projects
 - ✓ Rail Crossings



Objectives of Consultation

- Share pertinent documents and information with Tribal representatives.
- Conduct Tribal consultation within timelines that accommodate Tribes' decision-making processes.
- Provide meaningful opportunities for Tribal representatives to express views and concerns that allow for early, often and meaningful consideration of Tribal perspectives.
- Strive for collaborative problem-solving and advancing Tribal priorities in Commission decision-making, where possible.



Principle of "Early", "Often", "Meaningful" Consultation

- "Early" means before Commission actions and Decisions have been made, and as early in the decision-making process as possible.
- "Often" means the Commission will strive to build relationships with Tribes on an ongoing basis, before consultation is needed.
 - **For Commission actions with potential Tribal implications, the CPUC will strive to offer consultation throughout the decision-making process.**
- "Meaningful" consultation requires the Commission to hear, understand, respect, and consider Tribal feedback and comments using a consensus-seeking approach.
 - **It does not imply that both parties will reach agreement but requires a clear explanation of Tribal recommendations and why the recommendations could or could not be integrated.**

Determining When to Seek Consultation

- The Commission first considers whether an action has potential tribal implications:
 - **Impacts tribal cultural resources, ancestral lands, sacred sites and landscapes, access and use of ancestral lands, ancestral land return, natural resources, economic development, and increasing availability of public resources and services to tribal communities.**
- Tribes, the Commission, or its divisions should identify key milestones, needs and timing associated with the action and determine when to initiate consultation.



Two Levels of Consultation: Formal Government-to-Government Consultation and Informal Consultation

- **Informal Consultation** Tribes are encouraged to contact the Office of the Tribal Advisor following the principles of early, often, and meaningful.
 - Intended to address tribal concerns at the staff technical working level by engaging the Tribal Advisor who will bring in the appropriate subject matter experts for purposes of timely problem solving.
- **Formal Consultation** is Government-to-Government dialog between official representatives of a tribe and the Commission that is initiated via a formal request and follows a prescribed process.
 - Tribal request in writing to the Tribal Advisor, Executive Director, or Commissioner(s). Formal consultation will be initiated within 60 days of the request or earlier if matter is urgent or time sensitive.

Role of Governor Appointed Commission Tribal Advisor

What is the role of the CPUC Tribal Advisor?

Tribal Advisor is the lead CPUC staff person responsible for engaging with and assisting tribes and is delegated authority to conduct some tribal consultations subject to coordination with Executive Director and Commissioners.

Responsibilities include:

- Point of contact for Tribal governments and Commission staff; nothing prevents Tribal government representatives from directly reaching out to Commissioners.
- Coordinates outreach, communication, education, and other activities to promote tribal engagement both internally and externally.
- Work with CPUC Commissioners, management and staff as to each industry division and coordination implementation of the TCP.
- Act as point of contact to facilitate government-to-government consultations.
- Assist with Tribal government participation in Commission's proceedings as needed or in conjunction with the Public Advisors Office.

Division Tribal Liaisons

Each CPUC Division Director is required to designate a Tribal Liaison

Division Tribal Liaison Roles and Responsibilities:

- Serve as main point of contact for division staff with Tribal Advisor.
- Respond to requests for information and coordinate with Tribal Advisor.
- Participate in engagement activities, providing briefings to the Tribal Advisor, Executive Management, and Commission offices, as needed.
- Provide support as needed to the Tribal Advisor.
- Develop and maintain working relationships with Tribal Advisor on specific matters and coordinate with Tribal government staff as requested.
- Complete statewide tribal consultation training and other relevant training.

The Commission will Encourage and Facilitate Tribal Government Participation in its Programs and Proceedings

- Tribes may contact the Tribal Advisor or Public Advisor's Office for assistance to initiate participation in a proceeding or to identify staff or decision-makers to ensure the matter receives appropriate attention.
- Tribal Advisor will coordinate with ALJ Division to develop a notification process to ensure tribes are aware of critical proceedings and proceedings with potential tribal impact.
- Provide information on how a Tribe may become a party to a proceeding.
- Staff will assist Tribal governments in locating relevant information needed to participate in proceedings or programs and ensure that relevant information from the Tribe is submitted into the record of a proceeding.

Encourage and Facilitate Tribal Participation Continued

- The Commission will endeavor to ensure that Tribal governments are aware of Commission-managed grant programs and Commission-Approved utility incentive, and subsidy programs and Commission staff will provide information to facilitate Tribal governments and tribal members participation in those programs.
- If a Tribal Government believes that consultation has not met the standards set forth in the TCP, it may submit a written letter to the Executive Director of the CPUC explaining the deficiencies. Within 30-days, the Executive Director will either meet with the Tribal government, or respond in writing, and will then direct any further consultation that is deemed appropriate.

September 22, 2025, Assigned Commissioner's Ruling Inviting Comments on Revised TCP

- Assigned Commissioner's Ruling invited parties to comment on proposed modifications to the Commission's Tribal Consultation Policy (TCP) and Tribal Land Transfer Policy (TLTP).
 - [Ruling and TCP Documents](#)
- Parties were also invited to address questions regarding the implementation of those policies and associated issues arising from workshops and tribal consultations that have been conducted as part of the rulemaking.

