

Government-to-Government Activity Report

by the
**OREGON
DEPARTMENT OF
ENERGY**



OREGON
DEPARTMENT OF
ENERGY

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EXECUTIVE SUMMARY

In this report, the Oregon Department of Energy provides information about efforts and actions to seek input, collaborate, and enhance relations with Oregon’s nine federally recognized Native American Tribes regarding ODOE programs, projects, and other services. This work includes energy policy and programs, energy financial incentives, nuclear safety, emergency preparedness, and energy facility siting, in addition to overarching efforts in engagement and collaboration. Below are a few highlights.

Nuclear Safety. Several Tribes have expressed concerns about restricted access to usual and accustomed areas on the [Hanford Nuclear Site](#) in south central Washington State. In cases where access is permitted, Tribes are concerned about the potential for tribal members to be exposed to hazardous waste as well as the potential for negative effects on first foods and other cultural and natural resources due to inadequate disposal or leaks at the Hanford site. The [Oregon Hanford Cleanup Board](#), which includes a representative of the Confederated Tribes of the Umatilla Indian Reservation, met three times in 2024. The Hanford Natural Resources Trustee Council, which is responsible for conducting the Natural Resources Damage Assessment and Restoration at the Hanford site, actively worked on assessment and planning activities throughout 2024. The Council membership includes the Confederated Tribes of the Umatilla Indian Reservation, the Nez Perce Tribe, and the Yakama Nation, in addition to the states of Oregon and Washington, and federal agencies.

Emergency Preparedness. In 2024, ODOE published the [Oregon Energy Security Plan](#), which was a major effort and replaced a document last updated in 2012. ODOE staff presented at the Northwest Portland Area Indian Health Board conference in June at Grand Ronde. ODOE also met with the Tribal Preparedness Coalition at CTUIR offices on May 16. The Energy Security Plan is intended to be a living document, and perspectives and input from Tribes will continue to be incorporated into future revisions. In addition, ODOE continues to maintain the Oregon Fuel Action Plan, which designates priority fuel users: the nine federally recognized Tribes, 36 county emergency management agencies, and 18 Emergency Support Function Primary State Agencies. ODOE and other emergency planning partners prepare for emergencies, such as earthquakes, wildfires, ice storms, or other disasters that may affect fuel supply or distribution in Oregon.

Energy Facility Siting. Several Tribes have expressed concerns about the potential for negative effects on cultural and natural resources from transmission, solar, and wind project proposals that are evaluated through the state’s energy facility siting process. ODOE’s Siting Division continues to notify and coordinate with tribal representatives regarding proposals for new and modified state-jurisdictional energy facilities and rulemakings. Tribes receiving notification for each specific project are those identified by the Legislative Commission on Indian Services as having potential interest or information on sensitive resources that could be affected by a proposed or modified energy facility. Communication with each tribal government is accompanied by an offer from ODOE staff to meet with the Tribe’s Council and/or staff to discuss the notice and review process, along with guidance for cost reimbursement. In response to feedback from Tribes that would like to be notified of and engaged in potential projects earlier in the process, the Siting Division also recently kicked off a rulemaking project to further improve the quality and timeliness of energy facility developers’ communication with Tribes. As part of that effort, EFSC sent formal letters in November to each of the Tribes inviting them to participate in this rulemaking.

Energy Planning, Innovation, and Engagement. Building on existing functions and projects in the Technology and Policy section and the Energy Efficiency & Conservation section, this Division expanded in 2024 and added a Codes and Standards section as well as a Climate Change team. Codes and

Standards Staff provided a presentation on the development of the Building Performance Standards program to the Legislative Commission on Indian Services on October 15, 2024, and followed up with requests to learn more from each Tribe about their buildings and potential interest in participating in the program. In implementing HB 3409 (2023), ODOE's Climate Change team provides staff support to the re-named [Oregon Climate Action Commission](#) (OCAC), which modernized the former Oregon Global Warming Commission that was originally created in 2007. The Commission's initial work on climate solutions in natural and working lands also inspired legislators to establish the Natural and Working Lands Fund. As part of the natural and working lands work ahead, the Commission is specifically required to establish a process for tribal consultation to advise the Commission on its work, including on the identification of opportunities to support indigenous practices and knowledge from Tribal Nations to sequester and store carbon on natural and working lands. Following a formal letter from the OCAC Chair and ODOE's Director to each Tribe seeking consultation in September 2024, the OCAC and staff are seeking new ways to learn from and consult with the nine federally recognized Tribes. In addition, a major project at ODOE, the [Oregon Energy Strategy](#), has involved three formal letters to each Tribe with updates and an invitation to meet and discuss interest and involvement in the development of the Strategy. Follow-up to these formal letters have included staff-to-staff discussions, formal representation on the Advisory Group and Working Groups, and formal, in-person meetings with interested Tribes.

Strategic Engagement and Collaboration. The Community Navigator program was launched after ODOE's bill in the 2023 session passed as part of HB 3630. This program aims to connect environmental justice communities with energy resources and programs and has a particular focus on the nine federally recognized Tribes in Oregon. The program is designed to empower communities in accessing opportunities from the state and federal governments to achieve their energy goals. Within the first twelve months of the program's launch, Community Navigator staff were able to attend in-person meetings or events with all nine-federally recognized Tribes. Some of these in-person meetings included ODOE Director Janine Benner and staff of the Cow Creek Band of the Umpqua Indians, Klamath Tribes, and the Confederated Tribes of the Warm Springs at the Tribes' locations.

Energy Financial Incentives. This ODOE Division operates both state-funded programs and federally funded programs. Many of these programs have been directed by the Oregon Legislature to specifically serve Tribes and, for federally funded programs, must comply with the Justice40 Initiative that directs that 40 percent of all benefits from federal funds flow to disadvantaged communities. For example, the Burns Paiute Tribe has been offered a Community Renewable Energy Grant of \$89,718 for planning to connect a local community cooperative biomass district heating system to the Tribal community center in Burns. The Confederated Tribes of Coos, Lower Umpqua & Siuslaw Indians have been offered a Community Renewable Energy Grant of \$1,000,000 for a community energy resilience project with net-metered solar and battery storage with microgrid systems to power tribal buildings during grid outages. ODOE has also been involved in pursuing federal funding opportunities to support initiatives that benefit Oregonians. ODOE's Director sent letters to the Chairs of the nine federally recognized Tribes in Oregon to share these opportunities and explore interest in working with ODOE on federal funding opportunities. ODOE has created a [federal funding tracker](#) with energy-related funding opportunities through the IIJA and IRA. It has sortable columns for program type, eligible recipients, available funding, relevant links, and more. ODOE staff updates the tracker weekly with the latest information and highlight changes from the previous week in yellow.

This report and previous annual Government-to-Government reports are available on the [Oregon Department of Energy's website](#).

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<https://www.oregon.gov/energy/About-Us/Pages/Contact-Us.aspx>



ABOUT ODOE

Our Mission

The Oregon Department of Energy helps Oregonians make informed decisions and maintain a resilient and affordable energy system. We advance solutions to shape an equitable clean energy transition, protect the environment and public health, and responsibly balance energy needs and impacts for current and future generations.



Our Values

- We listen and aspire to be inclusive and equitable in our work.
- We are ethical and conduct our work with integrity.
- We are accountable and fiscally responsible in our work and the decisions of our agency.
- We are innovative and focus on problem-solving to address the challenges and opportunities in Oregon's energy sector.
- We conduct our agency practices and processes in a transparent and fair way.

What We Do

On behalf of Oregonians across the state, the Oregon Department of Energy achieves its mission by providing:

- A Central Repository of Energy Data, Information, and Analysis
- A Venue for Problem-Solving Oregon's Energy Challenges
- Energy Education and Technical Assistance
- Regulation and Oversight
- Energy Programs and Activities

INTRODUCTION

In this report, the Oregon Department of Energy looks back at ways the agency has interacted with and learned from Oregon's nine federally recognized Native American Tribes in 2024. We believe that continuing to build on our long-standing relationships with the Tribes makes our agency more effective overall while supporting our work across the state and region. Our recent studies and reports, state-funded and federally funded energy incentive programs, and opportunities for the Director and staff to visit Tribes in-person through the new Community Navigator Program emphasize our interest in furthering our unique relationship with Tribes. We continue to look for opportunities where our programs and projects can be improved with input from Tribes. This report provides an overview of ODOE programs and projects and the ways we have engaged with Tribal governments over the last year.

