



Broadband for All



California
DEPARTMENT OF TECHNOLOGY
STRATEGY INNOVATION DELIVERY



California Public
Utilities Commission



Broadband For All, Digital Equity, and BEAD Tribal Consultations Summary of Input from Tribal Leaders June 2023

The California Department of Technology (CDT) and the California Public Utilities Commission (CPUC), in coordination with other State Agencies, including the Governor's Office of Business and Economic Development (GOBiz), convened 20 Broadband For All, Digital Equity, and Broadband Equity Access Deployment (BEAD) Workshops throughout California from April to June 2023 to obtain input from Covered Populations and other stakeholders for preparation of the State Digital Equity and BEAD Plans for submission to the U.S. Department of Commerce National Telecommunications and Information Administration (NTIA) pursuant to the Infrastructure Investment and Jobs Act of 2021 (IIJA). 17 Regional Planning Workshops were convened in collaboration with Regional Partners and 3 Regional Tribal Consultations were convened in coordination with the Governor's Secretary of Tribal Affairs. CDT engaged the California Emerging Technology Fund (CETF) to assist with organizing and conducting the Regional Planning Workshops and Tribal Consultations.

The 3 Broadband For All, Digital Equity, and BEAD Tribal Consultations were convened on:

- ❖ Tuesday, June 20, 2023
Northern California Tribal Consultation in Redding, Shasta County
Redding Library Community Room
- ❖ Thursday, June 22, 2023
Central California Tribal Consultation in Porterville, Tulare County
Eagle Mountain Casino
- ❖ Tuesday, June 27, 2023
Southern California Tribal Consultation in El Cajon, San Diego County
Kumeyaay Tribal Community College

Among the State Officials who facilitated the Tribal Consultations and participated in listening to Tribal Leaders were:

- CPUC Commissioner Darcie Houck
- California Secretary of Tribal Affairs Christina Snider-Ashtari
- CDT Chief Deputy Director Jared Johnson
- CDT Deputy Director for Broadband and Digital Literacy Scott Adams
- CPUC Deputy Director for Broadband Maria Ellis
- CPUC Tribal Advisor Kenneth Holbrook

NTIA officials also attended the Tribal Consultations, including Adam Geisler, NTIA Division Chief Tribal Connectivity and Nation to Nation Coordinator.

Regional Broadband Consortia attended all 3 Tribal Consultations to listen to the input.

State and NTIA officials expressed great appreciation for the honor and opportunity to consult Tribal Leaders about the State Digital Equity and BEAD Plans. They shared that the input from Tribal Leaders would be recorded, summarized, and distributed to participants. They also noted that there has been a Tribal Collaboration Outcome Area Work Group providing input to the Statewide Planning Group for the Digital Equity Plan. They announced that there will be a virtual Tribal Consultation on July 12, 2023.

The Agenda for each Tribal Consultation was structured to address 3 questions in 2 sections as follows:

3 Questions Regarding Biggest Challenges to Achieving Digital Equity

- What communications and broadband infrastructure gaps have been identified within Tribal communities, post-pandemic?
- What do Tribal Governments consider as the primary barrier – physical connectivity, access (including equipment) and availability, cost and affordability, or digital literacy and skills?
- What is the state of Digital Equity across the Tribal Governments?

3 Questions Recommended Strategies to Achieve Digital Equity

- What are the strengths and weaknesses in the programming now available?
- What outcomes do Tribal Governments want to see as it relates to the development of the BEAD and Digital Equity programs and what recommendations would you provide to achieve them?
- What opportunities does the Tribal Government see for the State, BEAD and Digital Equity to support advancing broadband deployment, adoption, and workforce initiatives?

The following is a summary of input from Tribal Leaders at each Tribal Consultation organized according to the standardized sets of questions.

