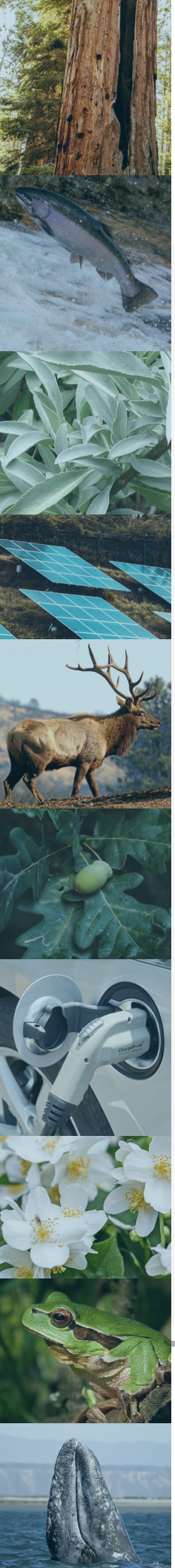

CTGA

CALIFORNIA TRIBAL GAP ANALYSIS

FINAL REPORT

Recommendations and Conclusions
Accessible Version

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COMMISSIONED BY

CALIFORNIA STRATEGIC GROWTH COUNCIL

CALIFORNIA ENERGY COMMISSION

FOREWORD

Seventy-six California Native American Tribes participated in the California Tribal Gap Analysis (CTGA), which studied clean energy and climate change adaptation and resilience priorities, needs, and barriers affecting Tribes throughout the State. This report covers CTGA engagement and data collection that occurred from 2020 through 2022, focused on energy and climate matters relevant during that timeframe. If the CTGA was conducted today, additional topics of relevance would be analyzed such as Tribal perspectives on hydrogen, long-duration energy storage, electric vehicle (EV) fast charging infrastructure, and EV fleet transitions as well as new gaps and needs resulting from federal funding cutbacks and uncertainties. Despite the continuously evolving landscape of energy and climate matters, the CTGA Report findings remain applicable today in 2025, particularly regarding barriers and capacity constraints, outreach and engagement, access to existing assistance programs, and recommended State investments.

California agencies have made noteworthy progress on a variety of issues important to Tribes since the CTGA study ended in 2022. For example, the State has offered more Tribal-specific funding opportunities and increased funding for both federally and non-federally recognized Tribes, including the California Strategic Growth Council's (SGC) Tribal Capacity Building Program (TCBP), the California Energy Commission's (CEC) Tribal Research Grant Program, and the California Natural Resources Agency's (CNRA) Tribal Nature-Based Solutions Program. Addressing a critical concern for many federally recognized Tribes, some State funding programs did not require waivers of sovereign immunity, such as the California Energy Commission (CEC) Tribal Electric Vehicle Infrastructure, Planning, and Workforce Training and Development program. The State also assisted Tribes in building regional capacity including the Southern California Tribal Chairmen's Association's Tribal Energy & Climate Collaborative (TECC), which received funding from California Public Utilities Commission Equity and Access grants, an SGC Regional Climate Collaboratives grant, and California Jobs First investments.

The State of California and the federal government made significant investments in Tribal clean energy and climate change initiatives from 2021 through 2024 following the onset of the COVID pandemic. In 2025, much of that funding is declining or disappearing – with detrimental and disruptive effects for Tribes. Uncertainty about funding for a variety of Tribal programs and nationwide political instability has exacerbated the internal and external gaps and challenges identified in the CTGA

Report, which continue inhibiting Tribes' progress toward clean energy and climate goals. Additionally, as industry trends and policy priorities have evolved, opportunities and technologies have changed, affecting Tribes' needs for technical assistance.

Notwithstanding such developments, the CTGA Report provides a strong representation of Tribes' priorities and needs in 2025, as well as gaps and barriers that continue impeding access to clean energy and climate program assistance. The Recommendations and Conclusions are a stand-alone, evergreen component of the CTGA Report to be used for implementation planning, tracking, and evaluation. Through TECC, the CTGA team anticipates working with Tribes and the State to refine and implement recommendations while conducting regular reviews with updates and adjustments that reflect changing conditions and circumstances. The CTGA team looks forward to leveraging the CTGA recommendations to close gaps and reduce barriers for Tribes in accessing State assistance, as well as expanding and increasing the effectiveness of State investments, and advancing Tribal clean energy and climate change priorities.

CALIFORNIA TRIBAL GAP ANALYSIS

Authorship and Acknowledgements

The report was prepared for the Strategic Growth Council and the California Energy Commission by Josh Simmons and Angie Hacker at Prosper Sustainably, LLC and Michael Burr at Burr Energy, LLC with significant contributions from Shasta Gaughen at SCG Consulting, Elizabeth Perez and Rick Halperin at GC Green, and Kelly Trumbull, Lolly Lim, Gregory Pierce, and JR DeShazo at the University of California Los Angeles. Instrumental guidance was provided by a State Committee that included Coral Abbott, Elizabeth Grassi, Ena Lupine, and Leah Fisher from the Strategic Growth Council; and Thomas Gates, Sierra Graves, Katrina Leni-Konig, Hilarie Anderson, Mithra Moezzi, Davina Whitethorne, and Kelsey Freeman from the California Energy Commission.

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Disclaimer

The analysis presented is that of the authors and not necessarily that of any organization or other source referenced herein. The mention of any organization or source reported is not to be construed as actual or implied endorsement of the CTGA findings.

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RECOMMENDATIONS AND CONCLUSIONS

Tribes have demonstrated the knowledge, creativity, and adaptability to help lead the country on clean energy and climate change, but centuries of disenfranchisement and legal hurdles continue to make it uniquely difficult for California Native American Tribes to access adequate resources to meet their own needs and goals. Tribes need greater assistance in all areas addressed in the CTGA, and those without federal recognition, land, or facilities need even greater assistance overall.

This analysis revealed that, on average, California Native American Tribes need more funding and technical assistance for grant writing, planning, and implementation, for a broad range of activities, including:

- Installing solar electricity systems
- Installing energy storage systems
- Installing microgrid systems (commercial and government sectors only)
- Installing energy efficiency upgrades
- Preparing climate change adaptation or resilience plans
- Implementing planned adaptation and resilience strategies, especially those that reduce the harms of drought, wildfire and extreme temperatures on health/social and natural/managed resources
- Installing and offering public EV charging stations (commercial and government sectors only)
- Sustainable transportation planning and development (government sector only)

While relevant assistance programs do exist, key assistance gaps remain. Despite increasing investments, existing programs lack sufficient funding to meet all California Tribes' needs. Even if funding for ideally scoped programs and activities were sufficient, Tribes lack the internal capacity to pursue them, especially programs with burdensome application and administration requirements. Assistance gaps are so pervasive that minor investments or adjustments to competitive solicitations will not be sufficient. Substantial effort by State agencies is necessary to improve Tribal awareness and access to existing and new programs to help Tribes meet their increasingly urgent energy and climate needs. Improved engagement is necessary and important, but even the most effective outreach and communication will be insufficient on its own to deliver funding access to Tribes. Many grant program requirements must be modified to remove administrative barriers that make it difficult – and in some cases impossible –

for Tribes to access the funding for which they are eligible. Closing the gaps in Tribal assistance requires lowering the burdens and barriers related to funding applications and program requirements, and enacting systemic changes to support internal Tribal capacity.