STRATEGIC PLANNING

ODOE's [strategic plan](#) helps prioritize, measure progress, and strengthen alignment between agency goals, programs, and budget. The plan is implemented through five Strategic Imperatives for 2021-2024:

1. Expand and Improve External Engagement
2. Build Practices and Processes to Achieve more Inclusive and Equitable Outcomes
3. Assess and Enhance Organizational Data Capabilities
4. Assess and Modernize Agency Programs and Activities
5. Optimize Organizational Efficiency and Impact

Through this plan, ODOE has focused on how to improve awareness of the agency's work and expand and improve engagement with a core focus on Diversity, Equity, and Inclusion. Outcomes of this work include developing new partnership models and approaches, understanding and investing in community needs and impacts, using the agency's position to create change, and committing to doing internal equity work. Progress reporting dashboards have been shared over the past four years and a final implementation report is under development. ODOE expects to begin a new strategic planning process in 2025. Progress dashboards, the final implementation report, and information about the next strategic planning process will be made available on [ODOE's website](#).



NUCLEAR SAFETY AND EMERGENCY PREPAREDNESS DIVISION

The Nuclear Safety and Emergency Preparedness Division supports and interacts with the nine federally recognized Tribes in Oregon, as well as the Confederated Tribes and Bands of the Yakama Nation and the Nez Perce Tribe, on a variety of topics, including Hanford Nuclear Site cleanup, restoration of injured natural resources related to the Hanford cleanup, radioactive material transport safety, enforcement of radioactive material disposal rules, emergency distribution of liquid fuels (primarily diesel, gasoline, and jet fuel) during interruption of distribution or supply, and the [Oregon Energy Security Plan](#). The Energy Security Plan is an important new program, and, in December 2024, ODOE received official notice from U.S. DOE that its Plan met all federal requirements. To better reflect the importance of this Plan and associated program, ODOE has proposed in its agency request budget for the 2025-2027 biennium to change the name of the division to Nuclear Safety and Energy Security.

Hanford Cleanup

The Hanford Nuclear Site in Washington State, operated by the U.S. Department of Energy, is on land ceded by the Confederated Tribes of the Umatilla Indian Reservation and the Confederated Tribes and Bands of the Yakama Nation, and is among the usual and accustomed places for the Nez Perce Tribe. The State of Oregon and the CTUIR have a Memorandum of Understanding for coordination on Hanford issues. ODOE is Oregon's lead state agency representing the state's interests in the Hanford cleanup and represents Oregon in the natural resource damage assessment and restoration efforts.

ODOE's technical staff work closely with their counterparts from the CTUIR, Yakama Nation, and Nez Perce Tribe on a variety of cleanup issues, including groundwater remediation, Columbia River corridor cleanup, and closure planning. The CTUIR, Yakama Nation, and Nez Perce Tribe work with ODOE on the Hanford Advisory Board to provide informed advice to U.S. DOE, the U.S. Environmental Protection Agency, and the Washington Department of Ecology on policy issues related to the cleanup of the Hanford site.

A representative from the CTUIR sits on the [Oregon Hanford Cleanup Board](#), which is a 20-member advisory group that recommends state policy to Oregon's Governor, Legislative Assembly, and ODOE. The Board also holds U.S. DOE and its contractors accountable and brings Hanford issues to the public. The Board met three times in 2024. In May, the Board met at the CTUIR-Wild Horse Resort. This Board meeting included a tour with the CTUIR's environmental sciences laboratory and native plant nursery and research center, which does work on behalf of U.S. DOE-Hanford.

ODOE staff participated in several virtual meetings of the State and Tribal Government Working Group (STGWG) in 2024, which brings together representatives from states and Tribes affected by U.S. DOE sites or facilities associated with the production and cleanup of nuclear weapons production. The CTUIR, the Yakama Nation, the Nez Perce Tribe, and the Wanapum are among more than a dozen Tribes and Pueblos that are members of STGWG. In recent years, STGWG has focused on priority issue areas, represented by four committees: long-term stewardship; waste management; natural resource damage assessment and restoration; and tribal affairs. STGWG met in person twice in 2024 and the four committees meet monthly or quarterly virtually.

Restoration of Injured Natural Resources

ODOE represents Oregon as one of eight natural resource trustees that participate in the [Hanford Natural Resource Trustee Council](#). The other trustees are the CTUIR, the Yakama Nation, the Nez Perce Tribe, the State of Washington, and three federal agencies. The trustees work together to determine the extent of natural resource injury caused by releases of radioactive materials and chemicals into the

environment and response actions to those releases. After the extent of the injury has been determined and quantified, the HNRTC will establish actions necessary for restoration of the injured resources.

This past year the focus has been on data analysis, developing an understanding of baseline (conditions but for the release of hazardous substances), groundwater, and aquatic benthic habitat. This work focuses on assessing and recovering damages for injury to near-shore aquatic ecosystems of the Columbia River, groundwater, terrestrial ecosystems, and loss of tribal services.

The full HNRTC met nine times in 2024, in addition to workshops and monthly technical work group meetings, to assess injury to natural resources due to Hanford operations. The October meeting was held in person and generously hosted by the CTUIR, and included an educational tour of a river restoration project. The senior trustees met twice in 2024 for updates. Meetings have varied between virtual and in person.

Radioactive Materials and Waste Transport Safety

ODOE regulates the transport of radioactive materials and waste in and through Oregon. Approximately 300 to 500 shipments of licensed radioactive material move through Oregon each year. One of the primary transportation corridors in Oregon for radioactive material and waste transportation is Interstate 84 through northeast Oregon, which runs through the CTUIR's reservation lands. Other primary transportation corridors are I-5 and SR 97. ODOE compiles an annual report on radioactive material transport through the state. The 2025 report will be published in advance of the 2025 legislative session; the 2024 report is [available on our website](#).

Oregon Fuel Action Plan

ODOE is the lead agency representing the fuel sector for energy emergencies and emergency contingency planning. ODOE is responsible for helping ensure adequate fuel supplies to maintain emergency and essential services, and to restore critical infrastructure. This includes developing and maintaining the [Oregon Fuel Action Plan](#). ODOE and other emergency planning partners prepare for emergencies, such as earthquakes, wildfires, ice storms, or other disasters that may affect fuel supply or distribution in Oregon.

The Oregon Fuel Action Plan was developed to address this need. It is designed to coordinate supply of bulk fuel supplies into the state from outside the region to support the state's ongoing emergency response and recovery efforts until the regional infrastructure can be restored. The Oregon Fuel Action Plan designates priority fuel users: the nine federally recognized Tribes, 36 county emergency management agencies, and 18 Emergency Support Function Primary State Agencies. The plan can be activated for local emergencies, but was designed to support response efforts for a 'worst case' disaster, which is likely a Cascadia Subduction Zone earthquake. ODOE supported fuel distribution efforts during the major winter storms in January 2024, as well as during wildfires in summer.

ODOE staff regularly meet with and participate in meetings of the Tribal Emergency Managers Coalition, which includes the emergency managers and staff from the nine Tribal Governments, as well as staff from Oregon Health Authority. The TEMC meets regularly both virtually and in person.

Oregon Energy Security Plan

In 2024, ODOE developed and submitted the state's [Energy Security Plan](#). The Energy Security Plan was supported with federal funding from the Infrastructure Investment and Jobs Act, and includes engagement and coordination with Tribal Governments as well as stakeholder groups and the public. ODOE staff presented at the Northwest Portland Area Indian Health Board conference in June at Grand Ronde. During the ESP development, ODOE met with the Tribal Preparedness Coalition at CTUIR offices

on May 16. The ESP is intended to be a living document, and perspectives and input from Tribal Nations will continue to be incorporated into future revisions.

Relatedly, in 2023, the Oregon Legislature passed HB 3630, which directed ODOE to create a grant program to support Oregon counties with energy resilience planning. Specifically, the [County Energy Resilience Grant Program](#) funds up to \$50,000 per county to develop an energy resilience plan, which can provide more granular details to the State's Energy Security Plan described above. Counties are required to engage with environmental justice communities to identify and map communities that experience social vulnerabilities. The State's definition of environmental justice communities includes the nine federally recognized Tribes, and ODOE appreciates county planning efforts that include coordination with Tribes. Tribes can also request [no-cost, non-competitive technical assistance](#) from the U.S. Department of Energy's Office of Indian Energy Policy and Programs to complete energy resilience planning.