Broadband For All, Digital Equity, and BEAD Regional Tribal Consultation
Summary of Challenges and Recommended Strategies
Tuesday, June 20, 2023
Northern California Tribal Consultation in Redding, Shasta County
Redding Library Community Room

Biggest Challenges to Achieving Digital Equity
<ul style="list-style-type: none"> ➤ What communications and broadband infrastructure gaps have been identified within Tribal communities, post-pandemic? ➤ What do Tribal Governments consider as the primary barrier – physical connectivity, access (including equipment) and availability, cost and affordability, or digital literacy and skills? ➤ What is the state of Digital Equity across the Tribal Governments?
<i>Tribal Leaders provided the following input in response to the above questions.</i>
<ul style="list-style-type: none"> • There is a lack of funding for infrastructure projects. • There needs to be more direct funding for Tribes to assist and support their own people. • There is a need to facilitate Tribal Government and Local Government conversations and consultations around broadband deployment. • Frontier Communications broadband service is not adequate and limits the ability of Tribes to achieve Digital Equity. • Tribes do not always have sufficient capacity to prepare successful grant applications. • There is a need for the State to provide technical assistance to Tribes for grant applications. • The correlation between lack of Internet connectivity and lower education levels needs to be acknowledged and addressed. • There is a need for more Tribal Digital Navigators. • There is a need for advisors who can assist and support Tribes in understanding programs and policies, and how to become involved in the processes. • The State and Tribes need to understand the shortcomings of third-party contractors that are supposed to support the grant application processes. • Non-federally recognized Tribes need to be able to access broadband funding. • The Affordable Connectivity Program (ACP) Tribal benefit should extend to all Tribal Members, not just residents on Tribal Lands. • There needs to be more awareness and trust around ACP in Tribal communities. • It is important to understand how economic expansion relates to broadband deployment and that there is relevance for health and medical care, economic development, and workforce development. • Digital literacy training needs to expand as broadband is deployed. • Broadband is critical to emergency response and management. The Internet is the common infrastructure that supports and controls all other infrastructure. • There is a lack of affordability around broadband access. • There is a communication gap by federal, State, and Local Governments in reaching Tribal communities about broadband infrastructure and ACP.
Recommended Strategies to Achieve Digital Equity
<ul style="list-style-type: none"> ➤ What are the strengths and weaknesses in the programming now available? ➤ What outcomes do Tribal Governments want to see as it relates to the development of the BEAD and Digital Equity programs and what recommendations would you provide to achieve them? ➤ What opportunities does the Tribal Government see for the State, BEAD and Digital Equity to support advancing broadband deployment, adoption, and workforce initiatives?

Tribal Leaders recommended the following strategies in response to the above questions.

- Establish waivers for Tribal sovereign immunity.
- Encourage intergovernmental memoranda of understanding (MOUs) to foster broadband deployment partnerships between the State and Tribal Governments.
- Develop workforce training so that Tribes have the ability to build and sustain broadband networks and support Tribal utility sovereignty and promote inter-tribal collaboration.
- Establish programs that direct funding to Tribes so they can manage their projects.
- Make funding available to support Tribal-to-Tribal technical assistance and Tribal Joint Power Authorities (JPAs).
- Allow broadband funding to be used for resilient infrastructure and emergency assets.
- Provide a direct line of communication for feedback on grant applications and an explanation as to why project is not funded.
- Protect data that is collected.
- Develop an easier process to establish a revenue base on Tribal Lands.
- Establish an endowment model to create funding for infrastructure renovation.
- Provide support to develop, engineer, and build Tribal-owned sovereign networks.
- Require that projects meet service quality standards if receiving State and/or federal funds.
- Learn from other existing Tribal sovereign networks as to what is needed for California Tribes to succeed.
- Establish a partnership between the State and Tribal sovereign networks to develop and fund models for broadband sovereignty and sustainability.
- Acknowledge that one solution doesn't fit all Tribes and facilitate sharing among Tribes.
- Require compliance with Tribal Employment Rights Ordinance (TERO) for contracting and workforce engagement and development.
- Build redundancy in broadband infrastructure in case of climate events.
- Ensure collaboration with Indian Health Service (IHS) to engage Tribes.
- Ensure there is front-and-back-end support for Tribes for preparing grant applications and funding proposals.
- Support inter-Tribal Government projects and proposals.
- Set aside sufficient funds specifically for Tribal communities.
- Engage Tribal health organizations as "trusted messengers" for Tribal Members.
- Consider the relationships between broadband infrastructure and food sovereignty.
- Acknowledge that broadband is the connection for everything and all essential services.
- Allow small Internet Service Providers (ISPs) to use some of the federal funding to help offset the costs in billing for ACP discounts.