California State leaders and agencies have many opportunities to meaningfully address Tribal clean energy and climate change needs, and assistance program gaps. The CTGA Project Team recommends that the State implement the following actions, organized in three categories:

I. **Improve State-led Tribal outreach, communication, and engagement**
II. **Improve Tribal access to and utilization of existing State programs**
III. **Dedicate greater State investment to creating and expanding programs**

Many of these recommendations are based on examples from State programs or analogous federal programs. Given that different agencies and programs are authorized by different enabling legislation and regulation, not all recommendations may be equally feasible under existing California law. New policies may need to be enacted and implemented to support California Tribes' clean energy and climate change goals. Assessing legal, policy, and legislative requirements or implications was beyond the CTGA project scope, but such assessment likely will be necessary to enable the implementation of CTGA recommendations. Furthermore, additional regulatory analysis will be necessary to obtain deeper insights into where Tribal clean energy and climate change needs and assistance gaps exist. Building upon the preliminary gap-assessment process developed in this report can support this purpose, which evaluated existing programs for each top need area by awareness, access, and availability (see Appendix N of the full report at California Tribal Gap Analysis).

I) Improve State-led Tribal Outreach, Communication, and Engagement

A. Increase Tribes' knowledge and awareness of assistance programs: The State can assist Tribes substantially with relatively low investment by conducting more effective outreach to ensure that Tribes are aware of existing programs, especially for the numerous programs that have low levels of awareness among busy Tribal representatives. As discussed in the Tribes' Experiences with Assistance Programs**.** section, more than 40% respondents indicated that they were unfamiliar with major State programs to fund clean energy and climate adaptation projects, such as EPIC grants, SGIP energy storage rebates, and SGC's Affordable Housing and Sustainable Communities Grant program. Respondents identified the need for improved outreach

and communication efforts that provide Tribes with information about new programs and solicitations. For example, one respondent stated, “State agencies need to do a better job of advertising these grants directly to Tribes.”

The State can strengthen Tribes’ access to clean energy and climate change programs by improving communication and outreach with Tribes, most notably by providing information through plain language, that is clearer, more concise, and more pertinent – and by providing it earlier than many agencies have historically provided it. Program materials should aim to help Tribes quickly and easily understand a given program’s goals and requirements, whether it can serve their needs, and how to pursue program assistance. Agencies should provide ample advance notice about planned grant programs – at least six months. And they should provide information and guidance for prospective Tribal applicants throughout the solicitation process. Notably, the assistance database described below could be an important tool for facilitating the State’s efficient and effective communications with Tribes, among other beneficial uses. However, general and timely awareness is not enough. Truly effective outreach means that Tribes understand the program’s relevance to their communities’ needs and goals, beyond the assistance program and application requirements. This information also needs to be communicated concisely to all appropriate Tribal leaders and representatives – not only chairpersons – in ways that are meaningful and easily digestible through communication channels and venues to which these leaders and representatives pay attention. Examples include intertribal organizations, Tribe-serving entities, and events that focus on Tribal clean energy and climate change topics. Finally, funding for non-federally recognized California Tribes merits targeted outreach because historically such Tribes have been ineligible for most funding programs. As one respondent stated, “If new funding is [provided] for non-federally recognized Tribes, then that needs to be communicated directly to those Tribes.”

B. Maintain a Tribal clean energy and climate change program assistance database: The State should develop and maintain a centralized online database with regularly updated information focused on Tribal clean energy and climate change assistance, including State, federal, and other programs. This database would be an important tool to support the implementation of many recommendations identified in the CTGA Report. Such a database could be built upon the database of program information that was collected through the CTGA process. At a minimum, this database should include:

1. Eligible applicants and project locations
2. Eligible project activities and costs
3. A concise summary of the assistance program objectives that encompasses the eligible project activities and costs

4. Total funding available and anticipated number of awards, including for any Tribal set-asides
5. Grant award minimum and maximum, per application, including for any Tribal set-asides
6. Any recipient match or cost-share requirements
7. Whether the program requires a waiver of sovereign immunity
8. Website and agency contact information for questions and more information
9. Categorization of the types of assistance and topics that each program covers, which can be easily filtered to quickly identify the assistance opportunities that a Tribe is seeking

Some existing State and federal resources do include this information, such as CEC's Empower Innovation,[1] California Grants Portal,[2] and Grants.gov, but these portals omit relevant opportunities, are not tailored to the needs and requirements of Tribes, and do not include or clearly show all the information listed above. The portal should include customizable email notifications of new opportunities, e.g., when they are released, or through daily and weekly digests. Ideally, the State would provide or fund a dedicated team to build, maintain, and provide Tribes with assistance in using this portal. This assistance should include helping Tribes find and understand the assistance opportunities that are relevant to their needs.

C. Conduct regular Tribal energy and climate meetings: The State should offer or support an ongoing, centralized forum for discussion and outreach on Tribal clean energy and climate change matters. The State could continue and build upon the Tribal Energy and Climate Exchange (TECX) meetings conducted by the CTGA team for California Tribes and Tribal serving organizations along with the conferences that the CEC has convened. Continuing TECX meetings would provide a recurring opportunity for Tribes and State program administrators to collaborate in addressing energy and climate change goals, needs, barriers, and gaps. The charter, structure, format, and agendas of such ongoing meetings should be designed and continuously improved upon in collaboration with Tribal representatives, or better yet, led by Tribal representatives who invite agencies and others to discuss and present on topics of interest to Tribes. While regular meetings should be held online due to the distribution of Tribes throughout the State and the burdens of travel costs, annual in-person one- to two-day convenings are also recommended to support relationship-building among Tribes, agencies, and other Tribal-serving partners.

[1] Catalyzing the Cleantech Community, Empower Innovation (*accessed June 21, 2024*).
[2] California Grants Portal (*accessed June 21, 2024*).

D. Improve Tribal relations, capacity, and training among State employees: As noted in the Tribal Outreach and Awareness section above, Tribes are dissatisfied with the qualifications and availability of Tribal liaisons employed by many State agencies. As one Tribal respondent commented, "The Tribal liaisons that work for agencies are mostly not Tribal and in some cases are nowhere to be found." For many agencies, a single designated liaison may be insufficient to manage engagements involving all California Native American Tribes. State agencies should dedicate sufficient and consistent funding to employ an adequate number of qualified Tribal liaisons overall for each agency division and for each region. Caltrans provides a model for quantity and distribution. The agency's Native American Liaison Branch provides District Native American Liaisons (DNALs) and District Native American Coordinators (DNACs) spread across various Caltrans districts who are tasked with identifying potential issues early and facilitating resolutions whenever possible.[3]

At a minimum, Tribal liaisons must be knowledgeable about all the assistance programs and issues that are of interest and importance to Tribes, covering all matters within the agency's purview, not just cultural or historic preservation matters. The liaisons should already be – or become – familiar with the uniqueness of Tribal communities and governments compared to non-Tribal communities and governments as well as the differences among Tribes. The State should develop and conduct trainings to strengthen Tribal cultural competency among the Tribal liaisons and other State agency staff members who interact with Tribes, including competency related to Tribal recognition and land status, history, and legal and political considerations. Agencies should prioritize hiring Tribal liaisons who are Native Americans or who have experience working directly with a California Tribal government. Ideally, agencies' Tribal liaisons would be hired or selected by Tribes and report to Tribes, to ensure that they appropriately prioritize Tribes' needs.

Tribal liaisons should be accessible and available to Tribal leaders and representatives. The Tribal liaisons should be clearly identified on agency websites, with their contact information and a description of their roles and functions, including any non-Tribal specific roles. State agencies should make efforts to minimize and protect against turnover so that their teams of Tribal liaisons can grow and maintain strong, positive, and lasting relationships with Tribes. This means having at least three staff members who are exclusively dedicated to Tribal matters. Then, if a liaison position suddenly becomes vacant, there are at least two other liaisons who can provide continuing relationships with Tribes. If an agency has only one Tribal liaison, that guarantees Tribal relationships will be disrupted by turnover, often needing to rebuild again from scratch. Also, the agency risks not having any Tribal liaison available to work with Tribes for

[3] Caltrans, Tribal Relations website

months or extended periods of time. Agencies should avoid designating an existing staff member whose job duties mostly focus on non-Tribal topics to be a Tribal liaison.