Brief Summary of Tribal Consultation Policy (TCP) Comments Submitted in Response to the Assigned Commissioner' Ruling

- Expand the breadth and depth of this proceeding's scope and identify and adopt ongoing assessment practices and corrective measures to ensure accountability.
- Empower and support the Office of Tribal Advisor (OTA) with sufficient staff, resources and authority to fulfil its mission.
- The OTA's "Advisor" role should prioritize providing counsel to the Commission about Tribal concerns and interests, ensuring Policy accountability, while informing Tribes and facilitating their participation in CPUC matters.
- Establish Tribal Oversight Board to oversee OTA's implementation plan, guide operations, and ensure fulfillment of OTA's responsibilities.

Comments Received on Revised Tribal Consultation Policy, Continued

- Streamline and improve processes for new electricity and upgraded service and interconnections.
- Interconnections and service activations on Tribal lands bring requirements and complexities which have yet to be effectively addressed in CPUC energization or interconnection proceedings.
- As part of prioritizing service equality, the TCP proceeding should examine utility energization and interconnection barriers, practices, and inequities affecting tribes.
- The TCP should explicitly honor Tribal Law, governing authority, and status as sovereign governments and eliminate burdens related to compliance with State laws that are inapplicable on Tribal lands.

Comments Received on Revised Tribal Consultation Policy, Continued

- Provide ongoing funding to support Tribal participation in CPUC programs and proceedings by recognizing Tribal organizations as eligible to request and receive intervenor compensation.
- Identify policy development objectives and plans for Tribal-specific regulatory and program considerations to address gaps and inequities. If statutory changes are needed work with Tribes to develop and maintain a legislative agenda.
- Initiate and support an ongoing regular Tribal Information forum with Tribal representatives to exchange information between Commission Leadership and staff, OTA staff, energy and telecommunications utilities.

Comments Received on Tribal Consultation Policy, Continued

- Tribal Governments face two barriers to engaging with the Commission: Onerous CPUC processes and a lack of Tribal capacity to act upon complex regulatory issues.
- CPUC's goals promising meaningful consideration for Tribal issues must ensure Tribes understand and can successfully participate in CPUC processes.
- The CPUC should establish goals for regulated entities and approved programs and provide processes for tracking progress toward achieving those goals and ensuring accountability.
- CPUC should establish a process to help Tribes identify and engage in Advice Letter processes that affect them.

Questions & Feedback on Tribal Consultation Policy

- Clarification on Tribal Consultation Policy and Tribal Land Transfer Policy – more in next section
- “More”, “Often” and “Meaningful” – having more structure around what this means and how it plays out in practice. Implementation on policies may fluctuate
- Create a broader framework around “early” and “often” – establishing threshold of when project starts or changes made during process. Requirements around communication/meeting at the start of a project, or throughout the process, to alert Tribes of any changes.
- Ensure Tribes are provided information throughout a process, especially around changes. Establish a threshold around changes.

CPUC Tribal Land Transfer Policy

Background: Tribal Land Transfer Policy

- December 5, 2019: CPUC adopted the Tribal Land Transfer Policy (TLTP) after an extensive public participation process. The express purpose of the TLTP is to provide tribes with the opportunity to regain ancestral land currently owned by CPUC jurisdictional IOUs.
- January 14, 2021: In Resolution E-5076, CPUC adopted TLTP Implementation Guidelines following an extensive second public participation process. Adoption of the Implementation Guidelines made participation mandatory for energy and large water IOUs.
- February 16, 2022: CPUC initiated a Rulemaking (R.22-02-002) to consider any necessary revisions to improve the TLTP Implementation Guidelines based on tribal participation experience with the TLTP.

TLTP Goals

- Recognize and respect Tribal sovereignty.
- Protect Tribal sacred places and cultural resources.
- Ensure meaningful consideration of Tribal interests and the return of lands within a Tribe's ancestral territory.
- Encourage and facilitate notice and tribal participation in matters before the Commission that involve Real Property transfers subject to PU Code Section 851 through either formal applications or the Advice Letter Process.

TLTP Procedures and Scope

- The TLTP creates the expectation that for any Investor-Owned Utility (IOU) disposition of real property, the IOU will first offer applicable Tribes the right to take or purchase the property before otherwise disposing of it.
- Through the mandatory Tribal noticing requirements, Tribes are provided with sufficient time and information to determine whether to indicate an interest in a specific property and later negotiate acquisition of the land.
- The TLTP applies to IOU real property whose disposition is subject to approval by the Commission, including but not limited to transactions requiring Public Utilities Code Section 851 approval.

Tribal Policies OIR R.22-02-002 TLTP Areas of Focus

- Review and update requirements set out in the TLTP Implementation Guidelines based on tribal experience and comments:
- Assess IOU notification procedures;
- Assess the effectiveness of IOU tribal consultation following notification and the development of consultation protocols;
- Assess additional information tribes may need to effectively evaluate CPUC approved land transactions.
- Assess the timelines established in the TLTP Guidelines for tribal response to IOU notification.

Proposed Revisions to the TLTP (TLTP 2.0) In Response to Tribal Input

- Proposed revisions are based on feedback obtained by CPUC staff during Tribal Policies OIR regional tribal consultations held in 2022-2025, formal comments received in response to the Assigned Commissioner's Ruling Inviting Comment on the Revised TLTP 2.0, and staff proposed improvements from review of IOU TLTP Quarterly Reporting.
- Proposed revisions identify changes to the TLTP intended to improve TLTP tribal participation and outcomes.
- Proposed revisions identify potential future workshop topics including discussion of tribal experience with the TLTP; development of maps of IOU land holdings within respective service territories; and increased access to CPUC staff—all intended to improve TLTP outcomes.

