

EmPOWERing NM, Community Conversation

6.26.23 Indian Pueblo Cultural Center, NM

Tribes, Pueblos and Nations

Overview

EPSCoR New Mexico spent 5-years building a SMART Grid Center to research, mentor and train the next generation of engineers to modernize the grid using microgrid technologies. As part of that effort, they want to build a deeper understanding of the level of interest in communities across New Mexico in new technologies and what implications it would mean for rural communities, low-income and communities of color. EPSCoR partnered with Noble Renewables Group LLC, and Community Connects Consulting LLC to design and facilitate community conversations across New Mexico (Farmington, Las Vegas, Silver City, Gallup, Carlsbad and Tribes and Pueblos) to learn with and from community about how the concept of micro-grids fit with community beliefs, values, and readiness. This series of conversations comes at a time when the state and federal policy landscape and energy landscape are rapidly changing in recognition of climate change and impacts, Justice 50, Inflation Reduction Act, an aging energy infrastructure, and the need to consider how to engage frontline communities in the critical questions and problem solving about their current energy situation, access, affordability and the future. As the need for policy and system changes elevates now is the time to engage those being effected most in a meaningful way.

The Structure of Conversations

Participants gather in solidarity to talk and converse about energy equity. The root of which is only about a decade old but can be traced to environmental justice that has been going on for decades related to social justice. Today it's recognized as "Climate justice is racial justice" and "Indigenous justice is environmental justice".

Historically, the energy system has consistently (through not exclusively) been a source of inequities. The present inequities that accrued over many decades will grow and persist without actions to actually reverse inequities. The energy savings from energy efficiency, solar, and vehicles, for instance, continue to provide financial returns and generate wealth for those households, disproportionately white and higher income, that were able to take advantage of special government and utility incentives that were mostly not accessible to people of color and lower incomes. Reversing energy inequities is possible at anytime, provided there is a willingness to shift the underlying structures.

The goal of the community conversations are to prepare vulnerable communities for a statewide town hall meeting on August 8th and 9th which stakeholders from across New Mexico will build an analysis, consensus and make recommendations about the systems and policy change strategies needed that will best position New Mexico communities for a

healthier more just energy present and future. One potential policy area might highlight that our state does not have an energy roadmap to address equity and how to advance equity by utilizing metrics as we move toward 100% renewables.

At the Tribes, Pueblos and Nations meeting three facilitators, Theresa Cardenas and Lilly Irvin-Vitela, and Selena Connealy, helped community participants, mostly from tribes, pueblos and nations to better understand their own unique definition of equity. A clear understanding of equity is intended to create a shared understanding and language, to guide the development of the conversation toward equity targets, goals and best practices. Once we have guiding principles it helps assess questions about iniquities, setting targets and measurements and therefore, better prepared to make recommendations such as directing the necessary resources to access clean energy.

When we converse about equity we begin with three pillars.

1. Recognizing – Who is vulnerable, who is privileged, and how?
2. Asking – Who is at the table and what voice and power do they have in influencing planning, decision making, and implementation? Who bears the brunt of the burdens, and who benefits, and how?
3. Restorative – How can we rectify past injustices caused by the energy system and prevent future harms?

Tribes, Pueblos and Nations

New Mexico is home to 23 federally recognized tribes in New Mexico counties.

Participants, mostly Native American and several renewable energy company representatives and advisors gathered together at the Indian Pueblo Cultural Center to learn about micro-grids and technology advances and what it might mean for the energy future of their communities.

Energy and water access are critical for mitigating the effects of extreme heat and severe cold in the winter. Households with high energy burden (high energy costs relative to household income) may not be able to cool indoor spaces effectively. Poor housing quality often correlates with low insulation levels which can lead to high energy costs and may also correlate with lack of air conditioning. Data is showing that the Jicarilla Apache Nation (for example) ranges from 0.00 - 8.00 percent of income spent on energy (EMNRDClimatAction@state.nm.us). A few other note worthy climate risks; 1/3 of Navajo's are without running water and electricity, 30% have disabilities, 31% have asthma, 16% have diabetes and 26% experience food insecurity.