E. Improve State Tribal engagement policies and processes: The State could improve Tribes' access to State assistance by reviewing and improving its existing consultation and engagement practices, and by coordinating those practices among State agencies. As noted by multiple Tribal respondents and other sources, Tribal consultation policies will be most effective when they focus on meaningful engagement, soliciting meaningful input, and treating Tribes as co-equal entities with the State. Importantly, for engagement to be meaningful, it must occur early and throughout the processes to develop programs and policies. An effective plan for Tribal engagement should be developed collaboratively with Tribes, and systematically implemented for new programs as well as to modify existing programs. Such a plan could include:

1. Evaluation of existing consultation and engagement practices
2. Coordination among State agencies to consistently and effectively gather meaningful input before and after drafting new program guidelines
3. Documenting and sharing best practices and lessons learned among State agencies for program development and improving access to assistance programs
4. Coordinating and consolidating State requests for Tribal information, consultation, and inputs
5. Clear processes and easy-to-use systems for obtaining Tribal input on assistance programs that are streamlined and can be completed by Tribal representatives with minimal effort
6. Seeking Tribes' feedback on agency performance on a regular basis e.g., annually, semi-annually, or quarterly, and then incorporating that feedback into programs and processes
7. Standardized metrics and measurement and verification processes to track agency performance and progress on meaningful engagement with Tribes
8. Developing strategies to improve culturally informed outreach
9. Conducting background research into past proceedings, programs, and outcomes for information and insights to inform State-Tribal engagements and build upon prior progress and lessons learned; agency representatives should perform such research before and shared during initial outreach, listening sessions, and other consultation or information-gathering activities

As a broader recommendation, the State should establish a standing central committee or other organized body comprised of high-ranking State officials and compensated Tribal leaders and representatives. Such a committee would help streamline efforts to

meaningfully involve and gather input on policy development, regulatory proceedings, assistance program design, and related climate and energy planning – beyond minimal consultation and information requests. The State should fund a team, selected by and reporting to Tribes, that coordinates and facilitates the committee, and implements its directives. Furthermore, State officials should commit agency leaders and staff to work with this dedicated team to implement the committee's directives.

F. Empower Tribes to inform and shape programs and policies: The State should systematically and routinely invite Tribes to engage in planning and development of policies and programs of all kinds, including regulations, research, and assistance programs. Such engagement must occur early in planning processes to provide opportunities for meaningful input by Tribes during initial stages and to help ensure that policies and programs are effective when they launch.

Because the guidelines or materials can be highly complex or technical, the State and its agencies should provide compensation and adequate time for Tribal input. A respondent commented, "Meaningful relationships between Tribes and the State should consist of more than just Tribal consultation and information requests. Tribal representatives must be actively involved in policy formation and implementation." These processes should utilize existing Tribal channels and Tribe-serving partner organizations to announce comment periods and to facilitate or conduct listening sessions or workshops. Additionally, the State can strengthen Tribal engagement by providing funding for Tribes to engage in policymaking processes including policy and legal research, analysis, and intervention.

When the State is applying for federal or other non-State funding intended to benefit California Tribes, the State should ensure that its funding proposals meaningfully involve and are shaped by Tribes as early in the process as possible. This includes establishing standard procedures and processes to efficiently gather inputs and support from Tribes before or shortly after a funding solicitation is released. If a funding proposal does not need to be limited to one or more Tribes, the State should make all efforts to maintain the opportunity for all California Tribes post-award, rather than limiting participation and benefits to the Tribes that could act quickly enough to provide a letter of commitment for the State's funding proposal.

G. Centralize, streamline, and sustain interagency communications and engagement: State agencies and their divisions should consistently and systematically coordinate communications among themselves before engaging Tribal communities so that Tribes can better understand and more efficiently participate in input opportunities. This avoids duplicative or overlapping engagement requests. "Many agencies are

seeking input and involvement with respect to various energy and climate related programs [many of which] appear to overlap," commented a Tribal respondent. "We would like to see greater coordination to consolidate and streamline these programs, efforts, and communications." Agencies should streamline and sustain ongoing engagement with key organizations across regions and State agencies as opposed to one-way transactional interactions.

While different agencies and programs have unique features and organizational attributes requiring tailored engagements, Tribes have very limited resources for considering and responding to inconsistent and often-duplicative communications and requests for information from multiple agencies – and even from departments and offices within those agencies. More consistent and coordinated approaches among agencies, especially for efforts that address similar or overlapping topics, would strengthen Tribes' ability to engage and respond in timely, effective ways. Such coordination should avoid adding layers of bureaucracy, instead focusing on strengthening inter-agency coordination and communications to ensure efficient engagement.

II) Improve Tribal Access to and Utilization of Existing State Programs

A. Eliminate requirements that undermine Tribal sovereignty: Wherever possible, State agencies should remove or minimize funding or program requirements that may discourage Tribes from participating due to an actual or perceived infringement or diminishment of Tribal sovereignty. Key examples include:

1. **Waivers of Sovereign Immunity:** State assistance programs should avoid asking Tribes to waive their rights to self-governance under federal law. To the degree that waivers of sovereignty are unavoidable, such waivers should be written as narrowly as possible, clearly and explicitly limiting any waiver requirements to the specific scope of the applicable grant agreement and associated funding amounts paid to the Tribe. When programs do require a waiver, this information should be clearly and prominently communicated in all program materials and workshops since this is a non-starter for many Tribes.
2. **CEQA Requirements:** All State programs should make clear to prospective applicants – and program staff – that CEQA requirements do not apply on Tribal trust lands, even though a given funding agency may need to perform its own CEQA analysis for such purposes as defining off-reservation impacts, identifying Tribal environmental requirements and how they will be met for the proposed activities, and supporting grant administration requirements. To avoid confusion and reduce administrative burdens on Tribes, State agencies should themselves

conduct any CEQA analyses that relate to State-funded projects and activities that will be performed on Tribal trust lands. Further, agencies should make clear to Tribes that any information requested for CEQA reviews will be used solely for the defined purposes.

3. **Data Sovereignty:** When administering programs, State agencies should avoid requests or requirements that may lead to exposing sensitive Tribal information to the public. Such information may include, but is not limited to, cultural, ecological, political, or other sensitive information, knowledge, or data. Agencies must make it clear that any sensitive information should be excluded from assistance applications as well as from project updates, reports, plans, and all other deliverables. Further, when there is any possibility that sensitive Tribal information could be involved, an agency should proactively and explicitly state their intention that sensitive Tribal information will not be reported, shared, or otherwise revealed *before* any risk of revealing this information arises. Agency representatives should also invite Tribes to provide or co-develop a strategy or agreement, such as a Tribal data protocol, that will protect sensitive Tribal information, knowledge, and data. As one respondent commented, agencies should protect Tribes' data sovereignty by "ensuring data is owned by the Tribe and will not be shared without consent."
4. **Sovereignty Performance Metrics:** The State should work with Tribes to establish standard metrics and require State agencies to track and report agency performance on progress, policies, and best practices that uphold and support Tribal sovereignty, such as eliminating requirements for sovereignty waivers, affirmatively exempting Tribes from CEQA requirements for activities on their lands, including requirements for protecting Tribal data sovereignty, and effectively engaging and consulting Tribes early enough on policy and program development processes for their needs and concerns to be properly addressed. Agencies should be required to specify remediation measures to improve their performance on these metrics in keeping with State Tribal policy goals.