As discussed in an [Energy Resilience article](#) in the [2024 Biennial Energy Report](#), Oregon's nine federally recognized Tribes are engaged in planning and project development to bolster energy resilience. For instance, in 2022, the Confederated Tribes of the Umatilla Indian Reservation completed a Strategic Energy Plan. Increasing household resilience through renewable energy generation and energy efficiency is a central component of the plan. The Coquille Indian Tribe is in the process of developing a Resilience Management Plan, which will include an Energy Assessment and strategies that explore potential renewable energy options as a pathway to supporting the Tribe in becoming energy sovereign. In terms of project development, the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians are developing a solar and battery storage system to provide backup power to Tribal buildings during outages, with support from the Oregon Department of Energy's Community Renewable Energy Grant Program. In 2023, the Confederated Tribes of Warm Springs, in partnership with Portland General Electric, received a \$250 million grant from the U.S. Department of Energy's Grid Resilience and Innovation Partnerships Program to expand and increase the resilience of the Bethel Round Butte Transmission Line, which is a critical piece of Oregon's electricity infrastructure. The Confederated Tribes of Warm Springs, the Cow Creek Band of Umpqua Tribe of Indians, Coquille Indian Tribe, Burns Paiute Tribe, and Confederated Tribes of the Umatilla Indian Reservation have received U.S. DOE Grid Resilience State and Tribal Formula grants, who will, in turn, award funds from these grants to eligible entities for grid resilience improvements.

Nuclear Emergency Response Coordination

ODOE is the state's lead agency for nuclear emergency response coordination. The region's only operating nuclear power plant is near Richland, Washington, about 35 miles north of Umatilla, Oregon. ODOE regularly conducts exercises with the power plant operator and state, local, and federal partners to prepare for potential emergencies from the plant. In 2024, ODOE participated in a FEMA-evaluated radiological emergency response exercise for the power plant along with partners from state, local, and federal government.

ENERGY FACILITY SITING

Energy Facility Siting Council

The Oregon Energy Facility Siting Council (EFSC) is a seven-member volunteer board appointed by the Governor and confirmed by the Oregon Senate. EFSC is responsible for reviewing and making decisions on applications for site certificates for all state-jurisdictional energy facilities. ODOE provides staff

support to EFSC and administers the state energy facility siting process, which consolidates state agency and local government regulations into a single review process.

EFSC recently included Council Member Perry Chocktoot, a traditional arts and crafts practitioner who previously served as the Culture and Heritage Department Director for the Klamath Tribes and served twice on the Klamath Tribes Tribal Council. Since his departure, ODOE and EFSC have sent formal letters in October 2024 to each Tribe to help support the Governor’s recruitment of a new Council Member that could bring a new tribal perspective to EFSC. Council Members serve four-year terms and can be appointed for up to two terms. The number of meetings per year varies with as few as six and as many as eleven. While most council meetings occur on one day, if there is a public hearing on the agenda that is typically held in the evening prior the regular meeting on the next day. The Governor’s Office is continuing to seek a replacement for Perry and are still actively recruiting a Tribal member with an interest in Energy Facility Siting to participate on the Council. Executive appointments are listed here: [Governor of Oregon : Boards & Commissions : State of Oregon](#) and please contact Assistant Director for Energy Siting, Todd Cornett, at todd.cornett@energy.oregon.gov or 503-428-2962 for more information about EFSC.

EFSC meets regularly throughout the year in locations geographically near proposed facilities. A summary of the latest information on energy projects under state jurisdiction is updated monthly and posted on [ODOE’s website](#). The December 2024 Project Update (current as of the date of this report and updated monthly) is [also available online](#).

Energy Facility Siting Division

The Energy Facility Siting Division at ODOE provides staff to EFSC, helping it complete its review of proposed energy facilities and amendments to approved facilities. This effort brings together project developers, state agencies, tribal governments, local and regional governments, interested members of the public, and other stakeholders to make sure proposed projects are evaluated, permitted, built, operated, and decommissioned consistent with all applicable standards, laws, and regulations. For example, state standards include protections for historic, cultural, and archaeological resources; threatened and endangered species; and fish and wildlife habitat. A summary of EFSC’s standards is [available online](#).

The division also provides ongoing compliance oversight for facilities that are under construction or in operation.

Project Notification

Energy facility siting rules require the Siting Division to provide notices and requests for input to tribal governments, the public, local governments, and state agencies at designated steps throughout the site certification application and amendment processes. Through these notices and requests, the Siting Division provides details of proposed energy facilities to the Tribes and invites the Tribes’ participation in the site certificate application review process. Specifically, during review of each proposed facility or amendment, the Siting Division seeks the Tribes’ input and expertise on potential effects on Tribal historic and cultural resources. In addition to the formal notices, Siting Division staff offer to meet with tribal representatives to discuss both the EFSC process and specific site certificate application issues. Early in the review process, the applicant is required to identify Tribes that may have an interest in a proposed facility or amendment by communicating with the Legislative Commission on Indian Services.

Not all energy projects are evaluated by the state’s EFSC; many are evaluated by decision makers at the county or federal level. Legislation passed in 2023 changed the types of renewable energy projects that are evaluated through the state process. Local jurisdictions reviewing projects with the higher

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thresholds must apply all existing state and local land use procedural and substantive requirements, and upon receipt of an application must notify federally recognized Tribes that may be affected by the project. Below is a summary table.

Renewable Energy Project Type	Primary Permitting Authority					
	County	County with HB 2329 , HB 3179 & HB 3409	EFSC	Oregon Water Resources Commission	Oregon Department of State Lands	Federal Government
Solar Photovoltaic						
<i>High Value Farmland</i>	< = 100 acres	> 100 acres & < = 240 acres	> 240 acres	N/A	N/A	N/A
<i>Arable Farmland</i>	< = 100 acres	> 100 acres & < = 2,560 acres	> 2,560 acres (4 sq. miles)	N/A	N/A	N/A
<i>Other Land</i>	< = 320 acres	> 320 acres & < = 3,840 acres	> 3,840 acres (6 sq. miles)	N/A	N/A	N/A
Onshore Wind	N/A	< = 150 MW	> 150 MW	N/A	N/A	N/A
Geothermal	N/A	< = 55.5 MW	> 55.5 MW	N/A	N/A	N/A
Biomass	< 6 BBTU/day	N/A	> 6 BBTU/day	N/A	N/A	N/A
Offshore (wind and wave)	N/A	N/A	N/A	N/A	< = 3 Miles Offshore	> 3 Miles & < = 200 Offshore (Bureau of Ocean Energy Mgmt)
Battery Storage	All projects	N/A	N/A	N/A	N/A	N/A
Hydroelectric	N/A	N/A	N/A	Projects in waters of the state	N/A	Projects in waters of the US (FERC)
Pumped Hydroelectric	N/A	N/A	N/A	Certain projects	N/A	All projects (FERC)

Opportunities for Energy Project Review Cost-Reimbursement for Tribes

In 2015, ODOE introduced and the legislature passed Senate Bill 259, which amended ORS 469.360 and ORS 469.421 to add authority for EFSC to compensate the nine federally recognized Oregon Tribes for

their review of historical and cultural resources and related Tribal Codes during the Notice of Intent and application review phases of the EFSC process. Applicants for a site certificate fund the compensation, which is paid through a reimbursement agreement between ODOE and each tribal government.

To date, ODOE has entered into reimbursement agreements with the Coquille Indian Tribe, Burns Paiute Tribe, the Confederated Tribes of the Umatilla Indian Reservation, and the Klamath Tribe resulting in over \$30,000 in reimbursement. Staff continues to reach out to other Tribes that could be affected by EFSC jurisdictional projects in an effort to establish reimbursement agreements. Questions about or interest in reimbursement agreements for Oregon Tribes should be directed to the Siting Division's financial analyst, Sisily Fleming, at sisily.fleming@energy.oregon.gov or 503-559-7081.