Discussion Responses

Table 1

What seems promising to address equity?

- Community conversations are good.
- Coordination between Navajo Nation and Permian front line communities is promising (Sustainable Economy Advisory Committee)
- Legislation in last Session was pushed by front line communities—brown, indigenous, rural and low-income communities that are living and working near extraction and development sites, are impacted by climate disasters and bearing the brunt of the adverse effects.
- Ruling about Chaco—high paying jobs related to extraction so tribal officials and allottees don't speak out against. There are real economic consequences for communities if extraction is halted.

What are some guiding principles?

- Community knowledge
- Tribal leaders don't know value of renewable energy; they need information and knowledge to make sound decisions.

What is the extent of inequities we face? What are the structural issues in the energy statement (financial, regulatory, policy) that contribute to inequities?

- Energy initiative may only benefit tribal buildings or economy, not community members.
- Power generated in communities doesn't stay in communities.
- New energy projects don't necessarily address the energy needs of communities. 30% of Navajo Nation households don't have access to electricity or running water.
- Be intentional about consultation. Gov't to gov't is a legal process and implementation doesn't necessarily involve community members.
- Ensure that definition of tribal consultation is included in laws/policy and is followed.
- Government agencies will do the bare minimum so we need to ensure that there is collective guidance about what that minimum is.
- Lots of different systems: tribal/city/state/federal to keep following keep track of.
- NM State Collaboration Act was passed in early 2010s and NM State gov't departments post it on their websites, but don't necessarily follow the rules.
- Change over of Tribal leadership in December gets taken advantage of by industry and gov't. Decision about Petroglyph was made after a missed deadline because of transition.
- If communities are not engaged, the solutions won't fit their needs
- Volunteer legislators are "sponsored" by industry and are unduly influenced by their funding.
- Consider how farms are funded and subsidized. Who gets the money? For what?
- Hydrogen is a false solution. It's not a "silver bullet." Impact on community and environment are not known. Very resource intensive, e.g, water. What infrastructure would be needed?
- Money for hydrogen development could be better used elsewhere to implement solutions that work, and that will help community.
- Definition of "clean fuel" is murky.

- Low carbon fuel standards set by CA and includes hydrogen.
- Data for rural areas and individuals are needed
- Accountability—full cost of projects vs. benefits isn't clear.
- Tribes could have own independent energy and food systems that are sovereign and self-sustaining. Would need capital expenditures and leaders with knowledge and vision.
- How do we empower youth to do this work without overwhelming them?
- How can we ensure that lost income from oil & gas industry is replaced with at least equivalent income? There is a tension between immediate income to take care of one's family and concern for longer term environment and health consequences.

How would we remediate them?

- Economic Transition Act of 2023 wasn't successful but will be put forward again this session. Would establish bridge and pathways for accessing state and federal dollars in rural and front line communities. Includes: satellite offices, grant writing support, technical training, connection to broader economy, e.g., sustainable farming, film industry.
- Previous workforce training has been held in Albuquerque and Las Cruces and didn't reach front line, rural communities. Solution would be to move to other communities, partner with higher education like Dine College, or high schools.
- How can we ensure that sustainable farming is a viable career? Native farmers are stewards of the land as well as producer of food and agricultural products. They need access to equipment. Access to land that is clean and safe. Agrovoltaic systems. Reinstating traditional economy, traditional knowledge and wisdom, e.g., clay ->pottery, food, jewelry.
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Who are making decisions that impact us?

Xochitl Torres-Small, USDA

Nathan Small, NM Legislator

Melanie Stansbury, NM congressperson

Theresa Leger-Fernandez, NM congressperson

Deb Haaland has lost some credibility around Chaco decision making.

Heinrich is championing hydrogen.

Tribal and Nations leadership.

Table 2

What did you hear this morning that was promising or concerning to address inequities?