B. Further assess Tribal access to, challenges with, and utilization of applicable programs: As the Challenges Accessing Existing Programs section (found in the full report at https://caltribalgapanalysis.org/) details, Tribes face many limitations that affect their ability to utilize State assistance for clean energy and climate change activities. State agencies should implement various structural and general improvements to increase Tribal utilization of State programs. Further, the State should continuously seek to identify and implement best practices and opportunities to increase California Tribes' access to and utilization of assistance programs. The CTGA process identified numerous recommended improvements to assistance programs that include:

1. **Eligibility Improvements:** Tribes face a range of eligibility challenges and uncertainties that affect their ability to utilize State funding and technical assistance for achieving clean energy and climate change goals. Tribes are simply ineligible for some programs. Other program terms create uncertainty about Tribes' eligibility or put them at a disadvantage to other types of eligible communities. To ensure that Tribes can readily access programs that aim to support clean energy and climate goals, State agencies should revise program eligibility-related requirements or terms to:
    a. Clearly define Tribes as eligible recipients, explicitly defining eligibility requirements for both federally recognized and non-federally recognized Tribes. Where Tribes have been ineligible in the past, agencies should adjust program terms to allow their eligibility unless prohibited by State statute – and in those cases, agencies should be responsible for requesting legislative changes to make Tribes eligible. Where terms have been vague or silent on Tribes' eligibility, agencies should adjust those terms to clearly and explicitly include them. It is important that agencies not only change the list of eligible program applicants, but also conduct an in-depth assessment of the program requirements to ensure that there are no inherent barriers for Tribes' eligibility – for example, requiring certain planning documents that are specific to local governments and not relevant to Tribes.
    b. Clearly define Tribal lands, including federal trust lands and lands not held in federal trust, among eligible locations for program assistance.
    c. To the extent that eligibility depends on disadvantaged community (DAC) status, eligibility terms should explicitly state that Tribes are eligible alongside DACs, rather than relying only on CalEnviroScreen to establish eligibility. In addition, the State could amend CalEnviroScreen factors to define all California Native American Tribes and their lands as having status equivalent to DACs by default, encompassing non-federally recognized Tribes and their non-trust lands.[4]
    d. Avoid excluding Tribes based on population density, income limitations, or other program preferences that can deter or prevent Tribes from accessing State assistance. Where necessary, the State should apply criteria for Tribal lands that are no more restrictive than those that apply to surrounding non-Tribal lands, and should attempt to be less restrictive due to historic and institutionalized barriers.

[4] California in May 2022 designated all areas controlled by federally recognized Tribes as disadvantaged communities pursuant to CalEnviroScreen, but that designation excludes the lands of non-federally recognized Tribes. See California EPA, Final Designation of Disadvantaged Communities Pursuant to Senate Bill 535, May 2022

e. Allow Tribes to apply as a Tribal consortium or team under a single Tribe or Tribal organization.
f. Ensure Tribes, Tribal-owned enterprises, statutory partners, and other Tribal organizations can serve as prime applicants rather than requiring a university, NGO, or CBO to apply on behalf of Tribal interests. As a related matter, the State should review its contracting policies to ensure Tribes are treated as co-equal sovereign governments.
g. Avoid overcomplicating the application process or creating onerous qualification burdens that make it difficult for Tribes to access funding. For example, requiring detailed studies and plans to demonstrate feasibility, or complex mapping and calculations to demonstrate eligibility may deter Tribal applicants from the start.

2. **Tribal Set-Asides and Tribe-Specific Grants:** As discussed in Challenges Accessing Existing Programs section (found in the full report at https://caltribalgapanalysis.org/), some State programs offer a distinct Tribal set-aside, i.e., a pool of funding specifically allocated for Tribes. One respondent commented, "Ideally, all State clean energy and climate change programs would include a minimum Tribal carve-out or set-aside." Most programs do not, however, and State agencies should consider providing such set-asides to improve accessibility for both federally recognized and non-federally recognized Tribes. Further, the State should consider creating grant programs that specifically aim to help Tribes achieve clean energy and climate change goals. In all cases, however, Tribal set-asides should avoid limiting Tribes' eligibility for resources that target a broader range of recipient types.
3. **Cost-Share Reduction or Elimination:** CTGA survey responses make it clear that funding constraints in general, particularly match or cost-share requirements, represent major barriers to progress on clean energy and climate change goals. The State should minimize or eliminate cost-share and match funding requirements for Tribes in grant programs to the greatest extent possible. At a minimum, programs should reduce or eliminate cost-share requirements for Tribes that demonstrate they have resource constraints or other hardships. Alternatives to reducing or eliminating cost-sharing requirements could include allowing Tribes to use funds from other State programs to meet matching requirements, providing greater flexibility in using non-cash resources to meet those requirements (e.g., equipment, materials, and facilities), or allowing Tribes to contribute pre-award costs as match funding. Tribes that demonstrate financial hardship should be exempt from any scoring criteria that favor additional match funding beyond the minimum required.
4. **Eliminating Other Financial Burdens:** To better support Tribes with limited financial resources, programs should allow for advance payments that minimize

or eliminate potential out-of-pocket costs. At a minimum, eligible cost invoices should be reimbursable upon a Tribe's receipt of that invoice, with simplified agency approval processes and prompt payment prior to the invoice due date. This will allow a grantee Tribe to utilize an agency grant reimbursement to pay an invoice without first paying invoiced expenses out of pocket. Grant programs also could reduce cost burdens on Tribes by tying funding releases to milestone achievements and progress rather than to specific expenses, with milestone payments providing resources to support continued project work. Retention payment requirements should be eliminated wherever possible. In general, the State should arrange for its own insurance coverage to cover risks incurred in contracting with Tribes, which will decrease the risk burdens placed on under-resourced Tribal communities.

5. **Program Periods and Funding Cycles:** As discussed in Challenges Accessing Existing Programs section (found in the full report at https://caltribalgapanalysis.org/), access to State programs would improve if agencies provided more consistent and earlier advance notice – at least six months – about planned grant programs. Notice should be distributed well before a solicitation release to allow Tribes additional time to pursue partnerships and develop proposal teams. Also, given Tribes' capacity constraints to meet technical requirements and government approval requirements, Tribes would greatly benefit from application windows that are 120 days or longer. Overall, making funding more predictable and flexible – ideally on a recurring periodic cycle – would substantially help Tribes sustain progress in achieving clean energy and climate change goals.
6. **Inconsistencies in Utility Programs:** As discussed in Challenges Accessing Existing Programs section (found in the full report at https://caltribalgapanalysis.org/), the State should consider ways to ensure more consistent and uniform application of utility programs across IOU service territories and beyond. This might require legislation and regulation authorizing the allocation of ratepayer-funded assistance and incentives toward clean energy and climate programs in Tribal communities that otherwise may be excluded. For example, the State could allow Tribes that are not within an IOU service territory to access CEC EPIC R&D grants and other funding that will benefit their communities as well as communities statewide through the advancement of technologies and other solutions funded from non-ratepayer sources.
7. **Addressing Rural and Urban Needs:** The State can improve access to clean energy and climate adaptation assistance by identifying rural Tribes' needs, and developing or revising programs to ensure that they address those needs as effectively as those of urban and suburban communities. Examples of the challenges rural Tribes face include increased vulnerability to public safety power

shutoffs, utility infrastructure constraints, inadequate roads or other constraints affecting access to the community, and limited or nonexistent public transit or other clean mobility options. Moreover, as a Tribal respondent commented, State prioritization or directives for rural utility power system upgrades "would greatly support rural communities whose service areas are not priorities for investor-owned utilities."