TLTP 2.0: Proposed Modifications to TLTP Guidelines Section 2.2(c)

- Propose modification to Section 2.2(c) to extend the current 30-day period for a tribe to express interest to 60 days.
- Propose mandatory 30-day second notice requirement should remain in place, creating a 90-day period in which the tribe must express interest in a transaction before the IOU has satisfied its noticing responsibility.
- The proposed extended response period is in response to tribal comments that more time is required for tribal leadership to make an initial determination of interest.

TLTP 2.0: Proposed Augmented Contents of Notice to include additional property specific information:

- A map showing property location.
- An aerial photograph showing property boundaries.
- Property Address, APN, and GPS coordinates.
- A description of property and its current uses.
- Size of property including land area and building square footage.
- Deed restrictions that apply to the property.
- The current appraised value of the property by a licensed appraiser and asking price.
- Previous uses of the property and an Environmental Site Assessment identifying potential environmental concerns.

TLTP 2.0: Proposed Develop Maps of IOU Fee Owned Land

- Proposes development of maps of IOU fee land holdings within their service territories.
- Intention is for IOU led effort should create maps produced in enough detail to be useful to tribes identifying IOU land of potential interest.
- Intention is to create mechanisms for tribes to have sufficient information to proactively solicit IOUs for purchase of land of importance to tribes.

TLTP 2.0: Propose Creation of Tribal Map Overlays for IOU Service territories

- Proposes Tribal ancestral territory map overlays on IOU service territory maps to increase knowledge and awareness tribal ancestral lands, and to provide a resource to IOU and CPUC staff.
- Proposes Ancestral territorial depictions are acknowledged to be “self-reported” by tribes and will not represent a consensus by tribes on accepted ancestral boundaries.
- Proposes Ancestral territorial overlays may also become useful as a resource for IOUs in the absence of NAHC tribal identification referrals to the IOUs.

TLTP 2.0: Proposed New Quarterly Reporting Meeting and Uniform IOU Public Website

- Proposed revision of TLTP for each IOU to meet quarterly with Energy Division staff to discuss the status of compliance with the TLTP.
- Proposed list of properties for disposition that have been noticed to tribes.
- Proposed updated list of recent real property dispositions.
- Proposed list of in-process real property dispositions.
- Proposed summary of tribal contacts, consultations, and negotiations (including the outcome of any consultations and negotiations) the IOU has undertaken over the previous quarter.
- Propose that each IOU public website shall use a common format to ensure uniformity.

Comment Received in Response to TLTP 2.0 : Expand the Scope of the TLTP

- Expand the scope of the TLTP to CPUC jurisdictional fee dispositions of utility Real Property;
- Currently, the TLTP includes transactions subject to the approval under, under, PU Code Section 851 transactions by energy IOUs and large water IOUs.
- Comment recommends expanding the scope of the TLTP to include all CPUC jurisdictional utilities' Real Property transactions that may not be subject to Section 851 approval including telecommunications utilities, and pipeline corporations.

Comment Received: Hold Additional Workshops with CPUC, IOUs, and Tribal Leaders

- Discuss potential improvement to the TLTP noticing and consultation procedures, including new protocols to promote meaningful consultation.
- Creating provisions within the TLTP to incentivize CPUC jurisdictional IOUs to make fee simple donations of real property to tribes.
- Tribal capacity building, and financial resource development to facilitate effective tribal participation in the TLTP.
- Implementation of the recommendations in the Staff Proposal including extending the application of the TLTP to all CPUC jurisdictional IOUs.

Comments Received in Response to TLTP 2.0:

- Difficulties and uncertainties remain with respect to when lands may be available for acquisition.
- How issues between interested entities may be resolved.
- Uncertainties as to actual cost of land.
- Map of Tribal Lands within an IOU's service territory should be developed collaboratively between the Tribes and the Commission.
- IOUs should not be responsible for resolving potential disputes between multiple Tribes interested in land subject to disposition.
- IOUs should not be required to provide past appraisal reports with notice.

Additional CPUC Resources to Facilitate the TLTP

- The Commission's Tribal Liaison and assigned Energy Division staff will assist in implementing the TLTP in coordination with the Office of Tribal Advisor.
- Providing a point of contact for tribes seeking advice on Commission proceedings, pending applications, and advice letters regarding dispositions of real property.
- Tribal Governments may contact the Commission's Office of the Tribal Advisor or the Commission's Public Advisor for assistance: E-mail: TribalAdvisor@cpuc.ca.gov , Public.Advisor@CPUC.ca.gov or phone: (866) 849-8390

Questions & Feedback on Tribal Land Transfer Policy

- What research/work goes into feasibility of Tribe being able to afford land? Who is establishing the price of land?
- 90 days doesn't seem like enough of an extension for Tribes
- There may be options for donated lands
- Preference or stipulation that lands are put into a cultural conservancy
- Cultural easements
- Can Tribes participate in setting aside cultural easements with whoever receives/purchases land?
- Does policy have restrictive uses once a Tribe takes over the land?

