

RESOLUTION NO. 139 - 2023
OF THE GOVERNING BODY OF THE
YAVAPAI-APACHE NATION

A Resolution Authorizing the Nation to Submit a Grant Application to the United States Department of Energy Grid Resilience Program to work with APS to Plan and Implement Grid Improvements for the Nation

WHEREAS: The Yavapai-Apache Tribal Council (“Council”) is authorized to represent the Yavapai-Apache Nation (“Nation”) and act on all matters that concern the health and welfare of the Nation, and to make decisions not inconsistent with or contrary to the Constitution of the Yavapai-Apache Nation (“Constitution”) as provided under Article V(a) of the Constitution; and

WHEREAS: The Council is authorized to negotiate and enter into agreements with federal, state, and local governments and to accept grant funds as provided under Article V (b) and (s), respectively, of the Constitution; and

WHEREAS: The Council is authorized to manage all tribal economic affairs and to appropriate and regulate the use of the Nation’s funds as provided under Article V (i) and (k), respectively, of the Constitution; and

WHEREAS: The Nation’s Contracts and Grants Manager recommends that the Nation apply for grant funding as follows:

- (1) Funding Agency: U.S. Dept. of Energy
- (2) Amount of funding application: \$245,880.00 Year 1, \$231,201.00 year 2, and Years 3-5 TBD
- (3) Term of grant: 5 years
- (4) Matching funds and source: 15% Match can be in-kind.
- (5) Nation’s Department or Program administering the grant: Administration.
- (6) Purpose and use of grant funds: Funds will be used to assess the APS electric power infrastructure system serving the Nation and negotiate system upgrades with APS.
- (7) Budget attached or not required: Attached

WHEREAS: The Tribal Council finds it in the Nation’s best interest to authorize the above-described grant application.

NOW THEREFORE BE IT RESOLVED that the Yavapai-Apache Tribal Council, in Council assembled, at which a quorum is present, hereby authorizes the Nation to apply for grant funding to the above-named funding agency in the amount and for the term described above.

BE IT FURTHER RESOLVED that the Nation agrees that it will comply with all program guidelines and regulations applicable to the above referenced grant program and the certifications required in the grant application; and

BE IT FURTHER RESOLVED that the Council authorizes the Nation's Contracts and Grants Manager to take all actions necessary to complete the grant application and to submit all necessary information to the funding agency in furtherance of the grant application and authorizes the Nation to receive and expend the grant funds in accordance with the grant requirements and the Nation's Budget Code and Financial Policies.

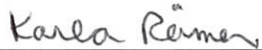
BE IT FINALLY RESOLVED that the Chairwoman, and Vice Chairman, or either of them, are hereby authorized to take such further action as deemed necessary to carry out the intent and purposes of this Resolution.

CERTIFICATION

I hereby certify that the foregoing resolution was adopted by an affirmative vote of the Tribal Council, with a quorum in attendance, presented for approval on August 24 2023, by a vote of 8 in favor, 0 opposed and 0 abstaining, pursuant to the authority contained under the Constitution of the Yavapai-Apache Nation as cited above.


Tanya Lewis, Chairwoman

ATTEST:


Karla Reimer, Council Secretary

Approved as to form:


Office of the Attorney General

EXHIBIT A

Yavapai-Apache Nation

Grant Application – U.S. Dept. of Energy
Grid Resilience Program

Narrative, Budget, and Supporting Materials

August 24, 2023

Yavapai-Apache Nation
United States Department of Energy
Grid Resilience Program Application
May 2023

Purpose of Program:

Generate greatest community benefit in reducing consequences of disruptive events (events that disrupt the supply of electricity to the Nation)

Invest in modernized grid infrastructure

Invest in clean energy

Create good paying jobs

Reducing power outage during disruptive events

Utility pole management

Place existing overhead lines underground

Replace old conductors.

Fire-resistant technologies and fire prevention

Tribes must subgrant to eligible entities. For Yavapai-Apache Nation this is APS as the Nations electricity provider.