- Need for more public and community information about the benefits of renewable energy development and micro-grids that could help improve inequities.
- There is a concern for youth and the lack of education about renewable energy. Work force development should include STEM education as early as the 7th grade.
- More information is needed to know where to go for renewable energy job training.
- On-line training is lacking in rural communities and transportation is needed to reach programs that offer training.
- There is a need for improved access to education such as tutoring and help with certification to be an installer.

Name a few principles?

- All participants represent the industry and could not answer this question however they value tribal sovereignty, clean air, access to education and traditional values.

What is the extent of energy inequities?

- Affordability of clean energy is concerning and not easily achieved because of lack of resources, education, training the partnership opportunities. Without subsidies, clean energy would not be possible.
- The reliability of sources to install and maintain solar is lacking.
- Newer technologies such as Micro-grid technology are slow to be adopted.
- Tribes need ownership of energy generation to help address equity issues such as clean air, access to energy and affordability.
- Access to energy has become a competition between the dominance of oil and gas. development revenues on tribal land and renewable energy development opportunities.
- Fracking has become an inequity.

What are the solutions?

- Renewable energy companies should offer a basic training program to communities who want to adopt renewable energy. This would assure a stable work force to install and maintain equipment.
- Utilize the Job Training Partnership Act implemented by the State Economic Development Department to develop the workforce.
- Transform the renewable energy industry by shifting oil and gas federal subsidies toward the renewable energy industry.
- Create partnerships that have resources to help build capacity.
- Shift away from short term planning to long term planning.
- Build trust by working with communities in person.
- Tribal ownership of electricity generation is important.
- Industry needs time to develop name recognition therefore builds trust with communities that are new to renewable energy.
- There is a federal law that Industry profits and accountability reports are due quarterly. Advocate to shareholders and nonprofit boards a shift away from short term reporting to long term reporting would benefit the industry and partners long term goals and profits.
- The use of ITC (tax credits) is a game changer. There is a need to form partnership with developers to best utilize the credits.

- Building trust is a critical pathway to a renewable energy development. Here are a few solutions to build that trust needed to complete a successful project partnership.
 - Face to face meetings is best. Use social impact spending support to help solve other social problems. Create champions to advocate for renewable energy. Encourage tribes to work together. Create and encourage a longer timeline investment plan. This would require a change in policy, rules, and regulations.
- Educate and encourage the development of micro-grid technology on tribal lands, especially communities without running water and electricity. Ask to build a pilot project on a school or community building.
- Know what great questions to ask.
- To create affordability, ask leadership to provide resources and training to communities that want to own and maintain their own community solar program.
- A project might take up to two years. To shorten development time, have consistent permitting rules and regulations with BIA, Tribal government, and state regulators.
- In addition to curriculum design from an early age, build STEM education into schools using pilots and model projects. Ask tribal leadership to fund, partner, and create programs.

Who are the decision makers and what do we ask them to do?

- Governor and leadership change happens every one to two years. Industry needs to adapt by planning for longer development lead times.
- Give credit to the NM Congressional Delegation for their assistance and continue to work closely with them as more renewables come on-line.

Table 3

Hopeful/Concerned

- Active micro grid at Mesa Del Sol - residential.
- Economic development opportunities with data and modernization.
- **Data** monetization- impacts the pockets of community members.
- Economics- who pays?- think private investment too.
- Questions and Themes across geographies to use as equity measure.
- Does not identify what measures looked like longitudinally.
- Themes **have validity**- why aren't companies centering equity, disgust on corporate level.
- Cost Accountability of energy sources in NM.
 - Nuclear, oil/gas, Solar, and Wind
- Tribal clean energy development by design- built into structures.

- Curious
 - - If end of line and last one in, then micro-grids make sense.
 - If not giving away 5 megawatts away– but real valuation that builds on needs and wealth within tribal nation.

(Concerns) Economic Model Social Impact E.S.G.

- **Environmental**
 - Environmental burden of disease.
 - Solar's water needs.
- **Social**
 - Monetary incentives.
 - Also about current global economic design need look at impacts long term. Not adjusted to real time; land leases, private leases, bond rate; troubling example San Carlos.
- **Government**
 - Political cumulative impacts of health.