Additional Resources for Tribal Outreach

Office	Personnel	Contact Info
Commissioner Houck	Caleb Jones, Advisor Amanda Singh Birmingham, Chief of Staff	Caleb.Jones@cpuc.ca.gov Amanda.Singh@cpuc.ca.gov Request a Meeting with Commissioner Houck: Meeting Request Form - Commissioner Houck
Tribal Advisor's Office	Governor's Office is hiring for Tribal Advisor	TribalAdvisor@Cpuc.Ca.Gov
Executive Director's Office	Tom Gates	Thomas.Gates@Cpuc.Ca.Gov
External Affairs	Maria Kelly	Maria.Kelly@Cpuc.Ca.Gov
Public Advisors Office	Eric Sawyer	Eric.Sawyer@Cpuc.Ca.Gov
Administrative Law Judge	Assistant Chief ALJ Anthony Colbert ALJ Valerie Kao	Anthony.Colbert@cpuc.ca.gov Valerie.Kao@cpuc.ca.gov
Public Advocates Office	Toni Floyd Cat Blake	Antoinette.Floyd@Cpuc.Ca.Gov Catherine.Blake@Cpuc.Ca.Gov

Afternoon Break





Improving Energy Project Development Processes





Purpose of Discussion

- Explore potential approaches to improve coordination and consultation on energy related projects
- Identify and strengthen roles for participation in both tribal and non-tribal energy related project development
- Improve consideration of cultural resources on non-tribal land
- Identify non-process issues that impact effective communications and coordination



Project Process Example

1. Project Potential & Project Options

- Preliminary assessment of opportunity
- Data collection
- Determine ownership structure
- Permitting and environmental compliance considerations

2. Project Refinement

- Planning and development
- Engineering and design

3. Project Implementation

- Financing
- Construction

4. Project Operations and Maintenance (O&M)

- Post-construction management of project



1. Project Potential & Options

Determine if basics met for project development and explore roles, ownership structure, and regulatory considerations

- Possible site locations, restrictions, and conflicts
- Feasibility studies
- Need or demand for project or resource
- Understand tribal roles and business structure
- Explore opportunities for tribal partnerships
- Identify permitting other use considerations



2. Project Refinement

Finalize project structure and decisions

- Finalize ownership structure i.e. tribal, community, or developer
- Determine regulatory requirements, technology, and costs
- Environmental studies, CEQA, NEPA





3. Project Implementation

Project contract and construction

- Finalize pre-construction agreements and finances





4. Project O&M



Conduct or ensure ongoing O&M including repair and replacement of items as needed

- Warranties and O&M agreements
- System performance and monitoring



Feedback / Suggestions for Improvement

Co-developed input 04/15/26

- Energy Equity Tool (mapping) could include what projects are being proposed; project potential
- Letters of notices to Tribes early on. Tribes not brought into process until CEQA, NEPA, AB 52. Too late in process.
- Will this be a tangible policy or is this a fact-finding mission? The information gathered will be tangible – report and a best practices guide.
- Feasibility studies statewide without knowing who owns the land and back-end deals. Need for transparency
- Cultural monitors on land are there as a last resort
- Cultural resource monitors are writing reports and making inventory. This is something Tribes should be asked to be involved in.
- What are mitigation measures to protect the land and cultural resources?
- Looking for best resources is not the answer
- What does reclamation look like with these policies and processes?
- Need to improve Tribal integration with the process. Not solely about improvement to the process, it is about integration.
- Community benefits agreements – are these thorough enough? CBA and TBAs are great, but what about cultural resources. Not about money, about never having to lose cultural sites, plants, animals. What does protection of cultural resources look like?
- Ensure there is something tangible for Tribes. Having a mitigation plan is great but need to truly integrate tribal feedback. About gov to gov, not just a box on a CEQA checklist



Thank You!

Useful links:

- DOE reference slides: [The Five-Step Process Framework for Project Development](#)
- [Tribal Program | California Energy Commission](#)

Tribal Cultural Resource Considerations Regarding Clean Energy Development





Introduction

- Power plants can affect tribal cultural resources
- Project planning: limits time, consultation, flexibility
- Advance planning: encourages time, consultation, flexibility
- Two previous examples of advance planning
- Overview of potential advance planning process



Background on DRECP

- Desert Renewable Energy Conservation Plan
- Lead Agency: Bureau of Land Management
- Cultural Resource Assistance: California Energy Commission
- Resource Management and Energy Development (10.8M Acres)
- Driven by federal laws and regulations
- Needed to assess cultural resource sensitivity



Summary of Data-gathering Initiative

1. One-mile grid over the DRECP area
2. 10% random sample of 1-mile squares
3. Records searches within the sampled squares
4. GIS: archaeological resource locations and attributes
5. Total archaeological resources in sample squares: 4,057



