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From: Ralston, Jill
Sent: 2017-03-09T08:52:00-05:00
Importance: Normal
Subject: Fwd: Related E&E Story: Senate Indian Affairs Committee Hearing 3/8/17
Received: 2017-03-09T08:52:11-05:00

FYI

TRIBES

Zinke vows support on energy projects, infrastructure

Corbin Hiar and Cecelia Smith-Schoenwalder, E&E News reporters

Published: Thursday, March 9, 2017

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Interior Secretary Ryan Zinke testifies before the Senate Indian Affairs Committee yesterday. Photo courtesy of the Indian Affairs Committee.

Interior Secretary Ryan Zinke pledged yesterday that the Trump administration would work to support tribal energy development.

In his first return to Capitol Hill since joining President Trump's Cabinet, the former Montana congressman told the Senate Indian Affairs Committee that the Interior Department "has not always stood shoulder to shoulder with many of the tribal communities for which it is tasked to fight."

"The administration has an opportunity," he said, "to foster a period of economic productivity through improved infrastructure and expanded access to an all-of-the-above energy development approach."

Zinke had asked to be seated on a panel with tribal leaders, a symbolic gesture that also limited the questions he could receive from lawmakers. Just over an hour into the hearing, Zinke left for a White House meeting with Trump and Alaska's Republican senators (*see related story*).

But before he left the packed hearing room, Zinke promised his fellow Montanan, Sen. Steve Daines (R), that he would urge the Army Corps of Engineers to quickly permit coal export terminals supported by Montana's Crow Nation and other mining-dependent tribes.

"My commitment to you is we will work hard to ensure that sovereignty means something," Zinke said. "It's up to the tribe. If the tribe wants to export their product — whatever that is — we should not stand in the way."

Zinke's response glossed divisions among tribes over coal export terminals. The Lummi Nation in Washington state, for example, filed the petition that blocked the Gateway Pacific Terminal, which was backed by the Crow (*E&E Daily*, May 10, 2016).

The secretary later pledged to support Sen. Al Franken's bid to find money for the tribal energy loan guarantee program. Created as part of the Energy Policy Act of 2005, the program to provide loans for energy development on Indian lands was never funded, the Minnesota Democrat said.

"Senator, I would love to work with you on it," Zinke replied. "It's economic development. And without an economy, then nothing else really matters."

He added, "Those loan programs that can provide a path for energy, in whatever form ... I think that's an important part of it."

In response to questions about tribal opposition to the Dakota Access oil pipeline and drilling in New Mexico's Chaco Canyon area, Zinke also acknowledged the need to improve consultation with tribes around energy development.

Witnesses from Indian Country laid out their priorities for the Trump administration as well. Those included support for developing cleaner burning coal, protecting wildlife and ancestral lands, and increasing Interior staffing levels.

Crow Chairman Alvin Not Afraid indicated that his tribe started diversifying its energy production after regulations put in place by the Obama administration, but since the Indian coal production tax credit ceased at the end of 2016, more funds are "sorely" needed.

"By leveling the playing field for developing clean Crow coal for domestic markets, exports and coal conversion, we firmly believe we can help ourselves while simultaneously meeting national energy goals — achieving energy independence, securing a domestic supply of valuable energy, and reducing the country's dependence on foreign oil," Not Afraid said in his written testimony.

Not Afraid also presented the committee with a copy of a treaty signed by his tribe and others opposing the Fish and Wildlife Service's plan to remove federal protections for grizzly bears.

Paul Torres, chairman of the All Pueblo Council of Governors, spoke in favor of keeping Utah's Bears Ears National Monument under federal control.

During his confirmation hearing, Zinke suggested that Trump may take the unprecedented step of attempting to undo the monument, which was established by his predecessor under authorities granted by the Antiquities Act of 1906 (*E&E Daily*, Jan. 18).

Torres went on to express concern about the effect that the federal hiring freeze could have on the Bureau of Indian Affairs, which he said already doesn't have enough employees to fulfill its duties to tribal nations.

"In a matter of just a few years, you're not going to have enough employees left, and you're not

going to get anything done," the Pueblo chairman said, referring to workers who had also planned to retire soon. "It's not good to have a freeze on the programs that affect Indian tribes."

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On Wed, Mar 8, 2017 at 9:30 PM, Ralston, Jill <jralston@blm.gov> wrote:

Kristin et al.,

There were two issues of BLM interest discussed today during the oversight hearing on "Identifying Indian Affairs priorities for the Trump Administration." Both were raised by Sen. Udall (D-NM).

- **Chaco Canyon:** Sen. Udall stated that Chaco Canyon and the surrounding area holds significance for the local tribes, and is also in one of the most productive oil and gas regions in the country. He asked Sec. Zinke to ensure that the ongoing joint-consultation effort between BIA and BLM continues so that a balance can be struck between adequately protecting Chaco and responsible development. In response, Sec. Zinke agreed that tribal input was important, and commented that Interior's consultation efforts have been inconsistent between agencies. He committed to improving the consultation process.

- **Bears Ears:** Sec. Zinke had to leave the hearing before the second round of questioning. Despite Sec. Zinke's absence, Sen. Udall brought up Bears Ears, commenting that he saw some of Zinke's staff in attendance. Sen. Udall remarked that Bears Ears was a "very serious" issue, and commended the tribes involved for working together to draft a resolution on the monument. He asked Paul Torres, Chairman of the All Pueblo Council of Governors, to speak on the importance of Bears Ears to the Pueblo of New Mexico.

Thank you,
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