8. **Guidance and Technical Assistance During Solicitation Periods:** Many agencies restrict communications during funding solicitation periods to prevent any prospective grant applicant from receiving a competitive advantage. Few agencies make staff members available to provide guidance during grant solicitation periods. However, Tribes have suffered historic injustices, including disadvantages with respect to federal and State government support. Further, restricting grant-related communications likely prevents agencies from receiving higher quality funding applications, and also results in Tribes and other applicants wasting valuable resources proposing uncompetitive or ineligible projects. Some agencies already offer technical assistance (TA), generally through contracted experts. Examples include CARB's Sustainable Transportation Equity Program and Clean Mobility Options program, California Transportation Commission's Active Transportation Program, and Strategic Growth Council's Transformative Climate Communities and Affordable Housing Sustainable Communities programs. Using these and other grant programs as a model, other agencies could improve Tribal access to State assistance funding by making knowledgeable staff and technical assistance providers available to respond to questions, facilitate access to information, and provide guidance before and during a funding solicitation period. Ideally, these TA providers would also be tasked with conducting outreach on the funding opportunity and the TA available to prospective Tribes and other DAC applicants prior to and during solicitation periods to ensure broader awareness and participation.
9. **Expanded Q&A during solicitation periods:** Grant solicitations typically provide a limited period in which questions can be submitted to the funding agency. The Q&A period typically begins when the solicitation period opens and ends some weeks prior to the application deadline. Many important questions arise in the final weeks of preparing a grant application. Given relatively short application periods and constrained capacity, Tribes are often unable to obtain answers to their questions because the Q&A periods are too limited. By contrast, the U.S. DOE Office of Indian Energy (OIE) allows applicants to submit questions up to three business days prior to the application deadline for its Deployment grants, and strives to provide answers within three business days on a rolling basis.[5] State agencies should follow a similar approach, responding to submitted

[5] Department of Energy Office of Indian Energy Policy and Programs, Past Funding Opportunities

questions on an ongoing basis and allowing prospective grant applicants to submit questions up two or three days prior to the application deadline. Ideally, agencies would allow question submission to start before the application period opens based on a draft solicitation or other program guidance.

C. Remove unfunded plans and other requirements: Some grant solicitations, such as the aforementioned DOE OIE Deployment grants, require the submission of plan sets, feasibility studies, options analysis, or other pre-development documents as part of a grant application. Other solicitations require detailed community benefit plans or collaborative governance structures for the proposals. Some Tribes have made substantial progress on strategic planning and project assessments, and primarily require implementation funding, but many Tribes still need funding for planning and assessments to prepare for implementation. Agencies typically do not fund the process of preparing the plans and assessments their solicitations require, which creates a critical disadvantage for under-resourced Tribes. Except where clear and accessible funding is separately available for this work, State funding solicitations should avoid requirements for extensive unfunded planning and other deliverables, and instead define such activities as eligible for grant funding if needed. When detailed plans or other pre-development activities are prerequisites to successful funded project completion, grant programs and awards could be phased, with later funding milestones contingent upon completing these prerequisites.

D. Simplify, streamline, and coordinate grant solicitations: State agencies could greatly increase Tribes' ability to access State assistance by completing a thorough and ongoing analysis of new and existing programs that identifies barriers and opportunities to simplify and streamline grant applications as well as grant-management requirements and processes. This analysis should consider opportunities for better coordinating solicitations among multiple departments within an agency, or across agencies for programs that support interrelated and complementary State goals for climate adaptation, clean energy, and Tribal sovereignty and self-reliance. Importantly, any such effort to streamline and coordinate programs should be informed by personnel at agencies who are familiar with the realities of implementing programs – and who understand the effects of bureaucratic complexity. More importantly, such efforts need to be informed by Tribal applicants and grantees who have direct experience addressing the requirements and processes for funding applications and award management.

The legal terms and conditions that differ among agencies and even among programs within a given agency represent a related challenge. Often these contract terms and conditions are boilerplate language that may be inapplicable or inappropriate for Tribal

recipients – for example requiring compliance with regulations that don't apply on Tribal lands. This creates unnecessary hurdles and costs for Tribes. They must engage consultants and attorneys who can review the differing contract terms and negotiate with agencies to modify contract language. Processes could be dramatically streamlined if State agencies used standard grant agreement templates with terms that are appropriate for Tribal recipients.

Specific ways that grant solicitations can be simplified to reduce application burdens and improve accessibility include:

1. Consolidating and simplifying application instructions
2. Thoroughly testing application processes and systems to reduce inconsistencies, errors, and complications
3. Providing flexible and adaptable templates for application materials that are consistent with solicitation requirements, including formatting and content
4. Providing invoicing and reporting templates before or immediately upon award execution, and avoiding changing templates and processes throughout the grant period of performance
5. Consolidating each grant solicitation into a single document to the degree possible, particularly integrating all grant requirements and program guidelines into a single authoritative document rather than necessitating references to other program documents
6. Posting all relevant documents and information for a solicitation on a single web page
7. Avoiding duplicative content requirements within application documents and templates; streamlining narrative templates to capture key concepts once and avoid requiring the repetition of similar information
8. Establishing a single common application process among multiple agencies so that Tribes can submit a project to be considered across multiple sources within a State funding area (see also "Create a Centralized, Evergreen Inventory and Pipeline of Fundable Tribal Energy and Climate Projects")
9. Providing alternatives to competitive grants such as formula funds, requests for public assistance, prizes, direct government-to-government contracts, [6] and allocations to regional contracting entities

[6] To facilitate access to flexible funding, the State could establish an ongoing direct agreement with Tribes, similar to a federal contract under Public Law 93-638, that any State agency could use as a vehicle to provide funding to a Tribe. Dept. of the Interior, Indian Affairs, Public Law 93-638, Indian Self-Determination and Education Assistance Act

As an interim measure, the State could help Tribes manage complicated and uncoordinated solicitations by establishing and supporting regional technical assistance hubs that have the staff and expertise to facilitate Tribes' access to programs across funding agencies, as described in Establish Tribal-Serving Regional Energy and Climate Hubs below.

E. Reduce and simplify grants management requirements: The burdens of administering funding or other assistance deters some Tribes from applying for or pursuing the valuable funding and assistance needed to advance their clean energy and climate change priorities. Tribes are regularly overburdened by excessive, onerous, and sometimes trivial funding agreement requirements. These requirements include excessively complex progress and financial reporting, reimbursement requests, progress meetings, questionnaires, and presentations at agency events. Assistance programs may require comprehensive reports and other deliverables that would not otherwise be necessary to complete a successful project. Sometimes agency representatives request additional activities and deliverables that are not in the project work plan or scope. Examples of burdensome grants management requirements include detailed monthly or quarterly written reports; tracking and reporting hours and costs by objective, task, or subtask rather than against budget categories and line items; completing broad questionnaires that are not specific to the project; preparing reports, studies, and slides for presentations by agency staff; complex multi-part invoicing processes and unusual documentation methods; shifting invoicing and accounting processes; and onerous budgeting and invoicing indirect costs that prevent Tribes from supporting the full burden of staff labor expenses.

Such requirements hinder Tribes from efficiently completing clean energy and climate change projects that address urgent community needs and threats such as utility outages, wildfires, flooding, and droughts. Furthermore, onerous reporting obligations undermine trust-building efforts, by subjecting Tribal governments to rigorous State oversight as a condition of participating in clean energy and climate programs.

Given that funding application project workplans, timelines, and budgets are estimates based on limited information available prior to initiating a project, they usually evolve as a project progresses, new information is gathered, and conditions change. Therefore, reporting requirements should focus on progress completing the project goals, objectives, milestones, and deliverables that are sufficient for necessary reporting rather than granular and rigid activities that add administrative burdens and costs, ultimately to the detriment of project progress and outcomes. Workplan, schedule, and budget revision processes should similarly be simple and flexible to the degree such revisions don't change the project goals or objectives.

The State agency representatives who establish grant requirements may have limited to no experience as a grantee. As a result, agency staff members likely don't fully understand the burdens and inefficiencies their grants management requirements impose on Tribal grantees. To remedy this, agencies should request feedback from grantees on their processes and requirements for grant agreements and funding management. Agencies should include a request for honest feedback, without consequence, as part of the interim progress and final reports, and the grant reimbursement submissions. Agencies should also offer methods for submitting anonymized feedback at any time. The feedback should be consolidated and made publicly available, unless otherwise requested by the submitter. Agencies should also provide publicly available written responses to received feedback that includes corrective actions and implementation tracking.