Guiding Principals

- **Do not** sacrifice plants, animals and water- energy from sun and water- how we use it and give it back out.
- All Technology and Economic models **must heal the Earth and its people-** not just take everything and leave a mess.
- Justice- Targeting Indigenous Tribes for:
 - Bldenomics, copper-San Carlos- lithium- Thacher Pass- Hydrogen N.N.-- and won't clean up later– not just transporting but creating hubs.
- Example Somos Solar- think about working with 23 tribes, pueblos and nations– empathy
 - Question- What does it take for private companies to collaborate well? Answer- Difference in N.N. Government and N.N. People.
- Consider sovereign relationships and pressures with with Federal, state and local governments.
- Corporations historically have taken advantage; only take what you need.
- Understanding of carrying capacity to deal with growth.
- Corporation- turn over profit on ownership to tribe or front line community- ie- energy burdened- R.O.L.- make money back but more equitable shares.
- Without just economic role- complicated by relationships with different levels of government.
- Safely Measure- Care about impact on land, water, mountain and home.

3. What is the extent of energy equity we face?

Affordability

- Start in certain areas (hubs); international district, Barrels, South Valley in Abq. With/ IRA and state funding, philanthropic gap funds to increase affordability and increase access. Focused implementation. C-PACE- small businesses have access.

Access

- Language perspectives need to deeply shift to translate to community level- 5th Grade. Customized to the community.
- Education is important to not needing outside business advise.

Jobs and Training

- Job losses from decommission fossil fuel plants need a plan for family supporting jobs.
- Reinvest profit into jobs and training and paid internships and jobs. Not just dirty jobs.
- Include healthcare package and retirement
- There is not measuring for transportation and roads, especially in NW- reside in AZ, Utah, and NM. Different perspectives and different jurisdictions make it complex.

Solutions

To make tribes, pueblos and nations more sustainable, work in concert with housing materials, weatherization, and energy efficient appliances.

NM needs to implement circular projects in energy and technology.

Develop and install solar panels, water purification systems, Agrivoltaics and increase soil moisture with LANL funding.

Navajo Power Homes: Individual power grids and weatherization for homes.

PNM says give priority to Tribal Nations "Tell us how much you want to build and we'll pay you a fair price."

Co-Ops follow suit because of history toward Pueblos and Tribes

- EX Kit Carson - transparency with money with tribe
- EX Laguna
- Gov. Richardson

Empowered each Tribe to be a utility. Each Pueblo needs to own their own utility.

Considerations, timeline is long and funding is not accessible. Shift could be foundational to building equity.

- Targeting and Selecting- negative impacts on Native American Tribes- targeted for land and resources.
 - Investor- buy back land, with and on behalf of Tribe.
 - Build renewables and then reprioritize and enter into a trust and own assets fully in 5 years.
- Revisit Engagements with Pueblos, Tribes and Nations.
 - Because reflecting has it been vulturous (as a developer).

- Take what we need and then let the land rest.
- Protection against those other presences.
- Focus on Tribal Energy Independence and Sovereignty.
- Takes time to invest over time to really develop relationships.
- Reduce the amount of targeting to NM's Indigenous Tribes.

Decision Makers and the ASK

- Secretary Haland
- Tribal Governments
 - Even with solar and renewables targeting tribes
 - Truth about scaling
 - Pueblos– Nation to Nation
 - Different Federal relationships with the N.N.
- DOE, States, Tribes
 - Approaching Tribes and Pueblos not thinking of development impacts on other Tribes
- Tri-State
 - Tries to get around independence
 - Psychological trauma
 - Impact on Northern
 - Charge for lost profits
- Land Grant Communities could also build independence but PNM has laws that would make community pay for the lost profit, like Tri-State.
- Create community owned utilities.
- Plans, Ideas, Investments must work for Native Americans:
 - Looks good on paper and in theory but remind ourselves we're at the beginning of a process. Be patient for both partner and community.
 - Ask how much money is going back into improving science and technology that would benefit the community?

- To lessen lands become waste lands or sacrifice zones, ask what to do with outdated batteries and recycling to deal with waste.