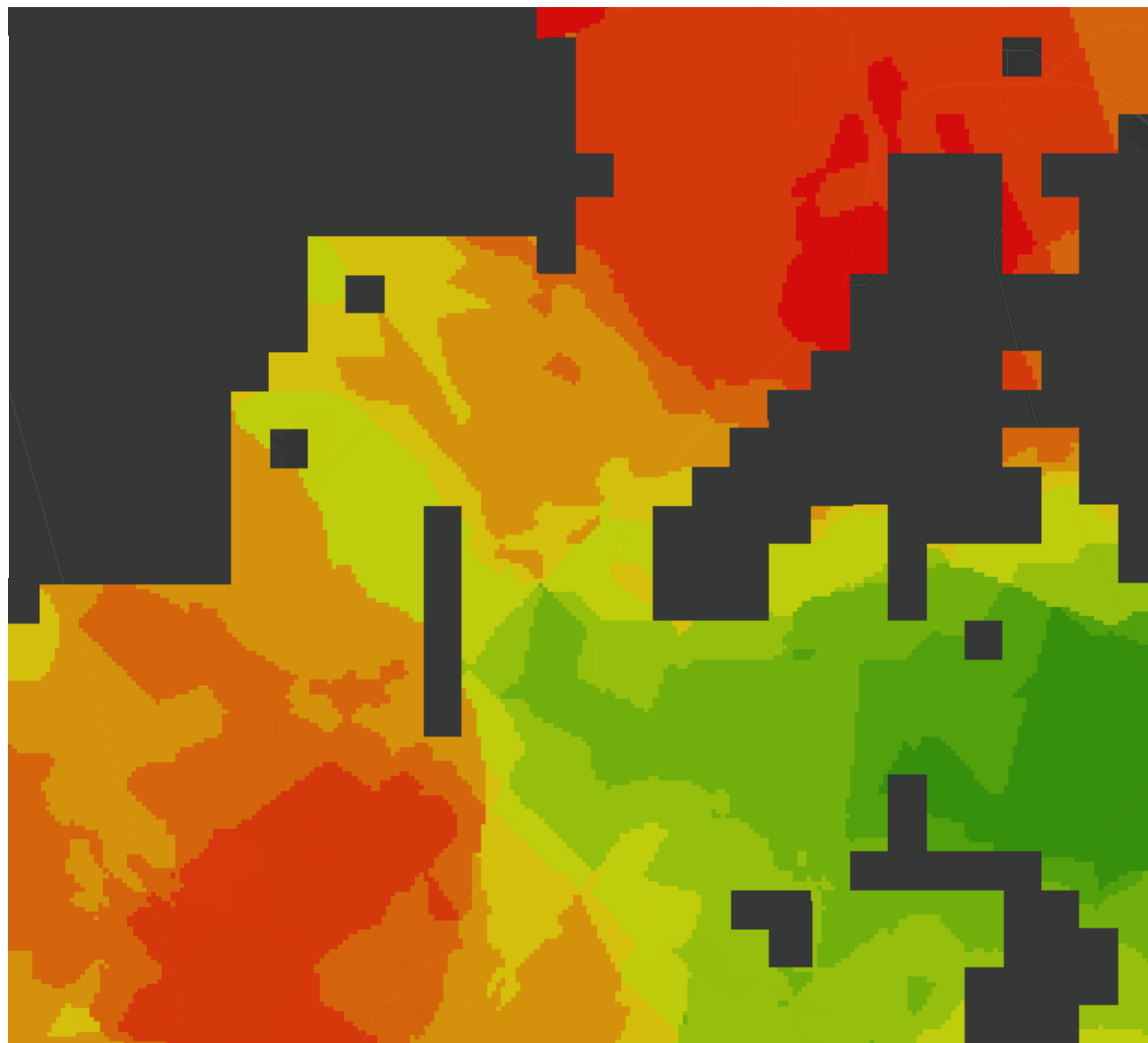
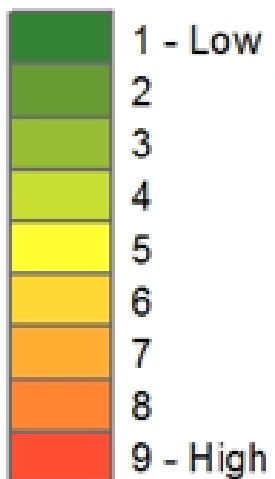
Summary of DGI Methods (continued)

6. Square sensitivity based on frequency and density
7. Kriging estimated archaeological sensitivity of unsampled squares
8. GIS processing abstracts resource locations
9. GIS: mapped places in public ethnographies
10. Compiled other supplementary GIS layers



DGI Archaeological Sensitivity Map

Archaeological Resource Sensitivity





San Joaquin Valley Solar

- **Least-Conflict Areas for San Joaquin Valley Solar**
- Agencies, agriculture, bio & tribal conservation, industry
- Covered 9.5M acres across eight counties
- Not driven by laws or regulations
- Tribes affected and steward important knowledge