State agencies should also commission third-party audits of their funding agreement and grants management requirements to evaluate and eliminate any unnecessary or wasteful obligations that they are imposing on Tribes. Such audits should quantify the estimated time and costs of each requirement in determining necessity and value. These audits should include Tribal inputs and review.

F. Collaborate with Tribes on State climate change research: Tribal representatives responding to the CTGA survey identified an interest in research activities in numerous areas (see Appendix M of the full report at California Tribal Gap Analysis). State agencies should collaborate with Tribes on climate change research and planning in a manner that reflects the value of Tribal Ecological Knowledge (TEK) while respecting the requirement for the free, prior, and informed consent (FPIC) of Indigenous Peoples. Experts the State considers qualified to support clean energy and climate initiatives should include experts in Tribal culture and TEK. Also, State-funded research should prioritize science education and career advancement opportunities for Tribal community members. However, State programs to support Tribal research, such as Tribally led research grants under California's Fifth Climate Change Assessment and Tribal Research Program, must be designed and implemented to respect and protect TEK and cultural information, including information about sensitive Tribal sites (see Protection of Tribes' Knowledge and Data).

G. Use standard metrics for State agencies to track and report Tribal utilization of programs: Agencies should be required to track and report Tribal participation in and utilization of clean energy and climate change assistance in a standardized manner across all relevant programs. Metrics could include the number of Tribal applications and awards for a program as well as successful implementation of agency-supported

Tribal initiatives. Programs that aim to prioritize Tribal participation should establish utilization targets and evaluate agency performance in achieving them. This tracking would allow the State to establish benchmarks, identify opportunities for improvement, and report results and progress to State and Tribal leaders.

III) Dedicate Greater State Investments to Creating and Expanding Tribal Assistance Programs

Overall, the State should increase funding to the maximum extent possible for programs addressing all need areas identified in this report while prioritizing the elimination of access barriers faced by some or all Tribes.[7] The following recommendations provide specific opportunities to create and expand State assistance to Tribes to support their clean energy and climate goals throughout the planning and implementation life cycle.

A. Increase investments in top eight need areas: While additional resources are needed to address all need areas covered by this analysis, the State should prioritize new and increased investments in the top need areas identified by California Tribes that are listed at the beginning of this Recommendations and Conclusions section. The State should re-evaluate top need areas at least once every five years, and should continue periodically evaluating program effectiveness and gaps in existing funding for top need areas. In evaluating changing needs and gaps in existing funding, the State should apply a systematic framework like the one presented in Appendix N of the full report at California Tribal Gap Analysis.

B. Increase flexible funding: Tribes would greatly benefit from the State expanding broadly scoped and flexible programs like the Strategic Growth Council Tribal Government Challenge grant program, or replicating the U.S. EPA's General Assistance Program except with a focus on climate and energy. By offering planning and implementation grants and other funding with flexible terms and a broad range of eligible activities, the State will help Tribes pursue higher quality projects that better meet their specific needs, rather than having to scope their climate and energy projects to fit into the narrow State funding and assistance boundaries. Also, as a Tribal representative noted during the draft CTGA report review period, Tribes would benefit from grant programs that accept applications on an ongoing basis rather than utilizing a fixed deadline or program cycle. An example is the CPUC's Solar on Multifamily Affordable Housing (SOMAH) Program.

[7] Evaluating the dollar amounts needed to properly address needs is beyond the scope of the CTGA project. The process identified Tribes' priority funding needs and gaps in existing assistance programs serving those needs as described in Appendix N of the full report at California Tribal Gap Analysis.

C. Increase recurring funding: Although some federal agencies provide recurring funding for various Tribal environmental projects and programs, few programs provide recurring funding for clean energy and climate change planning, projects, and other initiatives. No recurring funding sources were identified during the CTGA process that Tribes could use to sustain their capacity to pursue energy and climate goals. More recurring funding would improve Tribes' opportunities to identify the most viable and impactful initiatives, and to successfully manage their implementation from concept to completion – including planning and pre-development activities that are ineligible for funding under many programs. To the extent possible, recurring solicitations should be released on a regular schedule to allow local and Tribal governments to predictably manage their staff time. Regular, recurring awards will be most effective in helping Tribes build capacity and hire critically needed staff. Even a relatively small amount of recurring funding could at least partially support staff capacity and consistent progress addressing a Tribe's energy and climate needs, including pursuit of other funding sources to expand their efforts.

Six 'Easy' Ways to Reduce Barriers in Tribal Access to State Assistance

Addressing many of the most important priorities identified in this report will require making moderate to substantial investments. However, the following CTGA recommendations can be implemented by the State with minimal additional investments in time, money, or agency staff resources, to the degree allowed by legislation and regulatory policy:

- Reduce barriers to accessing State assistance by explicitly stating in program solicitations and materials whether Tribes (federally or non-federally recognized) are eligible recipients
- Uphold Tribal sovereignty by explicitly stating in program solicitations and forms that activities on lands held in federal Tribal trust are categorically exempt from California Environmental Quality Act (CEQA) requirements (notwithstanding requirements for the granting agency to assess off-Reservation impacts)
- Protect Tribal data sovereignty and cultural resources by strictly limiting Tribal data gathered for program participation, limiting the purposes for which Tribal data may be used, and clearly specifying in program documents how required Tribal data will be protected
- Minimize administrative burden by only requiring cost tracking and reimbursement by budget category rather than requiring task or subtask-level tracking and reimbursement requests
- Improve Tribes' engagement with State agencies by updating State agency websites to provide contact information for Tribal liaisons and advisers
- Track and report Tribal utilization of State programs

D. Offer funding and assistance for pre-development activities: State and federal Tribal assistance programs predominantly fund or support strategic and project planning, feasibility studies, and implementation of "shovel-ready" projects, with a glaring gap for critical pre-development activities between the planning and implementation phases. These pre-development activities can include design and engineering, interconnection applications and studies, environmental and cultural resource impact reviews, pursuing construction permits and other approvals, and securing project financing. Such pre-development activities can last for a year or more, often lead to unexpected findings or obstacles that need to be navigated, and require substantial resources to complete. Grants that fund shovel-ready implementation projects typically require completing these pre-development activities prior to submitting a funding application, or at least before executing the funding award agreement. The State should dedicate ongoing funding and other assistance that covers this major project development gap to help Tribes advance from a project plan and feasibility study to a shovel-ready project.

E. Offer phased funding and assistance programs: Federal and State grants are typically scoped for planning or implementing clean energy and climate change projects, not both. Only a few assistance programs, like SGC's Transformative Climate Communities grants, offer funding for both the planning and implementation phases. Typically Tribes must seek funding from different sources, which imposes additional burdens on them. This also creates a significant time gap between the availability of needed external funding for different development project phases with no certainty that funding for the next phase will ever become available. Important planned projects languish and never move forward. To address this gap, the State should offer multi-year phased funding assistance programs for Tribes to plan, develop, and implement complex clean energy and climate change projects. This could include separate timelines and funding for each phase, with go/no-go decision points to mitigate agency funding commitments. Such an approach would create ongoing funding continuity and a clear pathway for Tribes to successfully pursue and complete projects throughout the entire life cycle from conceptual planning through construction, commissioning, and initial operations.

F. Increase and expand technical assistance (TA): As CEC staff recommended in the 2021 Tribal Energy Resiliency Conference summary report, the State should "provide technical assistance and other resources for resiliency that will help Tribes engage in State processes; build up capacity for planning; increase success in accessing government grants along with other funding opportunities; and increase the

likelihood of implementing plans."[8] State TA offerings are typically focused on specific funding opportunities, or on a limited project aspect or phase. TA providers sometimes lack appropriate qualifications and experience. The State can better help Tribes advance priority clean energy and climate change projects and initiatives by providing or funding broad TA that can support Tribes on all aspects and throughout projects' entire life cycles. TA providers need to possess relevant subject matter expertise, have sufficient experience working with Tribes, possess a strong regional network applicable to the project and its location, and have a track record of successfully completing the projects types they are supposed to support. TA programs need to be ongoing, with regular performance evaluation and feedback systems. This will support the expansion and deployment of successful TA providers, and will help identify TA providers that are not providing value in supporting Tribal clean energy and climate change efforts. The TA needs to be provided with enough flexibility and depth – beyond general guidance and reviews of plans and reports – to support Tribes' needs. For example, the State could provide a TA budget for a qualified provider to support a Tribe on any clean energy or climate change effort that the Tribe chooses, rather than attempting to define or limit the scope of the TA that can be provided. Also, as one Tribal representative noted during the draft CTGA report review period, small grants of approximately $100,000 or less should be made available on a streamlined or formulaic basis to support early phase activities that otherwise lack funding.

