

**Written Testimony of N. Levi Esquerra**  
**Before the Government Operations & Border Management**  
**Subcommittee**  
**United States Senate**  
**“Strategies for Improving Critical Energy Infrastructure”**  
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Thank you for this opportunity as I am humbled to be asked to testify at this Senate Homeland Security and Governmental Affairs Subcommittee on Government Operations and Border Management hearing relating to energy resilience and federal permitting. I look forward to sharing my experiences and thoughts regarding the Federal Permitting Reform and Jobs Act. My name is Nathan Levi Esquerra and I grew up on the Colorado River Indian Reservation, near Parker, AZ, and am an enrolled member of the Chemehuevi Indian Tribe. Currently, I am the Senior Vice President of Native American Advancement and Tribal Engagement at the University of Arizona and have been at the University for a little over a year, having spent my professional career working with various Native Nations in Economic and Community Development. During my first interaction with University of Arizona (UArizona) President Robbins, he asked, “how can we work with the 22 Tribes in Arizona?” This may be a simple question, but the answers can be very complex. I answered his question by responding, “When you work with Tribes, you need to have patience, from patience comes respect and after you have respect, trust will shortly follow.” Thus, I wish to share with you how I hope this unique opportunity to reform the Federal Permitting Reform and Jobs Acts will create future economic and community development opportunities for the various Tribal Nations and their communities, but more importantly, create opportunities to build trust.

Prior to coming to the UArizona, I was employed at Northern Arizona University (NAU), overseeing a program that worked exclusively with the 22 Federally Recognized Indian Tribes in Arizona, specifically in Economic and Community Development. About 10 years ago, a new Dean was employed at the College of Business. His name was Craig Van Slyke, and he came from St. Louis. During his first week, I was hosting a group from the Hopi Tribe, and invited Dean Van Slyke to join us in welcoming the tribal community development group. Unfortunately, he couldn't as he had other commitments and sent the Associate Dean. The Associate Dean came and welcomed everyone and said if you have any questions or concerns, please follow-up with Levi and left. This was typical. After about 5 hours, the meeting was close to concluding when

Dean Van Slyke popped his head in and said, “Great you’re still here.” He entered the conference room, sat at the conference table and asked if he could introduce himself. The community members and Dean Van Slyke engaged in conversation for about 30 minutes or so. Dean Van Slyke ended the meeting by wishing the community members good luck with their projects and left. This was the beginning of enriching efforts of knowledge and commitment toward tribal entities.

Following the meeting, one of my good friends, Cliff Qotsaquahi invited me to attend his upcoming Hopi village dances. Unfortunately, I had another commitment and could not go, but I asked, “What about the Dean?” He replied, “Do you think he would go?” To that I said, “let me go ask.” The Dean indicated it would be a great honor and was excited to go. A few days later, Cliff came to NAU and provided a hand drawn map and instructions regarding some do’s and don’ts in attending these dances. After Cliff left, I also stressed the do’s and don’ts and added some others as well. A few days later and after the dances, I saw Dean Van Slyke and I asked, “how did everything go?” He gave me a perplexed look and said, “I realize how little I know about the Hopis and other Native Americans. My goal in taking this job is to help students be successful. I define success as not making an “A” or graduating from college, but I define success as reaching your true potential. How can I help the Hopi Students or other Native Americans if I do not know who they are?” Now, I was the one who was looking a little perplexed and he continued. “Levi, I need to go out and meet with the tribes. I need to learn more about them as I want their students and communities to be successful and reach their true potential.” Shortly after that, Dean Van Slyke and I started to go out and visit with the various nations. He often called those engagements listening sessions. For we never went with an agenda, but he really wanted to learn more.

The first community we went to visit was the Salt River Pima-Maricopa Indian Community (SRPMIC). We met with, then Vice President and now, current President Martin Harvier. We observed and learned. He asked two questions, with one specifically dealing with financial education. He feared that financial literacy wasn’t be taught in the schools or the homes to the levels which were needed. He asked if we could create a tool or mechanism to teach financial literacy. Dean Van Slyke indicated we would do our best and gave me specific instructions to create a financial literacy simulation game. After a year of trial and error, we created Seven Generation Money Management. We have returned often to SRPMIC to share this financial simulation game with their high school youth and with many others. Thus, not only did we listen and learn, but we acted within our capacity. This was a crucial step in building a relationship of trust. To this day, when President Robbins and I meet with Tribes, our agenda is basic and we go to listen and to learn, especially the first initial visit. Based upon those conversations, we develop a plan to address those items we identify and discover, making a point to follow-up with each Tribal Nation to share our progress. I have learned it could take a day to start that journey while with others it could take years. Truly the first step to build trusting is having the patience to listen and learn.

Originally, I was contacted by Anthony Papian and we had a great conversation. It was after we spoke that he invited me to share these experiences and testimony with you.