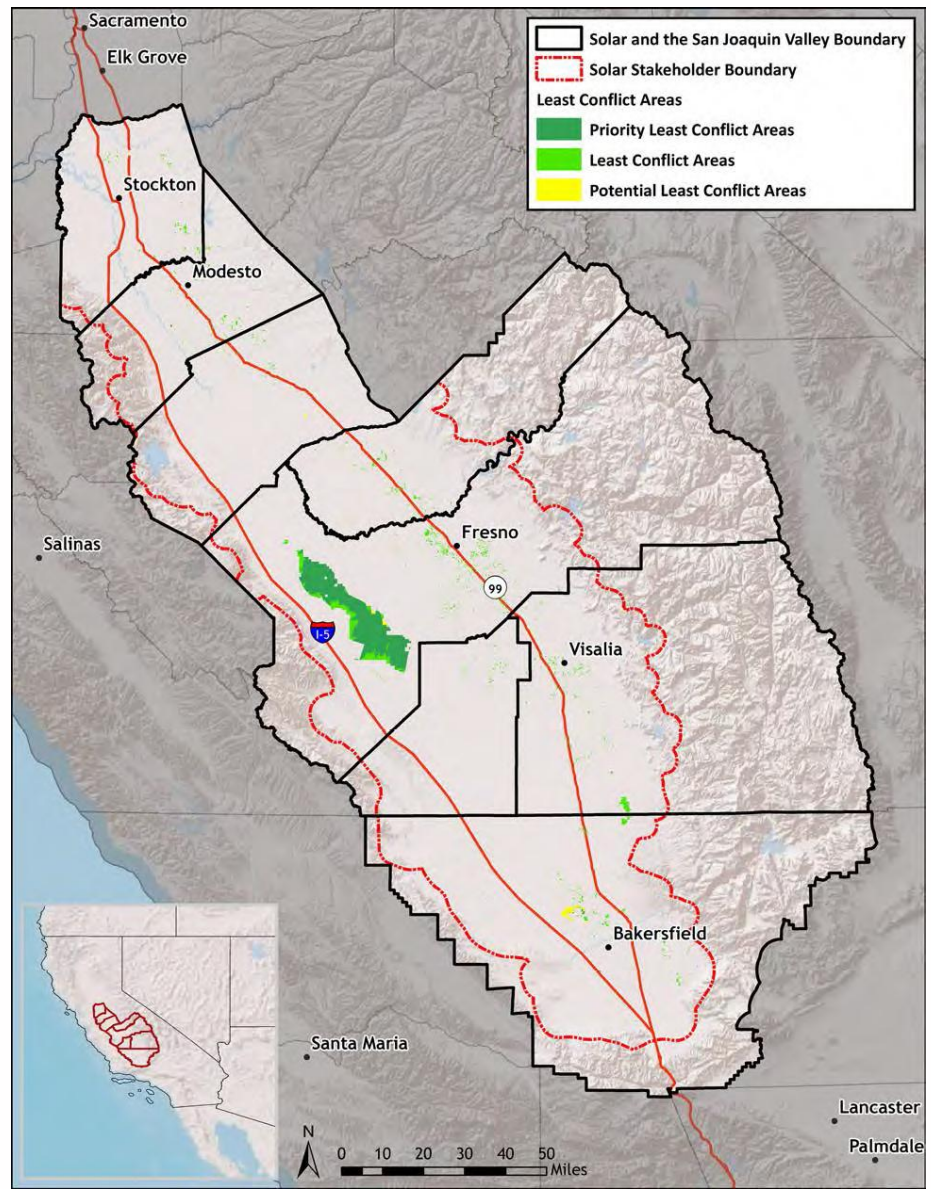


San Joaquin Valley Solar: Cultural and Tribal Cultural Resource Methods

1. Initiated tribal consultation
2. Convened virtual and in-person meetings
3. Documented written and verbal comments
4. Tribally led information-gathering and GIS mapping
5. Integrated tribal data into other data
6. Tribal review of the outcome
7. Published approved results (*A Path Forward*)



