

On Thursday, March 2, 2023, California's principal energy agencies - the California Energy Commission (CEC) and the California Public Utilities Commission (CPUC) - held a first-of-its-kind, [joint en banc hearing](#) at Cal Poly Humboldt with Tribal government leaders and all 10 commissioners of the CEC and CPUC. In a world where on-the-ground collaboration between governments to address essential questions like climate change and energy security seem too few and far between, this hearing represented a step forward in creating a partnership model for government-to-government interaction, and, specifically, for interactions between state government and Tribal governments.

In addition to CEC and CPUC commissioners, this hearing featured participation of Tribal leadership from the Yurok, Hoopa, Blue Lake Rancheria, and Chemehuevi Tribes, as well as representatives of other Tribes like the Karuk, Tule River, and Modoc, who participated in-person and virtually. It also featured the participation of US EPA Region 9 Administrator Martha Guzman Acevez, the US Department of Energy's (DOE) Office of Indian Energy Policy and Programs Director Wahleah Johns, and the California Natural Resources Agency's Assistant Secretary for Tribal Affairs, Geneva Thompson.

## **Hearing Agenda**

The hearing covered a range of topics related to initiatives of Tribal governments and partnership efforts with the State of California to overcome long-standing injustices on essential governance areas, including:

- the historic progress on [Klamath Dam Removal](#) that is underway because of Tribal leadership;
- an update on carbon offset projects managed by the Yurok Tribe;
- a new [challenge goal](#) presented by Blue Lake Rancheria to become the first proven Tribal and rural carbon sequestering region of the US by 2030;
- a [study](#) by the Schatz Energy Research Center of Cal Poly Humboldt on the need for advanced renewable energy microgrids serving Tribal community needs; and
- a CEC-supported [California Tribal Energy Resilience Alliance](#) that is moving forward with an approximately \$500 million proposal to DOE's [Grid Resilience and Innovation Partnerships Program](#) (GRIP) to deploy tribal microgrids around California.

The hearing culminated with the CEC adopting [Resolution No: 23-0302-09](#), which commits the agency to supporting California Tribal Energy Sovereignty and to working together with Tribes to secure GRIP funding from the Infrastructure Investments and Jobs Act to “modernize crucial infrastructure.”

Yurok Tribal Chairman Joseph L. James remarked:

This is what it looks like to sit at the table... This is more than a project, it's more than funding, it's more than an application. Yes, we need alternative energy, but it's bigger than that... We have an opportunity to change the system, the mindset, the way of California. To recognize indigenous peoples, to recognize Tribes, to uplift them and put them at the same level.

### **A step in the right direction**

This hearing marked an important step in the State of California's necessary efforts to actively recognize and rectify past atrocities and to forge true partnerships with Tribes. In 2011, then-Governor Brown issued [Executive Order B-10-11](#), which established what is now the [Governor's Office of Tribal Affairs](#) and directed all state agencies to "encourage communication and consultation with California Indian Tribes." Building on this, Governor Newsom issued an apology in 2019 in [Executive Order N-15-19](#), formally recognizing that the "relationship between the State of California and California Native Americans was fraught with violence, exploitation, dispossession and the attempted destruction of tribal communities," and that "California's laws and policies discriminat[ed] against Native Americans and den[ied] the existence of tribal government powers... well into the twentieth century."

The importance the State has placed on these efforts is also reflected in the establishment of a [California Truth and Healing Council](#) and the State's [policy](#) to encourage State agencies to "seek opportunities to support California tribes' co-management of and access to natural lands that are within a California tribe's ancestral land and under the ownership or control of the State of California, and to work cooperatively with California tribes that are interested in acquiring natural lands in excess of State needs." Moreover, the Legislature has enacted laws codifying the Governor's Office of Tribal Affairs ([Government Code § 12012.3](#)) and specifying requirements for state agency consultation (see for instance [Government Code § 65352.4](#) (defining "consultation" between government agencies and Tribal government) and [Public Resources Code § 21000 et seq.](#) (establishing a Tribal consultation process within the California Environmental Quality Act)).

*[From my role within the [Governors' Climate and Forest Task Force](#) (GCF Task Force), of which California is a founding member, I have seen this commitment by the State to engage and partner with Tribes in other contexts as well. This includes partnership efforts with the*

*Yurok Tribe and other Tribes within the California Air Resources Board's Compliance Offset Program for [forest projects](#), as well as California's participation in efforts of the GCF Task Force's [Global Committee for Indigenous Peoples and Local Communities](#).]*

### **From commitment to action**

On Friday, March 3, 2023, the Yurok Tribe hosted a smaller gathering in Klamath to learn more about specific needs and efforts around Klamath Dam Removal, co-management initiatives with the State and Federal government, and the realities of energy infrastructure and microgrid potential.

The discussions throughout these two days highlighted the tremendous level of work that remains ahead for the State and Tribes to accomplish real Tribal energy sovereignty and to maintain and grow the collaborative government-to-government partnership model. But the energy (pun intended) present during these two days was palpable, as was the message that now is the time to move from commitment to action and to get to work.

More information on the results of the *en banc* hearing and subsequent discussions are available in the CEC's [Press release](#).