Siting-Related Project Outreach to Tribes

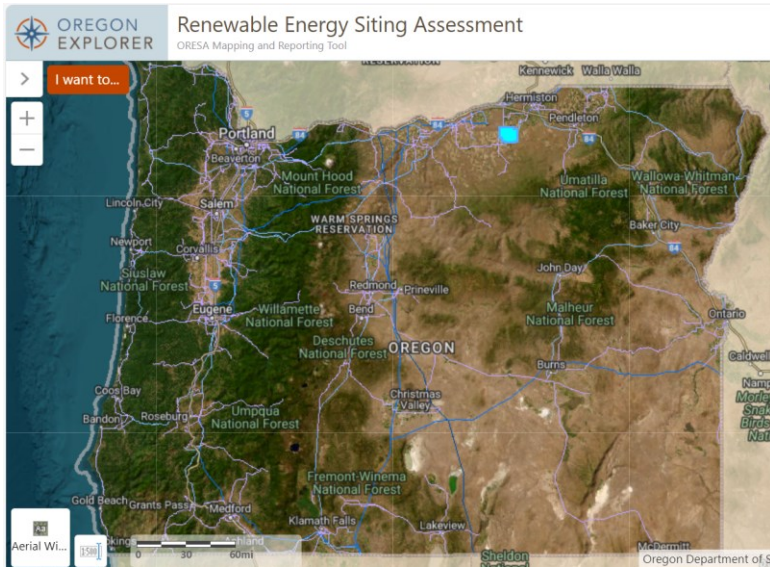
Throughout the year, Siting Division staff coordinated with tribal governments' natural resource and archeological staff to request feedback and guidance on potential impacts from certificate holder proposed changes to approved energy facilities and a proposed energy facility located around the state. Generally, Siting Division communications to tribal governments consist of a notice or memorandum requesting review and feedback during the following application phases: Receipt of Notice of Intent under OAR 345-015-0120, Receipt of Preliminary Application for Site Certificate under OAR 345-015-0180, and Determination of a Complete Application for Site Certificate under OAR 345-015-0200

In 2024, the Oregon Department of Energy and the Energy Facility Siting Council reviewed and approved applications for site certificates and certificate holder requests for site certificate amendments (changes to approved site certificates) for one transmission line; two solar PV energy facilities; and two wind energy facilities. These facilities include [Boardman to Hemingway Transmission Line](#) (Morrow, Umatilla, Union, Baker, and Malheur counties); [Wagon Trail Solar Project](#) (Morrow County); [Sunstone Solar Project](#) (Morrow County); [Leaning Juniper IIA Amendment 3](#) (Gilliam County); and [Wheatridge East Amendment 2](#) (Umatilla and Morrow counties). Several other new applications and amendments were in various stages of review in 2024 but did not receive formal approval from Council during the calendar year. Of note is the [Cascade Renewable Energy Transmission System](#) in an early review stage, which proposes a 100-mile transmission cable in the bed of Columbia River between The Dalles and Portland.

ODOE distributed detailed memorandums or notices to each of the potentially affected Tribes (as identified by the Legislative Commission on Indian Services) during the review phases for the above-referenced facilities to offer information and request tribal input. Based on the Department's review request and outreach to tribal governments for the referenced facilities, all issues and interests identified by tribal contacts were addressed based on comments received.

In some cases, Tribes may elect to seek resolution of their concerns about a proposed energy facility outside of the EFSC process. If applicable, Siting Division staff would request a formal response from the Tribe/tribal contact to document the Tribes' determination that potential impacts to tribal resources from a proposed or modified facility were adequately evaluated and mitigated. The Department recognizes that each Tribe has its own history, present-day experience, preferences, and legal rights; accordingly, Siting Division staff seek to continually educate themselves in order to best coordinate with each Tribe. We are grateful to tribal staff who have taken the time to participate in phone conferences and provide comments in response to the Department's request throughout the siting process. For more information about facilities currently undergoing ODOE/EFSC's review, please refer to the [Siting Division's Project Updates](#), which are updated monthly. All EFSC jurisdictional projects can be viewed on the [Oregon Renewable Energy Siting Assessment](#) online mapping tool, which also contains GIS layers and data important in the evaluation of potential energy projects: military training areas, energy

infrastructure, natural resource considerations, community considerations, administrative boundaries and planning, land cover and ownership, transportation, and more.



Oregon Renewable Energy Siting Assessment Mapping and Reporting Tool with GIS layers showing EFSC Jurisdictional Energy Facilities and Transmission lines in Oregon. Available at: [Renewable Energy Siting Assessment](#)

Energy Facility Siting Council Rulemaking

The Energy Facility Siting Council [conducts rulemaking](#) to adopt rules and standards for the siting, construction, and oversight of energy facilities and other areas within the Council’s subject matter jurisdiction, including the regulation of radioactive materials and wastes. On behalf of EFSC Chair Kent Howe, EFSC Secretary and Assistant Director of Energy Siting Todd Cornett sends formal letters to the Chairs of each Tribe requesting input from Tribal governments during the development of proposed rules. This input could be provided through individual meetings with Tribal representatives and agency staff, involvement of Tribal representatives in rulemaking advisory committees, or participation in other rulemaking meetings and workshops.

On April 19, 2024, the Council initiated a technical “clean up” rulemaking to revise Divisions 21 and 22 of its siting rules found in OAR 345. The rulemaking is designed solely to move the rule language describing what must be submitted by the applicant to meet Council standards for siting projects (found in Division 21) to the location where the Council’s standards actually are (in Division 22). Staff intends to recommend to the Council at its December 13, 2024 meeting that it file a Notice of Proposed Rulemaking. If the Council agrees with this recommendation, the Tribes are welcome to provide comments if interested.

In response to feedback from Tribes that would like to be notified of and engaged in potential projects earlier in the process, the Siting Division also recently kicked off a rulemaking project to further improve the quality and timeliness of energy facility developer’s communication with Tribes. On November 7, 2024, the Council sent formal letters to each of the nine federally recognized Oregon Tribes to invite them to participate in a rulemaking designed to increase communication between the Tribes and Developers early on in the siting process. Prior to this formal letter, ODOE staff participated in an in-person meeting of the Cultural Resources Cluster on July 23, 2024 to share early information and incorporate feedback. ODOE staff appreciated the questions and discussion during the CRC meeting.

ODOE staff will continue to seek input from representatives of the Tribes, and encourages and requests additional discussion with each of the nine federally recognized Oregon Tribes. Staff will begin soon to develop draft language and continue to seek input from the Tribes throughout this rulemaking process.

The Council will review staff's recommended rulemaking schedule for 2025-2027 and provide additional input on rulemaking priorities for the coming year at its meeting on January 16-17, 2025. The rulemaking schedule contains several new and previously approved rulemaking projects that may affect tribal interests, including a review of the Council's compliance rules and updates to the Council's siting standards. As part of ongoing efforts to improve engagement with Tribes in the rulemaking process, the Energy Facility Siting Council intends to continue to send notification letters to Tribal Chairs early in the rulemaking process for all rulemaking projects that may affect tribal interests.

ENERGY PLANNING AND INNOVATION

The Planning & Innovation Division supports ODOE's mission by providing information, analysis, technical assistance, and project management to: inform energy policy development, achieve cost-effective energy efficiency, expand the use of renewable and alternative energy resources, promote sustainable transportation options, and combat climate change. The Division's four units, Energy Efficiency & Conservation, Technology & Policy, Climate Action, and Codes & Standards collaborate with ODOE's other divisions, Tribes, state and federal agencies, local governments, and stakeholders to help support the development of clean energy resources and integrate those resources into the state's energy systems. This includes electricity transmission and distribution system planning; direct use fuel decarbonization and infrastructure; and lower carbon, renewable transportation fuel accessibility and distribution. The division is standing up a Building Performance Standard program, provides staff support to the Oregon Climate Action Commission, and offers energy expertise across sectors, including efficiency in buildings and manufacturing, as well as alternative fuels and infrastructure, while helping Oregon build a more resilient energy system – one that is well prepared to respond to issues such as the effects of climate change and natural disasters.

In November 2024, ODOE published our fourth Biennial Energy Report, which is statutorily required every even-numbered year to help inform local, state, regional, and federal energy policy development, energy planning, and energy investments. Each iteration of this report includes data-driven information about the energy Oregonians consume and produce, as well as energy costs and how energy use affects the climate and the state's economy. In addition, the 2024 report includes new topics on enhanced geothermal electricity generation, drivers of electricity rate increases, effects of climate change on energy systems, energy resilience, and a description of how Oregon's water and energy systems are connected. ODOE would be pleased to provide a briefing or webinar to interested Tribes on the contents of the 2024 report, which can be requested through the [Biennial Energy Report webpage](#).