Broadband For All, Digital Equity, and BEAD Regional Tribal Consultation
Summary of Challenges and Recommended Strategies
Thursday, June 22, 2023
Central California Tribal Consultation in Porterville, Tulare County
Eagle Mountain Casino

Biggest Challenges to Achieving Digital Equity
<ul style="list-style-type: none"> ➤ What communications and broadband infrastructure gaps have been identified within Tribal communities, post-pandemic? ➤ What do Tribal Governments consider as the primary barrier – physical connectivity, access (including equipment) and availability, cost and affordability, or digital literacy and skills? ➤ What is the state of Digital Equity across the Tribal Governments?
<i>Tribal Leaders provided the following input in response to the above questions.</i>
<ul style="list-style-type: none"> • Tribes need support to conduct needs assessments and determine what broadband infrastructure can be improved and deployed on Tribal Lands. • There are transportation challenges that make broadband access both important and difficult for Tribal Members to engage on broadband issues. • Communications infrastructure on Tribal Lands is not being updated. • Internet Service Providers (ISPs) often refuse to come to Tribal Lands to install broadband infrastructure and, if ISPs do deploy, then the prices are not affordable. • Degradation and abandonment of copper facilities by incumbent ISPs is a problem. • Broadband infrastructure on Tribal Lands is not fast enough to serve multiple devices. • Broadband infrastructure requires electrical power to operate; thus, when power or telephone lines are down, there is no Internet connectivity for support. • The lack of broadband infrastructure requires Tribal Members to go door-to-door during emergencies to inform everyone about evacuations. • Current broadband infrastructure is not resilient to disasters; there is a lack of redundancy. • Both affordability and lack of broadband infrastructure impact access to the Internet. • Ponderosa Telephone Company has not adequately served the Tribal community. • Tribal Members are not able to qualify for ACP Tribal Benefit when not living on Tribal Lands. • There is a lack of education about computing devices and digital literacy. • Tribal Members do not have sufficient access to computing devices for distance learning. • Students fell behind during the pandemic due to lack of connectivity to the Internet, unavailability of computing devices, and insufficient digital skills. • Internet services generally are not accessible or affordable on Tribal Lands. • Tribes want broadband access, but do not want private ISPs to collect personal data. • Tribes are unable to acquire spectrum for fixed wireless on Tribal Lands. • Only some homes on Tribal Lands have access to the needed connection. • Southern California Edison (SCE) is undergrounding power utilities and AT&T is inheriting the poles, but does a poor job of maintaining them. • Middle-mile broadband infrastructure is missing to reach where Tribal Lands are located.
Recommended Strategies to Achieve Digital Equity
<ul style="list-style-type: none"> ➤ What are the strengths and weaknesses in the programming now available? ➤ What outcomes do Tribal Governments want to see as it relates to the development of the BEAD and Digital Equity programs and what recommendations would you provide to achieve them? ➤ What opportunities does the Tribal Government see for the State, BEAD and Digital Equity to support advancing broadband deployment, adoption, and workforce initiatives?

Tribal Leaders recommended the following strategies in response to the above questions.

- Support technical assistance pre-and-post grant funding.
- Provide more outreach to Tribal communities regarding funding opportunities.
- Ensure broadband deployment aligns with Section 184 Indian Home Guarantee Program.
- Redefine how Tribal Lands are categorized by the State and federal governments..
- Allow Tribal Members to access Tribal benefit programs (such as ACP) regardless of the location of their residence.
- Ensure Tribes can apply to the CPUC for the California Advanced Services Fund (CASF) Public Housing Account grant program to deploy broadband to Tribally-owned housing.
- Establish a vetted State list of contractors so that Tribes can contact, consider, and engage reputable contractors and have recourse if there is a problem with performance.
- Recognize limitations of the Better Business Bureau (BBB) list of reputable Tribal contractors.
- Establish and fund Digital Navigator programs for Tribes and small Cities, and maintain a list of trusted partners and providers.
- Contact Tribal Broadband Leaders Network to ensure information on contractor status is correct and enables pricing comparisons.
- Establish a Tribal-to-Tribal “peer leadership and learning” network to support one other.
- Encourage opportunities for Tribal-owned (and inter-Tribal) broadband networks.
- Support the “walk” Tribes through dedicated grant programs.
- Ensure that Tribes are aware of CPUC case worker teams to direct communities to resources and programs.
- Establish Tribal Broadband Consortia (such as CASF Regional Broadband Consortia) to capture and address Tribal needs.
- Ensure that ongoing consultations on broadband are established with Tribes.
- Advocate for the ACP Tribal benefit to extend to landless Tribes and those not federally recognized.
- Redefine categorization of Tulare County to a rural area from an urban area due to funding opportunities for Rural Counties and communities that are now not available.
- Establish mutual respect for property lines of Tribal Lands and County boundaries.
- Enable broadband funds to be used in conjunction with housing developments both on trust lands and land purchased by Tribes.