G. Provide grant writing assistance: Ideally, substantial reforms will greatly simplify funding access. Nevertheless, State assistance for grant writing would help Tribes – especially those with the least resources – overcome a primary barrier preventing many from accessing clean energy and climate change assistance. Small staff sizes often mean that Tribes need external assistance when good grant opportunities present themselves. Most grant programs' terms and conditions, however, specifically exclude funding for costs incurred prior to a grant award. And, with some exceptions, programs typically prohibit using funds for future grant writing activities. As noted below, Tribes want funding for internal Tribal capacity to include grant writing and management, along with ongoing access to trusted grant writers who have the specific Tribal knowledge and subject matter expertise to develop grant applications and required technical materials. Further, Tribes will be better able to access grant funds if agencies provide robust support for grant writing teams during the proposal phase. The assistance program website should include tools and information designed to assist Tribes with preparing proposals, including connections to regional organizations, agencies, utilities, stakeholders, subject matter experts, and other partners that can support Tribes in developing successful proposals.

[8] California Energy Commission, California Tribal Energy Resiliency Conference May 19-20, 2021, p.13 (December 2021)

H. Increase funding for Tribal staffing: The State can help Tribes fill capacity gaps by providing new program funding for in-house Tribal staff costs, and by making direct and indirect labor costs eligible for funding under current programs. Support for staff capacity will help Tribes plan and implement programs funded by non-State agencies, including federal, regional, and private philanthropic programs. Funds for internal resources should be prioritized to help Tribes establish sustainable capacity. Additionally, funds for Tribal clean energy or climate change program fellowships and residencies, similar to AmeriCorps or the CivicSpark program,[9] would help place graduate students and established professionals in positions that support ongoing staffing needs without creating permanent full-time labor cost obligations for Tribes. Increased funding for personnel "would give us the capacity to accomplish more of our climate change resilience goals," commented one respondent. "It always comes down to lack of time, staff, and funding."

I. Increase Tribal staff training: To the degree that Tribes have the staff capacity to address clean energy and climate change goals, their efforts will be more effective if staff members have the knowledge and expertise necessary for program and project design, planning, and implementation. Multiple CTGA survey respondents and secondary sources identified gaps in staff expertise on clean energy and climate change issues, solutions, and technologies, as well as how to work with technical partners and experts (see Tribes' Experiences with Assistance Programs). The State can help by providing training – delivered by qualified trainers and experts – on clean energy and climate change planning, technologies, and management and administration. Notably, some federal agencies offer such training, but do not pay Tribes' costs for staff attendance. U.S. EPA General Assistance Program (GAP) grants can be used to fund training, but clean energy may not be included in many Tribes' GAP grant program scope. An effective State program would provide funding – including fees, staff time, and travel costs – to obtain training on clean energy and climate change subjects that are relevant to Tribal government staff.

J. Provide cost-share for federal grants*:* The State can help Tribes with funding constraints by continuing and expanding programs that provide match or cost-share funding for federal clean energy and climate change-related grant applications. For example, CEC's GFO 21-901 - Cost Share for Federal Clean Energy Funding Opportunities could expand eligibility to include the U.S. DOE Office of Indian Energy Clean Energy Deployment Grants Program. Other State agencies could develop similar cost-share funding programs to support Tribes in meeting the match funding

[9] CivicWell, CivicSpark: Building Community Resilience and Cultivating the Next Generation of Climate Leaders (*accessed June 21, 2024*).

requirements of other climate-related federal grants such as FEMA's Building Resilient Infrastructure Communities (BRIC), which many Tribes cannot otherwise fulfill.

K. Provide low-interest loans and loan guarantees: To support Tribes in financing needed clean energy and other climate-related infrastructure projects, the State could offer zero- or low-interest loans and loan guarantees, such as CEC's Energy Conservation Assistance Act (ECAA) loan program,[10] that can reduce and increase access to financing among Tribes with limited credit history or collateral. In addition to longer-term loans of five, 10, or 20 years, Tribes would benefit from having access to short-term bridge loans that could temporarily cover out-of-pocket costs that will be reimbursed later by a grant, project revenues, or other funding sources. Under-resourced Tribes may be unable to carry any out-of-pocket costs for even just a few months, preventing them from proceeding with projects that could be fully funded by reimbursement-only grants or rebates that don't permit cash advances. As part of such loan programs, the State should support Tribes in evaluating project or investment cash flows and returns.

L. Fund initiatives to acquire ancestral lands: Multiple respondents to the CTGA survey identified land constraints and displacement as a major barrier to making progress toward clean energy and climate change goals. And Tribes without land reported less progress in advancing their clean energy and climate change goals (see Tribal Clean Energy and Climate Change Needs). Land transfer programs help achieve clean energy and climate change goals by restoring land to Tribes that is vital for developing renewable energy generation and climate resilience initiatives. Gov. Newsom announced a $100 million program that, among other things, would fund the return of ancestral lands, as well as environmental restoration, biodiversity, and climate-smart land management initiatives.[11] The State should continue and expand such programs that help Tribes restore their stewardship and control over ancestral lands. Moreover, as Tribal representatives noted during the draft CTGA report review period, State agencies should integrate and coordinate their land-back programs, and also should strive to simplify and streamline processes to improve access and utilization.

M. Fund basic and broader Tribal energy projects and initiatives: In addition to the recommendations above for providing more flexible funding for Tribally-led projects, the State should provide funding and other assistance so that Tribes can pursue energy

[10] The Energy Conservation Assistance Act (ECAA) program provides 1 percent interest loans for eligible energy projects including energy storage systems, and electric vehicle charging infrastructure projects to California Native American Tribes and public institutions.

[11] Office of Gov. Gavin Newsom, Press Release: "Governor Newsom Proposes $100 Million to Support Tribal-Led Initiatives that Advance Shared Climate and Conservation Goals" (March 18, 2022)

projects and initiatives that may be necessary prerequisites or better position them to address the top clean energy needs identified in the CTGA, including:

1. *Basic Electrification (On- and Off-Grid):* As described in the full report under "Discussion: Clean Energy" (see https://caltribalgapanalysis.org), some respondents to the CTGA survey indicated a strong need for increased assistance for basic electrification, including funding for remote, underserved Tribal communities to obtain reliable, affordable, and sustainable electricity service – both through extending utility power lines as well as creating independent microgrids. Importantly, independent microgrids would help Tribes achieve their goals for energy independence and self-reliance, in addition to building energy sustainability and climate resilience. Assistance programs should avoid limiting eligibility by utility customer status or requiring Tribes to provide utility usage history or demonstrate a financial return.
2. *Infrastructure Modernization:* As noted by multiple Tribal representatives in qualitative responses to the CTGA survey, the State should create or expand programs that support utility grid modernization, particularly ones that include utility investments for upgrading transmission and distribution systems to support interconnecting distributed renewable energy and EV charging capacity throughout Tribal lands. Moreover, multiple Tribes have reported utility capacity constraints and protracted delays with utility service upgrades, line extensions, and energy system interconnections. The State should track and report utilities' performance on providing adequate service infrastructure to Tribal customers and adhering to interconnection timelines, and hold utilities accountable for performance improvements.
3. *Tribal Utilities and Energy Ventures:* The State should consider providing funding to help Tribes establish Tribal utility authorities or energy organizations that develop and manage clean energy resources and services for Tribal communities. Additionally, State programs should support Tribal clean energy business ventures such as clean energy technology and service providers and development firms. Such ventures would aim to generate revenue for Tribes by installing and operating renewable fuel or power generation systems, and selling their products to community choice aggregators (CCA) and other prospective wholesale customers. State funding for Tribal energy organizations would not only advance Tribes' progress toward clean energy, energy resiliency, and energy sovereignty related goals, but would also help them support workforce development and increase economic independence for their communities.
4. *Cultural Resources Protection:* As noted by Tribal representatives during the draft CTGA report review period, clean energy and climate activities have inherent impacts on Tribal cultural resources. Dedicated State funding would

support Tribes' efforts to assess and protect their cultural resources, facilitating progress to achieve clean energy and climate goals.