In September 2025, ODOE will publish our third [Biennial Zero Emission Vehicle Report](#) and some early research has already begun in 2024. The report will provide information on zero emission vehicle adoption across the state, including the current state of electric vehicle adoption, EV charging infrastructure availability, the benefits of driving EVs, and the opportunities and barriers to ZEV adoption. The 2025 report will include a 101-level section on the lifecycle of electric vehicles, from the mining of materials to options for end-of-useful life for EV batteries. The 2023 published report is available on our [webpage](#), and the department is available to provide a presentation on the material covered in the report.

ODOE works with the [Northwest Power & Conservation Council](#), and the two Oregon council members are administratively supported by ODOE. ODOE staff collaborate with Oregon's council members, including Louie Pitt, who is Director of Governmental Affairs for the Confederated Tribes of Warm Springs. Mr. Pitt brings deep tribal and natural resources knowledge to the Council.

Energy Efficiency Training Grant

In 2023, the Oregon Legislature passed [House Bill 3409](#), establishing this program in Sections 4 and 5. The grant program is intended to prioritize workforce and contractor training and education as well as awareness among contractors and homeowners of programs, rebates, and the need for heat pumps and other energy efficiency upgrades. House Bill 3409 appropriated \$2 million in dedicated funding for this purpose. On October 29, 2024, ODOE filed OAR 330-290, to establish the program. As part of the rulemaking process, ODOE sent formal notification letters to each Tribe for feedback and input on processes for publishing an opportunity announcement, evaluation and selection of awardees, negotiating performance agreements, reporting, and compliance. The rule allocates 40 percent of grant funds to education and training programs that train participants from or provide services to disadvantaged communities as identified by the federal Climate and Economic Justice Screening Tool (<https://screeningtool.geoplatform.gov/en/#3/33.47/-97.5>). Additionally, the draft rules would require ODOE to give preference for the remaining 60 percent of grant funds for education and training programs that provide economic development benefits to participants from disadvantaged communities or environmental justice communities as defined in Oregon statute (ORS 469A.400), of which the nine federally recognized Tribes are part of these definitions and could benefit from the allocation and prioritization. The [Energy Efficiency Technologies Information and Training Fund program](#) has now launched and is accepting applications until early January 2025.

Building Performance Standard

In 2023, the Oregon Legislature passed [House Bill 3409](#), establishing an Energy Performance Standard policy for commercial buildings. This is the basis for the Building Performance Standard (BPS) program that ODOE is currently developing, and will be administering, once established.

The Energy Performance Standard policy for commercial buildings addresses energy use and emissions from existing commercial buildings, which account for nearly 20 percent of energy use in Oregon. It will require many large commercial buildings to enhance energy management practices and implement efficiency measures to meet energy use targets and will be modeled after [ASHRAE Standard 100](#). ODOE's role includes rulemaking to establish the processes and energy targets to comply with the Oregon BPS as well as managing compliance reporting. As part of the process, ODOE sent formal letters to each Tribe, and presented information about the Building Performance Standard and its potential nexus with buildings at the October 15, 2024 Legislative Commission on Indian Services meeting. ODOE staff requested individual meetings with each Tribe since the building stock, ownership structures, and preferences of each Tribe may differ and may be dependent on if buildings are on Federal Indian reservations, buildings are on off-reservation tribal trust land, or buildings are off-reservation but on non-trust land. The first compliance date for the largest covered buildings is in 2028, and ODOE looks forward to meeting with Tribes to discuss the program, its application, and opportunities.

Oregon Climate Action Commission

ODOE provides staff support to the [Oregon Climate Action Commission](#), which was originally created in 2007 as the Oregon Global Warming Commission to be the state's first venue for a whole-of-government response to climate change. In March 2023, with the support of foundation funding, the Commission published an extensive analysis of Oregon's existing and potential climate action (the TIGHGER Analysis),

which informed the [Oregon Climate Action Roadmap to 2030](#) that included recommendations for state climate action moving forward. The TIGHGER Analysis showed that, thanks to recent bold energy and climate change policy advances, Oregon is projected to be able to meet its 2035 greenhouse gas emission reduction goal with programs and regulations we have already adopted. However, there is a great deal of work the needs to be done before then. Existing programs and regulations need to be fully implemented and operated as planned, with necessary staffing and resources. In addition, the Commission recommended accelerating achievement of the 2035 goal to 2030 to reflect the best available climate science. The Commission's Roadmap recommendations also spoke to the need for better governance and accountability to Oregon's greenhouse gas reduction goals moving forward, including adequate resourcing for state agency climate efforts.

To create better governance and accountability and enhance the whole-of-government approach to addressing climate change, legislators were inspired by the Commission's Roadmap to 2030 recommendations and passed legislation to modernize the Commission. The legislation changed the name to the Oregon Climate Action Commission and increased the size from 25 members to 35 members. It directs state agencies to provide regular reports to the OCAC on their efforts and progress in reducing greenhouse gas emissions and preparing for the effects of climate change. There is a new directive for the OCAC to prepare detailed forecasts of expected GHG emissions reductions to better evaluate progress moving forward. In addition, the Commission's initial work on climate solutions in natural and working lands also inspired legislators to encourage state agency efforts on natural climate solutions, and to establish the Natural and Working Lands Fund in the new law. As part of the natural and working lands work ahead, the Commission is specifically required to establish a process for tribal consultation to advise the Commission on its work, including on the identification of opportunities to support indigenous practices and knowledge from Tribal Nations to sequester and store carbon on natural and working lands. As these new changes are implemented, the Commission and staff have been, and will be, seeking new ways to learn from and consult with the nine federally recognized Tribes. In September 2024, OCAC Chair Macdonald and ODOE Director Benner sent a joint formal letter requesting consultation on actions to design and implement natural climate solutions as well as input on efforts to mitigate or adapt to climate change more broadly. Additionally, the Commission received a draft Tribal Engagement Strategy and associated Affiliated Tribes of Northwest Indians resolution stating support for the engagement approach within the Strategy. Resolutions are passed by a general assembly of ATNI member Tribes, which includes all of Oregon's federally recognized Tribes. Staff are currently reviewing the strategy and forming next steps now that the formal letters have been sent.

Oregon Rural and Agricultural Energy Assistance Program

ODOE received a grant from U.S. Department of Agriculture to create a [Rural & Agricultural Energy Assistance Program](#). The funding supports energy audits for Oregon rural small businesses and agricultural producers statewide, including Tribally owned rural small businesses and agricultural producers. ODOE uses the grant funding to pay for 75 percent of the cost of an energy audit (payable to the auditor); program participants will be responsible for the remaining 25 percent of the cost. Eligible agricultural producers or rural small businesses in Energy Trust of Oregon territory, however, may receive a reimbursement of the remaining 25 percent cost. ODOE reached out with information to Tribes early in our program in 2022, to find out if there is interest in these types of energy audits, which can help participants understand how to save energy and save money. The team intends to apply for additional grant funds from USDA in January 2025 to continue offering this program to rural small businesses and agricultural producers across the state.

Oregon Energy Strategy

In July 2023, the state Legislature passed a bill (HB 3630) adopting ODOE's recommendation from the *2022 Biennial Energy Report* to develop an Oregon Energy Strategy. The project is further supported through funds from the U.S. Environmental Protection Agency's [Climate Pollution Reduction Grant](#), which supports development of a Priority and a Comprehensive Climate Action Plan for Oregon. The legislation directs ODOE to develop an Energy Strategy that identifies pathways to achieving the state's energy policy objectives, and to deliver a report to the Governor and Legislature by November 1, 2025. It also requires a robust engagement process, calling on ODOE to engage with relevant state agencies, federally recognized Tribes, and stakeholders to inform the Energy Strategy. This includes formal coordination and cooperation with the nine federally recognized Tribes in Oregon.