San Joaquin Valley Solar: Tribally Identified Least-Conflict Areas



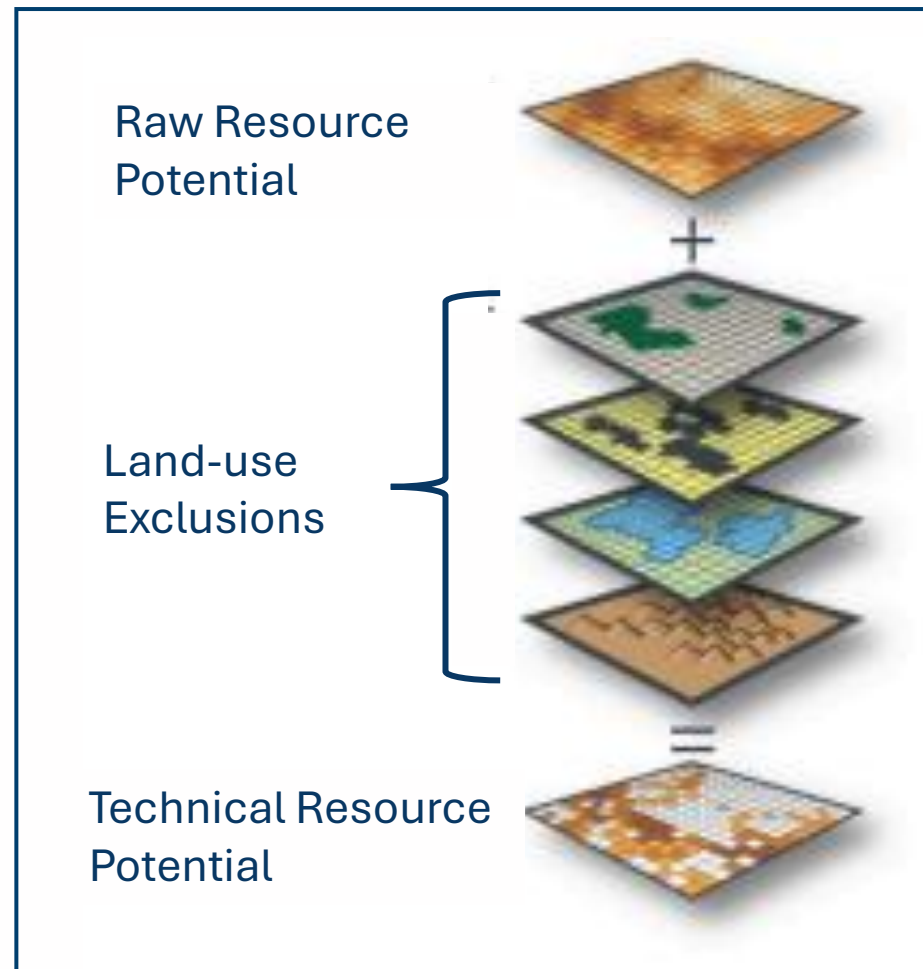
Introduction to CEC Land Use Screens





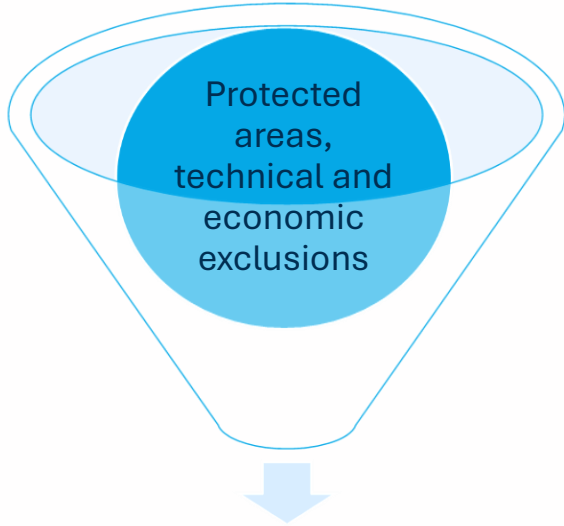
Land Use Screens for Electric System Planning

- Achieving climate goals requires significant clean and renewable energy development (e.g., solar, wind) and rapid build rates
- Environmental and land use “screens”
 - Identify at a high level where build is feasible (technical resource potential)
 - Highlight areas that may face possible constraints and conflicts, including areas of environmental sensitivity, conservation, and other land uses (e.g. cropland)
 - Inform state planning efforts, including IRP/TPP and SB 100
- Screens are landscape-level planning information: intended to inform high-level estimates of renewable build, not specific project locations
- Last major update of CEC Land Use Screens in 2023: [Report and Data Viewer](#) covering solar, wind, and conventional geothermal resources

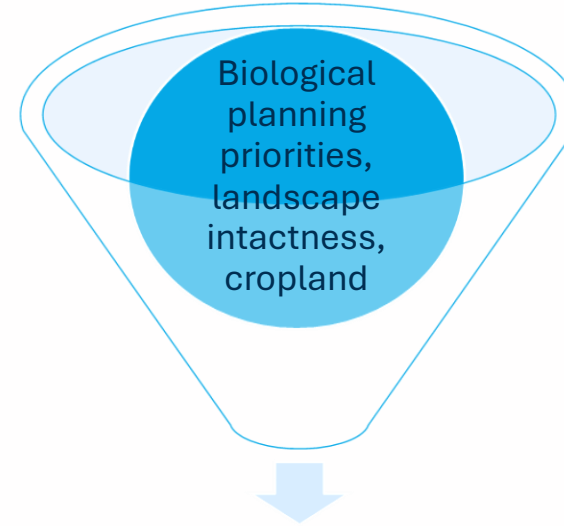
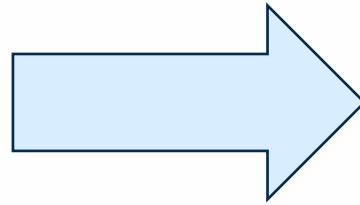




Screens Example: Identifying Technical Resource Potential (Solar)



Solar technical resource potential after applying these “base” exclusions



Lower-Implication land: Solar technical resource potential after applying additional environmental constraints