Year-one funding \$245,880.00 (Retroactive to Program-Year 2022)

- a. 95% of funding must go to APS as a subgrant, but Nation will receive benefit of the improvements to grid infrastructure.
- b. APS must provide a 100% match.
- c. Nation's match of 15% can be in-kind.
- d. Can negotiate with APS to cover a portion of Nation's match.
- e. Year-One funding will be used to negotiate with APS on use of funds and determine project priorities.
- f. Focus will be on identifying improvements to the Grid that will benefit the Nation by limiting impacts of disruptive events.

- g. Negotiations will include use of Nation's wildland fire crew for vegetation control.

Year-two funding \$231,201.00.

- h. Full year of implementing project to repair and upgrade the APS Nation's electric infrastructure system serving the Nation.
 - i. As in all years of project 95% of funding will go to APS under a sub-grant.
2. Funding for years 3-5 to be determined by end of year-two.
 3. Nation and APS will work to continue electric infrastructure system upgrades during year-two.

GRID RESILIENCE STATE AND TRIBAL FORMULA GRANTS

Non-Competitive Funding Opportunity for Tribes to Invest in Electric Grid Resilience

THE DEADLINE FOR THE FIRST TWO YEARS OF FUNDING HAS BEEN
EXTENDED TO AUGUST 31, 2023 FOR INDIAN TRIBES

The Bipartisan Infrastructure Law (BIL) initiated a five-year grid resilience formula grant program aimed to:

- Improve energy resilience to all hazards in the U.S. and mitigate climate-related risk
- Invest in modernized grid infrastructure
- Create good-paying jobs with the free and fair choice to join a union

Under Sec. 40101(d) of the BIL, Indian Tribes, Territories, and States are allocated non-competitive funding called Grid Resilience State and Tribal Formula Grants. Entities must request these funds annually through an application. All federally recognized Tribes, including Alaska Native Villages, Alaska Native Village Corporations, and Alaska Native Regional Corporations, are eligible to apply.

FUNDING AVAILABILITY

\$2.3 billion in total program funding

5 years of funding

Allocations to Tribes range from
\$50,000 to \$4.3 million for the first
two years



Scan to learn more.

HOW ARE FUNDS ALLOCATED?

A five-part formula is used for this grant, which accounts for the following:



LAND AREA



PROBABILITY OF DISRUPTIVE EVENTS



SEVERITY OF DISRUPTIVE EVENTS



EXPENDITURE ON MITIGATION EFFORTS



POPULATION

A PROCESS-ORIENTED APPLICATION

Before Application Submission

- Send out a public notice
- Hold a public hearing
- Develop a Program Narrative
- Complete other required documentation

Post-Award

- Develop and/or solicit resilience project proposals
- Determine sub-grants

PROGRAM NARRATIVE

- A plan for the distribution of funds
- Criteria and methods for evaluating grants or projects
- Evidence of notice and a public hearing on the plan

A Program Narrative example is available on the website under "Application Resources."

ELIGIBLE RESILIENCE INVESTMENTS

Funding can be directed toward a wide range of resilience measures, including:

- Hardening of power lines, facilities, or other systems
- Vegetation and utility pole management
- Weatherization activities
- Relocation or undergrounding of power lines
- Monitoring and control technologies
- Deployment of distributed energy resources to enhance adaptive capacity

Formula grant funding cannot be used for:

- Construction of a new electric generating facility
- Construction of a large-scale battery storage facility that is not used for enhancing system adaptive capacity during distributive events
- Cybersecurity measures

To find alternate funding opportunities that may support these technologies, visit: <https://www.energy.gov/indianenergy/current-funding-opportunities>

SUB-GRANTING TO ELIGIBLE ENTITIES

Tribes must sub-grant their resilience projects to the following eligible entities:

- Electric grid operators
- Fuel suppliers
- Electricity storage operators
- Electricity generators
- Distribution providers
- Transmission owners or operators

Other entities may be separately approved as eligible.

Cost Match Requirements

- Grant recipients must provide a 15% cost match.
- Sub-grantees must provide a 100% cost match of the amount of the sub-grant, unless they sell 4,000,000 megawatt hours (MWh) of electricity per year or less, in which case the cost match is reduced to 33%.

In-kind contributions, including staff time, or cash can be used for cost matching as long as the contribution does not come from federal sources.