In October 2023, ODOE's Director sent a formal letter to each of the Chairs of the nine federally recognized Tribes in Oregon, inviting each Tribe to participate in shaping the Oregon Energy Strategy. ODOE hopes to work with each Tribe to understand the best way to engage and hear each Tribe's perspective on key issues, including land and water use, natural resources, cultural resources, equity, economic and employment opportunities, and approaches to improving community well-being, health, and resilience. ODOE staff have begun to follow up on the letters to understand preferred methods of engagement. Initial follow-up has included preliminary conversations with representatives of the CTUIR, CTWS, and Coquille Tribes, and email exchanges with the other five federally recognized Tribes in the state.

In 2024 ODOE's Director sent two formal letters to each of the Chairs of the nine federally recognized Tribes in Oregon regarding the Oregon Energy Strategy. In June, a letter was sent inviting each Tribe to nominate Tribal representatives, members, or staff to participate in the Energy Strategy Advisory Group and Working Groups during Phase 1 of the process, which included determining the technical parameters or inputs for the project modeling. ODOE was pleased to have involvement in the Groups from several Tribal representatives, including CTUIR, CTWS, and Columbia River Inter-Tribal Fish Commission (CRITFC). In September, a letter was sent to provide an update and to seek Tribal input into Phase 2 of the process, which will include energy policy formation discussions based on the results of the modeling. Phase 2 will kick off in early 2025 and ODOE is keen to meet with Tribes before then. ODOE has requested time on the Legislative Commission on Indian Services agenda for an upcoming meeting as well as on each Tribe's Council agenda to provide a report and discuss the Energy Strategy. ODOE is continuing to schedule follow up discussions or meetings with each Tribe through January 2025.

ODOE is pleased to have met with Grand Ronde tribal staff at the Chachalu Tribal Museum and Cultural Center in Grand Ronde in late October 2024 to discuss the Energy Strategy, as well as issues involving energy project siting and consultation processes. ODOE staff also enjoyed a tour of the Museum led by tribal staff. ODOE staff is continuing to follow up with Grand Ronde about action items that resulted from the meeting. There is also an in-person meeting in mid-January 2025 scheduled with CTUIR's Board of Trustees and staff with ODOE's Director and staff. In addition, we are in discussion with the staff of Confederated Tribes of Warm Springs about interest in a virtual meeting. We are looking forward to these scheduled meetings and any other interest among the nine federally recognized Tribes to discuss and help shape the policy discussions in Phase 2 of the development of the Oregon Energy Strategy.

STRATEGIC ENGAGEMENT AND COLLABORATION

ODOE staff have participated in LCIS, Natural Resource Work Group, and Cultural Resources Cluster meetings throughout 2024. Over the past year, staff from several of ODOE's divisions have taken advantage of opportunities to participate in events and conferences that have included tribal representatives to share information about the state's work in energy.

ODOE has made procedural changes so that formal notification letters are sent in advance of agency decisions related to siting energy facilities, financial opportunities, and program rulemaking – as well as key agency activities involving data, analysis, and reporting that could inform policy. The tribal liaison and team members have developed resources to support education and information sharing to learn more about the current priorities and issues as well as history of the nine federally recognized Tribes. ODOE has been expanding these efforts over 2024 as part of our [strategic plan](#) initiative to “Build on existing tribal engagement efforts by expanding internal responsibilities and resources and reaching out to Tribes to assess and amplify shared interests and priorities.” ODOE has been holding bi-weekly Tribal Engagement Office hours to bring staff together creating a Cross-Divisional/Cross-Section space for connections and education to support improving ODOE's tribal engagement for our projects and programs. Staff work together on programs seeking tribal feedback and engagement and looking at opportunities for coordinated outreach with Tribes.

Legislative Coordination

ODOE received many new legislative directives and assignments, which are detailed in the [2024 energy legislative session report](#). In the 2025 legislative session, ODOE expects to pursue several legislative concepts that may be of interest to Tribes, including extension of our Heat Pump incentive programs and changes to other programs to support more energy resilience. ODOE maintains information about legislative action related to energy on our webpage: [State of Oregon: ABOUT US - Legislative Sessions](#). ODOE has offered to meet with the lobbyists representing Tribes and continues to be available in advance of and during the 2025 legislative session. Questions about or interest in ODOE's legislative work should be directed to Christy Splitt, Government Relations Coordinator, at Christy.Splitt@energy.oregon.gov or 503-510-4473.

Community Navigator Program

The [Community Navigator program](#) was launched after ODOE's bill in the 2023 session passed as part of HB 3630. This program aims to connect environmental justice communities (particularly tribal, rural, and coastal communities) with energy resources and programs and has a particular focus on the nine federally recognized Tribes in Oregon. The program is designed to empower communities in accessing opportunities from the state and federal governments to achieve their energy goals. The Community Navigator program is supported by one full time staff person as well as a RARE AmeriCorps member, who is working with ODOE through an intergovernmental agreement between ODOE and the [University of Oregon's Resource Assistance for Rural Environments \(RARE\) program](#).

In the last eighteen months, the Community Navigator program's staff have participated in meetings or events in all 36 Oregon Counties in person and met with all nine federally recognized tribes in person on tribal land. Some of these meetings involved in-person meetings that included ODOE's Director and staff, including meetings with the Cow Creek Band of Umpqua Tribe of Indians, Confederated Tribe of the Warm Springs, and the Klamath Tribes. Since last year, agency staff have continued conversations, diving deep into relationships with Tribal staff in tribal designated housing entities and utilities, for example. Through this engagement, ODOE has been able to better design federally funded programs, such as Solar for All and High Efficiency Appliance Rebates (HEAR) as well as make necessary changes to

state-funded programs in order for Tribes to better access ODOE's programs, particularly incentive programs like the Rental Home Heat Pump Program and the Community Heat Pump Deployment Program. Questions about or interest in ODOE's Community Navigator Program should be directed to Sarah Moehrke, Community.Navigator@energy.oregon.gov or 503-508-2352.

ENERGY FINANCIAL INCENTIVES

The Energy Development Services Division has managed [energy incentive programs](#) at the Oregon Department of Energy for over 40 years, helping Oregonians conserve energy, install energy efficient equipment, and develop renewable energy projects. After a pause, this Division has been operating with both state-funded programs and federally funded programs since 2019. Many of these programs have been directed by the Oregon Legislature to serve Tribes and, for federally funded programs, must comply with the Justice40 Initiative that directs that 40 percent of all benefits from federal funds flow to disadvantaged communities. Disadvantaged communities are identified at the census tract level on the [Climate and Environmental Justice Tool \(CEJST\) map](#), which includes tribal reservation boundaries and uses datasets that identify climate, environmental, and other burdens on communities.

State-funded programs started with ODOE's launch of the Oregon Solar + Storage Rebate program, with an initial \$2 million budget in 2019. The Legislature allocated an additional \$10 million for this rebate program in 2021, \$5 million in 2022, and a further \$10 million in 2023. Also in 2021, the Legislature created a new \$10.8 million Energy Efficient Wildfire Rebuilding Program at the agency, as well as a new \$50 million Community Renewable Energy Grant Program. An additional \$20 million was allocated for the Community Renewable Energy Grant Program in 2023. In 2022, the Legislature directed \$25 million to the Oregon Department of Energy for two heat pump incentive programs that launched in 2023: the Oregon Rental Home Heat Pump Program and the Community Heat Pump Deployment Program. ODOE's Director sent formal letters to the Chairs of the nine federally recognized Tribes about these programs as they were developed, and will continue to send formal letters when funding opportunities become available and when amendments to the program administrative rules are being considered. Going into the 2025 legislative session, the expected revenue for the next biennium is not likely to allow for re-funding for many of these programs.

ODOE has also been involved in pursuing federal funding opportunities through the Infrastructure Investment and Jobs Act (IIJA) and Inflation Reduction Act (IRA) to support initiatives that benefit Oregonians. ODOE's Director sent formal letters to the nine federally recognized Tribes to share these opportunities and explore interest in working with ODOE on federal funding opportunities. ODOE maintains a [dashboard](#) on the status of federal funding grants that the agencies is applying for on behalf the state. ODOE has also created a [federal funding tracker](#) with energy-related funding opportunities through the IIJA and IRA. It has sortable columns for program type, eligible recipients, available funding, relevant links, and more. ODOE staff updates the tracker weekly with the latest information and highlight changes from the previous week in yellow. Finally, there are a few opportunities for Tribes that currently open through the federal government that can be explored here: [Current Funding Opportunities | Department of Energy](#).