Upon receiving my undergraduate degree, I went to work for my Tribe (Chemehuevi) and was hired as the Tribal Planner/Grant Writer. This job provided me with endless opportunities, as I could see that Chemehuevi tribe was filled with much potential. I used to look across the lake at night and stare into the lights of Lake Havasu City and was excited to quickly start trying to make things happen. The first thing I did was to automate our Tribe as we were still using typewriters as our main form of documenting and communicating with others. Then the next task was identifying a new water source for our community, which moved on to several other community and economic development projects. However, as I reflect on the success of these projects, I remember two projects that never came to fruition for two different reasons. The first project consisted of our tribe leasing land to *Sea Doo* to open a test site for their watercraft operation. Lake Havasu City hosted the world championships at this time. They wanted to be located in an area we refer to as Ski Cove #1. I worked to bring this project to Chemehuevi and made sure the numbers all worked out and it would be profitable to the Chemehuevi Tribe. I presented the project to my Tribal Council, and after much discussion, the council decided against the project. They liked the project and wanted the project, but it couldn't be located in Ski Cove #1. Ski Cove #1 was the only area within the Tribal Community where the Willow trees grew. Chemehuevis' traditionally use the Willow Tree for a number of items, including our baskets. In that moment, our Tribal Council chose our cultural and traditional and who we are as a people over a project that would make a few dollars and create a handful of jobs. Thus, after that experience, I made up my mind that we needed to reintroduce the Willow Trees in other areas so it could prosper once again within our community. I learned that the Tamarisk Tree had taken over and crowded out many of our native plants and thought the simple solutions would be to eradicate the Tamarisk and reintroduce the Willow Tree and other native plants. However, I learned the Willow Flycatcher, an endangered bird, had taken up residency on the Tamarisk Trees during different seasons. Their populations were decreasing, and we would not be able to eliminate the Tamarisk and the homes of the Willow Flycatcher, as there is a regulation to conserve their habitat under the Endangered Species Act. Consequently, I hit a roadblock of eliminating the Tamarisk trees for a bird that originally lived in the Willow Trees and is named after the Willow Trees..

The second project I want to highlight is a renewable energy project. The Chemehuevi Tribe created the Nuwuvi Economic Development Corporation, whose tasks are to create economic development projects on our reservation. I was the President of the corporation and Council had been contacted by several renewable energy companies. We all thought we were in an ideal site for a solar project. We had the land, we had transmission lines that went through lands, we had sun and very few so-called grey days, and more importantly we had a strong desire. What I thought were assets, I quickly learn that although I could see those transmission lines, we would never be able to provide power to be transmitted to those lines. We learned the Southern

California Edison had no desire to purchase our solar electricity. I learned that complexity of trying to enter into a Purchase Power Agreement and quickly recognized we did not have the capacity to enter into such agreements. I also learned the Bureau of Indian Affairs, who would have to approve our lease at fair market value and would need to increase their capacity to understand the fair market value and future fair market value for this specific renewable energy project. Thus, just having a desire and what I thought assets were not enough. We decided to team up with Acciona, but we could never implement the project. We learned that we would have to get various approvals to gain access to the transmission station, which was roughly 9 miles away from our community. After working with Acciona for a year, they let our partnership terminate as they decided the project, and more importantly the process, would not be worth their return on investment. I realized in that moment that if Acciona walked away from this project, we had some big issues to overcome. Now fast forward 10+ years and that is where we are today.

When it comes to renewables, there have been some successes and one I would like to highlight is the Blue Lake Rancheria in Northern California. In 2017, this Nation launched its low-carbon community microgrid that is assisting the tribe in powering their government offices, economic enterprises, and its critical Red Cross safety-in place facilities. This micro-grid system was established to meet some of the crucial needs within their community. They brought together various resources, laid out their micro-grid goal and then worked to make it happen. I am starting to see more and more collaborations between federal, state agencies and in some cases private partners to develop community and economic development projects within our tribal communities.

In conclusion, I would like to state that I applaud this sub-committee and your work to address the Federal Permitting Reform and Jobs Act. When I was elected Chemehuevi Chairman, I sought out advice from my older brother Ron. He told me that I needed to do three things. First, I needed to do an internal audit. Second, I needed to report back to my citizens on a consistent bases through our newsletter and third, he indicated I needed to work hand in hand with the Bureau of Indian Affairs. I didn't take any issue to the first two items, but the third my response was the opposite and then my brother told me, "Levi, treat them with respect and they will treat you with respect." We tried various things and some of them needed to include the BIA. However, sometimes I was told "No or that is not possible." To that I would respond, "show me in the CFR (Code of Federal Regulations) why we can't." 75% of the time, they could not find the issue in the CFR, and indicated to me that they is just the way they always had done business, but in the remaining 25% of the time they would show me and then we would have a conversation where Agency Director would say, "Levi what are you trying to do and let's see if we can find a way to do it within the regulations." I am forever grateful for my brother's advice and for my relationship with the Allen Anspach (BIA Agency Director) as we worked together on various issues. We built a relationship of trust and for that, my Tribal Community has greatly

benefitted. Thank you for your time, I am humbled to present this testimony and look forward to any questions.