N. Create a centralized, evergreen inventory and pipeline of fundable energy and climate projects: Tribes are continuously dedicating significant effort and resources toward pursuing competitive clean energy and climate change funding. Most proposals are never funded, amounting to a failed or wasted effort with little to no future value – even when those applications involve projects that are generally worthwhile and cost-beneficial. Meanwhile, multiple funding agencies are managing separate processes to engage Tribes as well as to administer State funding and assistance programs that serve complementary, inter-dependent, and sometimes overlapping goals. These separate opportunities yield inconsistent and inefficient results, with Tribes spending valuable time and resources producing proposals to meet specific program criteria that aren't necessarily designed to best achieve the Tribe's or the agency's clean energy or climate change goals. While offering more flexible funding opportunities (as recommended under III.B) would ensure that grant applications are better aligned with Tribal needs, unless the State is able to fund all proposals, some applying Tribes will still expend time and money on wasted efforts.

The State could eliminate or mitigate these inefficiencies by developing and maintaining an evergreen inventory of Tribal clean energy and climate change projects. In such an approach, when a Tribe submits a project proposal in response to a funding solicitation and isn't awarded funding, the proposal will be preserved for future funding opportunities, with the ability for the Tribe to revise and improve the project proposal based on agency feedback as well as through additional information gathering and planning efforts. Active project proposals in this evergreen inventory should automatically be considered by State agencies for relevant funding and assistance opportunities. Ideally, this inventory could simultaneously function as a centralized funding application portal with application processes and requirements that are more consistent across agencies, allowing agencies to efficiently review and evaluate active projects. If implemented, this alternate vehicle for funding deployment could be leveraged to also support other types of recipients such as local governments and disadvantaged communities facing similar access challenges.

Going one step further, agencies could pool funding resources and jointly issue funding solicitations, or simply bypass requests for new proposals and directly fund worthy projects in the evergreen inventory. This continuous pipeline of projects could also be made available to non-State funders such as federal agencies and foundations that may be interested in supporting Tribes' active proposals as well.

O. Establish Tribal-serving regional energy and climate hubs: State and federal resources will likely always be limited, variable, and inadequate to address all California Tribes' extensive clean energy and climate change needs. A more efficient approach would make better use of resources and achieve greater results for Tribes, the State, and the nation. Specifically, as an alternative to attempting to engage every Tribe individually and separately offer TA, funding, and other assistance, the State should consider establishing regional frameworks or hubs for coordinating and facilitating the State's efforts to address Tribal gaps and barriers. Such hubs could be similar to SGC's Regional Climate Collaborative (RCC) Program, but with ongoing funding. A series of Tribal-serving regional energy and climate hubs would enable the State and Tribes to sustain, scale, and accelerate progress toward shared climate and energy goals while simultaneously reducing burdens for both the State and the Tribes that need assistance.

The envisioned California Regional Energy and Climate Hub ("California REACH" or "Hub") would:

- Centralize and streamline State clean energy and climate change efforts and resources that seek to engage and assist Tribes
- Centralize and streamline efforts and resources among Tribes to engage and obtain assistance from the State as well as from other agencies and entities
- Combine funding from multiple State agencies, or deploy independent State funding on an ongoing basis; establish dedicated regional divisions and representatives that facilitate State outreach and assistance, and that work with all relevant State agencies
- Empower regional Tribes as leaders (e.g., board members) with support from trusted Tribal partners that will work equitably with all Tribes within their respective regions
- Scale and adapt to changing needs with sufficient capacity and resources to pursue federal, private, and other non-State funding and assistance to expand the Hub's capacity, scope, and capabilities
- Ensure that a range of important expertise and technical capacity that Tribes cannot maintain individually is always available, supplementing Tribes' ongoing staff capacity and resources
- Provide a steady and lasting regional presence that can continuously strengthen Tribal and State relationships; identify and assess the needs, goals, and priorities of each Tribal community, including as they evolve; and increase appropriate knowledge and expertise to address each Tribe's needs

The Hubs may be aligned with existing Tribally recognized regions or consortia such as the Northern, Central, and Southern California Tribal Chairmen's Associations, although

non-federally recognized Tribes may benefit from one or more separate Hubs due to their distinct needs.

With State leadership and support, the recommended REACH approach would establish regional capacity to provide technical assistance and facilitate Tribal access to State programs and other resources. REACH networks would connect State program resources with Tribes and their trusted Tribe-serving organizations, contractors, and subject matter experts. Regional Hubs would leverage regional expertise and infrastructure to support the full life cycle of clean energy and climate change projects and programs. This full life cycle extends all the way from strategic planning, project scoping, and feasibility assessment to grant writing, project implementation, and ongoing management, monitoring and reporting, including grants management.

The REACH concept was conceived to support the pipeline of projects detailed in recommendation N by empowering sustained, knowledgeable, and trusted regional-based TA providers to scope and submit projects into the State's centralized project platform. Ongoing assistance, coordinated regionally, would support proactive planning and pre-development efforts by Tribes. Such efforts are necessary for building and maintaining an evergreen project inventory of viable and fundable initiatives, and for informing State agencies about Tribal priorities that are ready for implementation. Ultimately, California Regional Energy and Climate Hubs would help to successfully direct State outreach, funding, and other assistance for the continual and increasing advancement of Tribal clean energy and climate change goals.

Similar to recommendation N, if implemented, this State-led program could be leveraged to support other types of recipients such as local governments and disadvantaged communities facing similar funding access challenges.

Next Steps for Closing Gaps

Given the broad scope of these recommendations as well as the complexities likely to emerge in the State's efforts to apply them, successfully closing the assistance gaps analyzed in this report calls for redoubling the State's commitment to Tribally informed grantmaking for Tribal climate change adaptation and sustainability. By engaging and collaborating systematically with Tribes, the State can accelerate progress to reduce barriers and program gaps, facilitating Tribes' achievement of the clean energy and climate change goals that are increasingly vital to California's future.

The next and most important step in applying the CTGA process outcomes is for the State and Tribes to jointly develop an implementation plan that addresses the identified

Tribal clean energy and climate change gaps, and advances CTGA report recommendations. The State will most efficiently address gaps and advance recommendations by authorizing and operationalizing a single Tribal-State committee or other organized body to develop and oversee this implementation plan. The plan must be implemented by Tribally led team in partnership with agency staff, similar to the recommendation above to Improve State Tribal Engagement Policies and Processes.

The CTGA team gratefully appreciates the contributions from Tribal representatives who shared invaluable knowledge and perspectives through their participation in the CTGA survey as well as in TECX meetings and other forums for State-Tribal engagement on clean energy and climate change issues. Their inputs show that, despite the barriers and gaps they face, Tribes are committed to addressing energy and climate challenges. Continued engagement and progress by the State to apply the findings and recommendations from the CTGA process will demonstrate the State's commitment to meaningfully collaborate with Tribes in achieving their clean energy and climate change goals to benefit their communities for generations to come.