Community Renewable Energy Grant Program

The [Community Renewable Energy Grant Program](#) provides grants to offset the cost of planning and developing community renewable energy and energy resilience projects. The program's aims include making community renewable energy projects economically feasible, promoting small-scale renewable energy projects, and providing a variety of direct benefits to communities across the state. The program

limits eligible applicants for grants to public bodies, including Tribes, cities, counties, and ports (among others). Oregon's nine federally recognized Tribes may submit applications, or be a partner on applications, for a grant to plan or develop a project. One of the program's focuses is to ensure environmental justice communities are involved in, and benefit from, projects. Fifty percent or more of the initial program fund is allocated for grants to fund projects that primarily serve at least one environmental justice community. The program aims to increase the involvement of tribal communities in the siting, planning, designing, and evaluation of proposed community renewable energy projects by assessing tribal communities' involvement in, and leadership of, relevant projects during the competitive review of the applications.

Following amendments made to the program during the 2024 Oregon legislative session, the department initiated an administrative rulemaking process in the summer of 2024. The amendments included, but were not limited to, allowing for an additional release of grant funds during the performance period of a construction grant and to include partner costs as part of the project planning and construction costs. The ODOE Director sent a formal notification letter to each Tribe requesting tribal government input on the program rulemaking.

The first round of competitive applications opened in 2022, with the [first grant awardees announced](#) in October 2022. The second round of applications opened in late December 2022, with [the awardees announced](#) in June 2023. Three tribal projects were selected for funding in the first round.

- The Burns Paiute Tribe will receive up to \$89,718 for planning activities to design a centrally located, tribal district biomass energy heating system resulting in greater energy savings across multiple Tribe community buildings, increased resilience, displacement of imported fossil fuels with locally abundant renewable fuels, and go further to strengthen a home-grown, tribally owned and operated renewable energy business.
- The Confederated Tribes of Coos, Lower Umpqua & Siuslaw Indians will receive up to \$1,000,000 for a community energy resilience project with net-metered solar and battery storage with microgrid systems to power tribal buildings during grid outages.
- The Confederated Tribes of Umatilla Indian Reservation will receive up to \$1,000,000 for a community renewable energy project, in partnership with Tutuilla Solar's Oregon Community Solar site. This project consists of the completed net-meter solar system at the tribe's Timine Way North Apartment community. Additional funding support will be used to complete a Community Solar site located on Tribal property, resulting in subscriber benefits for many tribal members to receive renewable energy rate reductions via power generated by the Oregon Community Solar site.

The third round of competitive applications opened in 2024, with the [third round grant awardees announced](#) in September 2024.

- The Confederated Tribes of Grand Ronde will receive a pair of grants totaling up to \$1.9 million to install 148 kW rooftop solar and paired energy storage at the Tribe's Child Development Center and Resident Resilience Center. The RRC will serve as a safe space for nearly 2,500 community members to shelter and support during climate events.
- The Confederated Tribes of Warm Springs will receive up to \$1 million to install a 108 kW solar PV system generating 272,195 kWh annually, including a 240 kW energy storage system. The project is Phase 1 of Indian Head Casino's goal to be the first tribal casino in the state to achieve net-zero energy status, while simultaneously providing essential community resilience services.

The fourth round of applications for C-REP is anticipated to open in mid-2025. ODOE has conducted extensive outreach to Tribes and anticipates additional tribal applications to be submitted in upcoming rounds for both planning and construction projects. The Governor’s Request Budget for the 2025 legislative session also includes an additional \$25 million for future rounds, should the Legislature include this funding in their final budget towards the end of session.

Solar + Storage Rebate Program

The [Oregon Solar + Storage Rebate Program](#) issues rebates to participating contractors, who pass the savings on to eligible customers as a reduction in the price of the installed system (ODOE’s program staff do not work directly with the customers). To claim a rebate, a contractor must first apply for a reservation of rebate funds prior to the start of project installation. Reservations are converted into cash rebates once a contractor certifies a project complete. The legislature directed the department to make at least 25 percent of the rebate budget available for projects installed for low- or moderate-income residential customers and low-income service providers. Low-income service providers are a specific group of non-residential customers that provide assistive services to lower-income individuals and households.

The Confederated Tribes of the Grand Ronde and the Coquille Indian Housing Authority have both applied as a low-income service providers and have completed projects to install both solar renewable energy generation and battery storage. They received rebates totaling \$268,560 for renewable energy generation and battery storage. Funding for the program is fully reserved and ODOE is currently not accepting applications.

Energy Efficient Wildfire Rebuilding Incentive Program

This program provides [incentives for energy efficient rebuilding](#) of residential, commercial, and public buildings destroyed by wildfire between August 1 and September 30, 2020. The program provides incentives to encourage building owners to rebuild to current energy code building standards or above. The application deadline has been extended until June 1, 2025, or until all the funds have been allocated, whichever comes first. To date, \$5,856,205 in Wildfire incentives have been rebated or reserved. ODOE collaborated with the Oregon Office of Emergency Management and counties to identify all damaged and destroyed structures in the 2020 wildfires, specifically evaluating if any residential or commercial structures suffered major damage or were destroyed on tribal government lands. No structures were identified.

Heat Pump Programs

ODOE established two new heat pump programs in 2023. When developing administrative rules for the programs, ODOE sent a formal letter to each Tribe requesting input on the rulemaking.

The \$10 million Community Heat Pump Deployment Program (CHPDP) was established by [SB 1536](#) and provides financial assistance (loans, grants, rebates, or incentives) toward the purchase and installation of heat pumps in residences. The legislation requires this funding to be shared between regional administrators for 11 regions in the state and the federally recognized Tribes in Oregon. Regional administrators may partner with other organizations in the implementation of their programs, but only one entity can be the lead applicant. Regional administrators may use up to 15 percent of the amount awarded to administer their program. ODOE has awarded grants to administrators for each of the 11 regions and two Tribes. Funding for Tribes that elected not to pursue serving as regional administrators through CHPDP has been transferred to the Oregon Rental Home Heat Pump Program and is available for use in rental housing in which Tribal members reside. Though seven Tribes do not have specifically

allocated funding in CHPDP, Tribal members who are homeowners may apply to the program through their regional administrator.

The \$15 million Oregon Rental Home Heat Pump Program was also established by SB 1536 and provides rebates and grants toward the purchase and installation of heat pumps in residential tenancies. Financial assistance is available for owners of rental units and rentals that are classified as manufactured dwellings or RVs. The rebates and grants are applied for, and paid to, eligible contractors who pass on the full value of the rebate to the owner of the dwelling. Higher levels of financial assistance are available for housing occupied by low- and moderate-income residential tenants and to support heat pumps with superior energy efficiency. To date, \$9,901,146.80 in rebates have been issued or reserved. As mentioned above, funding is available for members of Tribes that did not pursue a grant through the Community Heat Pump Deployment Program. The amount of funding that is available for members of each Tribe is the amount that was allocated to members of each Tribe in CHPDP.

ODOE conducted a temporary rulemaking during the summer of 2024 and was able to discuss these rule changes with staff of all nine Tribes. The rule amendments outline the allocation of funds transferred from the Community Heat Pump Deployment Program to the Oregon Rental Home Heat Pump Program, as well as the ways that Tribal membership may be verified in order to ensure that those benefitting from each Tribe's funding allocation are members of that Tribe. Additional rule amendments expand the eligibility criteria for incentives for low- and moderate-income Tribal members, improving access to the higher rebates and grants for these tenants through both Tribally allocated funds and the general program funds. ODOE is currently conducting a rulemaking to make the temporary rule amendments permanent and is accepting comments on the proposed rules until December 21, 2024 at 5 p.m. ODOE staff has been in contact with Tribal housing program staff at each Tribe regarding the proposed changes and has greatly appreciated this collaboration.

Grid Resilience

The U.S. Department of Energy awarded \$30,899,033 to ODOE via the Formula Grants to States and Indian Tribes for Preventing Outages and Enhancing the Resilience of the Electric Grid program, which was created by section 40101(d) of the IIJA. The objective of the funds, as outlined by the U.S. DOE, is to:

- Improve the all-hazards resilience of the electric grid against disruptive events.
- Generate the greatest community benefit in reducing the likelihood and consequences of disruptive events.
- Advance DOE's equity, environmental, and energy justice priorities, including the Justice40 Initiative.
- Invest in America's workforce.