Technical Assistance and Program Administration

Up to 5% of the available funds may be used for providing technical assistance, facilitating distribution of information to reduce likelihood and consequences of disruptive events, and administrative expenses associated with the program.

The 15% cost match requirement for Tribes may be used for technical assistance and administrative expenses.

Resilience projects do not need to be specified within the application. Formula grant applicants will be able to accumulate multiple annual allocations until they have enough resources to complete a larger project if specified in the Program Narrative. The period of performance for the initial award is five years. Applicants may use the same application to receive future funding allocations if the public hearing and Program Narrative cover multiple years.

NOTE: DOE has reserved funding to provide technical assistance to those receiving grant funding under the formula grant program and would like to hear from you about how we can best serve your needs.

Applications are due August 31, 2023 for FY22 and FY23 grants.

Visit <https://www.energy.gov/gdo/gridresilience> to apply and for application resources.



Questions/Comments? Contact the Grid Deployment Office at GDOTribalAssistance@hq.doe.gov

Updated as of May 2023. Subject to change.

Upper Sioux Community, Minnesota	\$63,293	\$48,116
Upper Skagit Indian Tribe	\$64,485	\$49,316
Ute Indian Tribe of the Uintah & Ouray Reservation, Utah	\$569,449	\$554,984
Ute Mountain Ute Tribe	\$175,485	\$160,436
Utu Utu Gwaitu Paiute Tribe of the Benton Paiute Reservation, California	\$61,830	\$46,629
Viejas (Baron Long) Group of Capitan Grande Band of Mission Indians of the Viejas Reservation, California	N/A	\$94,720
Village of Alakanuk	\$62,480	\$47,189
Village of Anaktuvuk Pass	\$86,748	\$59,437
Village of Aniak	\$64,839	\$48,750
Village of Atmautluak	\$65,056	\$48,992
Village of Bill Moore's Slough	\$31,244	\$46,541
Village of Chefornak	\$65,172	\$49,077
Village of Clarks Point	\$61,613	\$46,402
Village of Crooked Creek	\$66,450	\$50,423
Village of Dot Lake	\$96,303	\$53,133
Village of Iliamna	\$62,893	\$47,664
Village of Kalskag	\$64,619	\$48,571
Village of Kaltag	\$62,441	\$47,297
Village of Kotlik	\$61,895	\$46,719
Village of Lower Kalskag	\$64,574	\$48,535
Village of Ohogamiut	\$31,368	\$46,667
Village of Red Devil	\$64,994	\$48,966
Village of Sleetmute	\$64,933	\$48,899
Village of Solomon	\$31,632	\$46,927
Village of Stony River	\$64,577	\$48,547
Village of Venetie	\$62,251	\$47,029
Village of Wainwright	\$86,892	\$59,565
Walker River Paiute Tribe of the Walker River Reservation, Nevada	\$102,278	\$87,229
Wampanoag Tribe of Gay Head (Aquinnah)	\$181,224	\$166,421
Washoe Tribe of Nevada & California (Carson Colony, Dresslerville Colony, Woodfords Community, Stewart Community, & Washoe Ranches)	\$655,696	\$640,324
White Mountain Apache Tribe of the Fort Apache Reservation, Arizona	\$211,234	\$196,404
Wichita and Affiliated Tribes (Wichita, Keechi, Waco, & Tawakonie), Oklahoma	\$198,284	\$183,118
Wilton Rancheria, California	\$66,969	\$51,768
Winnebago Tribe of Nebraska	\$170,803	\$156,212
Winnemucca Indian Colony of Nevada	\$61,274	\$46,063
Wiyot Tribe, California	\$73,026	\$57,937
Wrangell Cooperative Association	\$61,172	\$45,800
Wyandotte Nation	\$66,090	\$51,138
Yakutat Tlingit Tribe	\$63,366	\$48,074
Yankton Sioux Tribe of South Dakota	\$79,040	\$64,371
Yavapai-Apache Nation of the Camp Verde Indian Reservation, Arizona	\$245,880	\$231,201
Yavapai-Prescott Indian Tribe	\$245,672	\$230,656