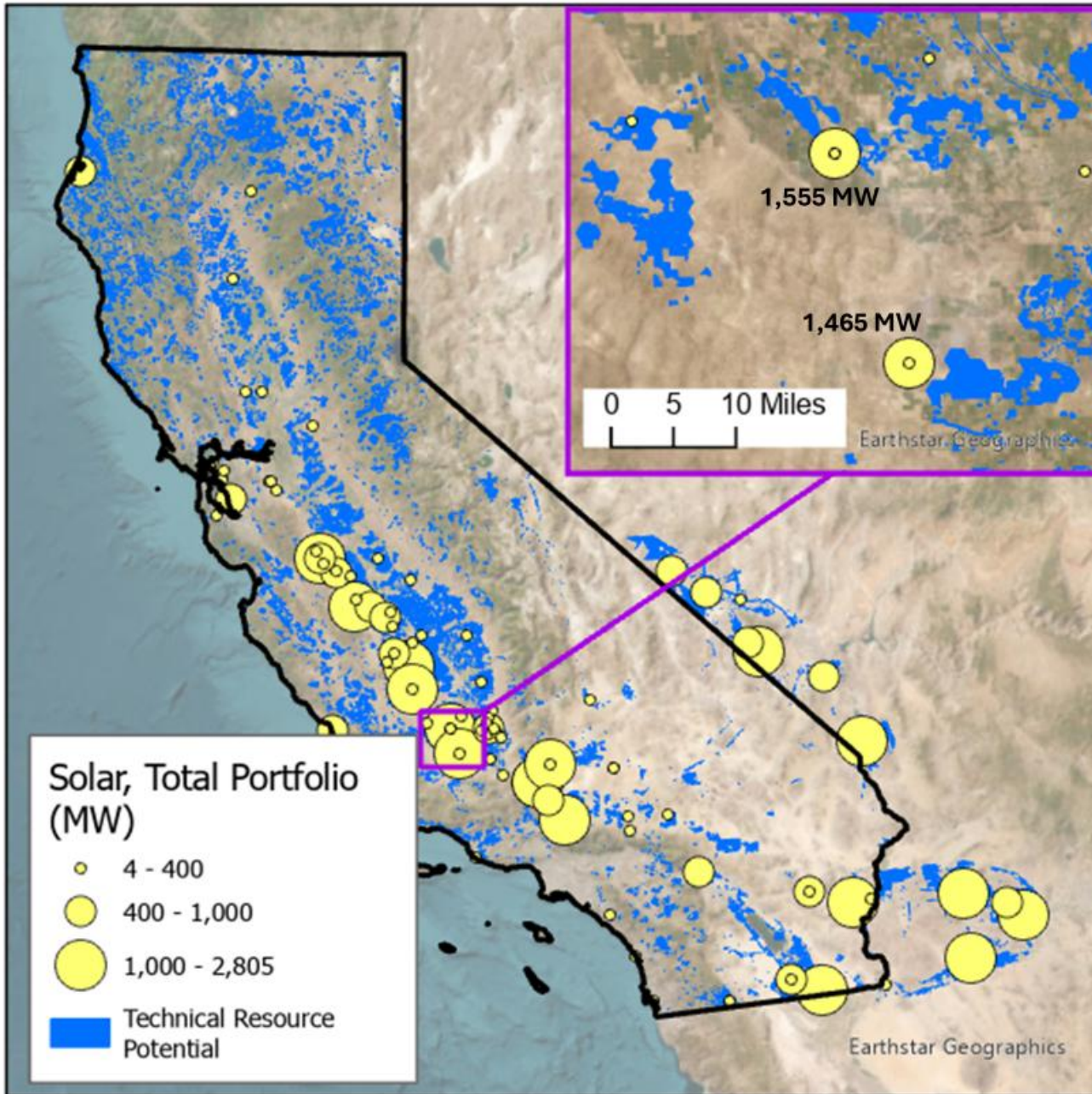
Land Use in State Resource Planning



Land-use screens:

- Increase transparency in planning processes
- Support early identification of issues or barriers to development, which in turn supports long-lead time transmission investments

Example of Land Use Data in State Resource Planning: 2026-2027 TPP 2036 Base Case Portfolio, Solar Resources



- This MW “mapping” is used in the CPUC Integrated Resource Planning (IRP) process to guide development of new transmission
- Informed by land use and environmental information from the screens
- Does not currently explicitly account for tribal cultural resources
- See slide 4 of [this deck](#) onwards for more information on how land use data and other factors are used to determine mapping





Opportunities for Participation in Land Use Planning

These public energy planning processes incorporate the land use screens

- CPUC Integrated Resource Planning (IRP) Process
 - Annual cycle, first workshop in Spring 2026
 - More information [here](#) and [here](#); subscribe [here](#)
- CEC Land Use Screens Update
 - Notice will be posted to a public [CEC docket](#); stay tuned



Comparing Approaches: Status Quo

Typical Project Planning Sequence

- Developer's due-diligence planning: variable tribal outreach
 - Developer often options project site
- The developer prepares an application
 - Sometimes the first agency viewing
- Permitting agencies conduct their environmental impact review
 - Tribal consultation is most intense here



Comparing Approaches: Advance Planning

- Can reduce schedule-related pressure
- Can increase consultation frequency and quality
- Reduces pressure associated with optioned land
- Fewer conflicts about confidential information
- Can reduce risks for tribes and developers



What Are Some Benefits to These Approaches?

Slide co-developed 04/15/26

- Land use screen not taking into account tribal cultural resources is concerning
- DRECP – CEC funded project mapping
- Land use screens funded by CEC, doesn't inform project level data; takes place much earlier in process
- Not all Tribes utilize same planning methods; difficult for CEC to do statewide land use mapping
- Let Tribes come together to put information and data in place to share.
- Funding getting Tribes together to work out and prioritize methods that work for them
- Layers (land use screens) stands out, although does not account for living breathing cultural resources in a map layer. Examples where state agencies have taken into account a wider definition of cultural resources?
- Let Tribes add their own layer to showcase Tribal cultural resources/lands
- Need to recognize that it's just a starting point, may not be entirely accurate.



What Are Some Drawbacks to These Approaches?

Slide co-developed 04/15/26

- There are a lot of non-federally recognized Tribes who do not have capacity to weigh in on this kind of mapping, but their insights are still needed.
- Maps and methods do not accurately reflect all Tribal needs and all sites
- It is a challenge to broaden something to a statewide level and have the information reflect a local region
- Project records – listing who to contact: Tribe first, then family name (individual). This is challenging because the individual may have more information than the Tribe, but partners go to the Tribe rather than individuals. Privacy and resource protection concerns around this as well.
- Allotment lands pose additional challenges. Allottees are supposed to be contacted if land affected, but there may be many owners. Not all get the info. Allottee has not signed up for additional reviews. Some developers just send letter and then proceed.
- Cultural resources monitors and/or archaeologists may not have accurate records on who to contact.
- Land use screens feed into transmission – cultural resources are not included or screened out in land use screens for any technology at this stage. Look at existing transmission and substations. Looking to Tribes to inform how to include cultural resources.
- There is not currently a formal cumulative statewide analysis on screening and impacts

Closing Comments





Upcoming Funding Opportunities

➤ Tribal Set-aside
Equitable Building
Decarbonization

○ Guidelines posted

➤ Electric Program
Investment Charge 5
(EPIC 5)

○ Consultation open



Ways to Stay Engaged

- Follow the proceeding around the state!
 - 7 more regional roundtables in Round 1!
- Sign-Up for the “Tribal Program” email list.
- Request tribal consultation
- Submit written comments to the docket.

SUBSCRIBE

Tribal Program

Email *

SUBSCRIBE

Next OIP Regional Roundtable: Tomorrow

Information available soon!



THANK YOU!