Each of the nine federally recognized Tribes in Oregon have their own formula allocations under this grant (see link to allocations [here](#)).

Four Tribes have been [awarded funding](#) from U.S. DOE:

- Burns Paiute Tribe: \$292,554
- Cow Creek Band of Umpqua Tribe of Indians: \$767,150
- Coquille Indian Tribe: \$561,852
- Confederated Tribes of the Warm Springs Reservation: \$2,074,716

Home Energy Rebates

On July 27, 2023, the U.S. DOE released initial guidance for the Home Efficiency Rebates (HOMES) and the Home Electrification and Appliance Rebates Program (HEAR, previously HEEHR) with a \$56.9 million formula allocation for Oregon for HOMES and \$56.7 million for HEAR. These two programs will provide single-family and multifamily households with varying discounts for efficiency upgrades and rebates on high-efficiency home appliances and equipment. ODOE is in the planning phase for these programs to determine how these rebates will best work with other programs in Oregon and to determine eligibility or potential rebate amounts for any individual or household. ODOE submitted its applications to U.S. DOE on March 27, 2024, and received approval and awards for both programs in September 2024. ODOE, in partnership with Energy Trust of Oregon, is continuing to develop the programs' plans and materials, with an anticipated launch date of late 2025 or early 2026.

Each of the nine federally recognized Tribes in Oregon has its own formula allocation under the HEAR program (see link to allocations [here](#)). In January 2024, ODOE's Director sent formal letters to the Tribes inviting coordination on this funding, and staff have had some early coordination with a few Tribes according to their interest and preference.

Training for Residential Energy Contractors

Related to the Home Energy Rebates is a provision for workforce development in the home energy efficiency sector. ODOE developed an application for the formula grant, which allocates \$2,028,480 in funding for Oregon to support training programs, educational facilities, and existing contractors to build expertise with new energy efficient technologies in the construction and electrical fields, which was submitted to U.S. DOE in November 2023. Additionally, ODOE submitted an application for the competitive grant opportunity for an additional \$2,056,517 in funding to support training for contractors and their employees on incentives, best practices, and business development. ODOE would like to coordinate with Tribes on identifying gaps and needs in Tribal communities, as well as ongoing review and evaluation of the program.

Solar For All

The Oregon Department of Energy, together with coalition partners Energy Trust of Oregon and Bonneville Environmental Foundation, was awarded a \$86.6 million Solar for All Grant from the U.S. Environmental Protection Agency. The first year of the five-year grant will be used to plan and develop the grant-funded programs. The coalition plans to use the funding to bolster solar through five pathways: 1) support solar installations at low-income single-family households with little to no upfront customer cost, 2) provide rebates for solar projects on multifamily buildings to provide tangible benefits to low-income tenants, 3) offer financial and technical assistance to develop community solar projects that benefit low income participants under the Oregon Community Solar Program, 4) offer financial and technical assistance to develop community solar projects that benefit low income participants in consumer-owned utility service areas, and 5) strengthen the state's workforce development activities. ODOE and the Coalition members have a strong interest in serving tribal communities and had several initial discussions with tribal staff. ODOE would be interested in additional discussions with Tribes in early 2025.

Energy Efficiency and Conservation Block Grant (EECBG)

Tribes are eligible to apply for a direct award from U.S. DOE for the EECBG Program. ODOE sent an email to tribal staff on December 23, 2022 to amplify the federal notification of their direct formula award amount. While the full applications for Tribes are not due until May 31, 2025, Tribes should start by submitting the Pre-Award Information Sheet. ODOE received the state's \$1.9 million allocation, of which

at least 60 percent has been sub-granted to smaller municipalities. ODOE would be interested in assisting with coordination across tribal grantees within the state and there are several opportunities for technical assistance and application support. Please find these resources and application materials for EECBG [here](#).

POLICY ON GOVERNMENT-TO-GOVERNMENT RELATIONS

ODOE's Tribal Policy on Government-to-Government Relations is attached and made a part of the 2024 Government-to-Government Report.

CONCLUSION

The Oregon Department of Energy continues to engage and collaborate with the nine federally recognized tribal governments in Oregon. These efforts have been focused on strengthening our relationships with tribal representatives and providing services and information that is beneficial. We have also sought out tools to help our staff improve their understanding of Tribes and the importance of promoting government-to-government relations with the nine federally recognized tribal governments in Oregon. We will continue to ensure this is part of our agency culture. We [welcome input](#) on how we can assist tribal governments, improve our relationships, and collaborate more effectively.

FOR MORE INFORMATION

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ATTACHMENT 1: ODOE POLICY ON STATE/TRIBAL GOVERNMENT-TO-GOVERNMENT RELATIONS

OREGON DEPARTMENT OF ENERGY

Internal Policies and Procedures



Subject: State/Tribal Government to Government Relations
Policy Number: ADM-08
Policy Owner: Director
Effective Date: December 14, 2020

Approved: **[SIGNATURE ON FILE]**
 Janine Benner, Director

Applicability:

This policy applies to all Oregon Department of Energy employees.

Purpose:

The purpose of this policy is to promote government to government relations between the Oregon Department of Energy and Oregon's nine federally recognized tribes.

This policy is adopted pursuant to ORS 182.162-168, which requires state agencies to develop and implement tribal relations policies.

Policy:

ODOE recognizes and respects the sovereign status of Oregon's federally recognized tribes and their respective authorities on tribal lands. It is the policy of the Oregon Department of Energy to promote positive government to government relations, communications and cooperation with the tribes in areas where development and implementation of agency programs may affect tribal lands, activities, or interests.

ODOE believes that continuing to build on our long-standing relationships with the tribes makes our agency more effective overall while supporting our work across the state and region. The tribes are advancing innovative programs and projects; ODOE is committed to learning from the tribes about this work and finding opportunities where our agency programs can be valuable resources for the tribes. ODOE also continues to look for opportunities where agency programs and projects can be improved with input from the tribes. Positive government to government relations, communications and cooperation increases our collective ability to lead Oregon to a safe, equitable, clean, and sustainable energy future.

The Director designates a key agency contact for the purpose of serving as a liaison with tribal governments (known as the Tribal Liaison) and provides the contact information for the Tribal Liaison on the agency website and to the Legislative Commission on Indian Services. The Tribal Liaison coordinates with the tribes, supports internal agency programs and projects, and participates in Tribal-State cluster meetings.

ODOE promotes strong government to government relationships at the leadership, managerial, and staff levels with the tribes. ODOE will demonstrate its commitment to positive government to government relations with the tribes through such practices as follows:

- The ODOE Director, Tribal Liaison, and Administrators or staff of each agency division, will meet regularly with each tribe to discuss issues of mutual interest and explore opportunities for greater state/tribal partnership and collaboration.

- ODOE will identify managers and employees who are responsible for developing and implementing agency programs that affect the tribes.
- ODOE will make a reasonable effort to cooperate with tribes in the development and implementation of agency programs that affect the tribes such as early notification and engagement.
- ODOE will support and participate in cooperative efforts between tribal governments and federal, state, and/or local governments through its Hanford Clean-Up Board and the Energy Facility Siting Council, through the safe transportation of radioactive waste through the state, through the allocation of petroleum during times of shortages and disruptions, and through the development and implementation of energy policies and programs, including energy incentive programs.
- ODOE will seek and invite tribal representation on ODOE advisory boards and working groups that are of interest to the tribes.
- ODOE will support the exchange of relevant data collected by ODOE staff or by tribal governments.
- ODOE will consult with the Legislative Commission on Indian Services on matters concerning tribal government.
- ODOE staff who have regular communication with the tribes will receive periodic training on the legal status of the tribes, the legal rights of members of the tribes and issues of concern of the tribes through training provided by the Department of Administrative Services and/or other learning opportunities.
- ODOE will disseminate this policy to all ODOE employees and to new employees through new employee orientation and will maintain the policy on the Intranet.
- ODOE will submit an annual report to the Governor and the Commission on Indian Services on the activities of the agency that support ORS 182.162-168.
- ODOE will seek other opportunities to learn from and build relationships with the tribes.

History:

- November 30, 2016: Policy established.
- December 14, 2020: Policy revised to provide greater specificity and clarity on ODOE's engagement with the tribes.

References:

ORS 182.162–182.168
ORS 190.110
Executive Order 96-30

Attachments:

None