Broadband For All, Digital Equity, and BEAD Regional Tribal Consultation
Summary of Challenges and Recommended Strategies
Tuesday, June 27, 2023
Southern California Tribal Consultation in El Cajon, San Diego County
Kumeyaay Tribal Community College

Biggest Challenges to Achieving Digital Equity

- What communications and broadband infrastructure gaps have been identified within Tribal communities, post-pandemic?
- What do Tribal Governments consider as the primary barrier – physical connectivity, access (including equipment) and availability, cost and affordability, or digital literacy and skills?
- What is the state of Digital Equity across the Tribal Governments?

Tribal Leaders provided the following input in response to the above questions.

- Broadband funding is available now and Tribes have the political will, but need authority and support to coordinate strategies and investments to optimize impact.
- Tribes have limited staff to cover all the separate meetings with other governments.
- It is vital that there be coordination among federal departments and agencies, including the U.S. Department of Interior Bureau of Indian Affairs (BIA), which has control over what happens on Tribal Lands.
- Many federal agencies are doing well in being responsive, but the BIA must be involved in broadband discussions, especially for rights-of-way (ROWs) and permitting matters.
- The BIA needs to be involved in the regular meetings with NTIA in Washington, D.C.
- There must be streamlining of project approvals and permitting and expedited appraisal processes to accelerate broadband deployment to achieve Digital Equity.
- There is a need to design networks to avoid fractionating land and to minimize negotiations.
- Broadband infrastructure needs to be located in the best interest of the Tribes and with respect for Tribal Members who don't want Internet access.
- Tribes need to know how to protect their Members and keep them safe with respect to cybersecurity, privacy, and online safety—it is basic to building trust.
- Templates need to be developed for data sovereignty to facilitate security.
- There are lots of funding opportunities now, but it can be confusing to follow everything. It would be helpful to have one application for multiple funding sources. The State and federal governments should coordinate their application processes.
- There is a need for State and federal governments to implement a "dig once, dig smart" policy to incorporate broadband into other infrastructure projects (and vice-versa).
- There is a need for a more integrated approach to infrastructure construction and the CPUC may be the appropriate agency to convene all the parties, including power utilities.
- There is a need to establish a process for validating contractors for integrity and reliability.
- Broadband needs power transmission (as does a hybrid solar system). Power cooperatives should have authority to provide power to and deploy broadband infrastructure.
- Power costs per home can be very high as well as the cost of broadband Internet service.
- The CPUC has a proceeding on power grid ROWs that could be an appropriate vehicle to address this issue.
- The lack of broadband was a problem for school children during the pandemic.
- There is a need to get all agencies (power and broadband providers with governments) into the same room to confer on these issues and how to get to scale on solutions.
- There is a need for better emergencies services, such as evacuation centers and adequate ingress and egress. People have been deployed on horseback to notify residents about emergencies and evacuations (such as for the fire on Manzanita Reservation).

- When there is a power shut-off, residents are not informed about how long it will be off.
- There needs to be more conversations with the ISPs about deploying “cells on wheels” (COWs) and “cells on light trucks” (COLTs) to Tribal Lands during emergencies.
- It may be possible to strategically position micro-grid systems to assist in emergencies.
- Cell service also is very spotty on Tribal Lands. The CPUC has a proceeding on telephone quality of service that is an opportunity to address this problem.
- Culture must be preserved. Construction projects must pay for Tribal monitors who are trained Members in cultural preservation (90% of cultural resources have been identified by Tribal cultural monitors). Federal and State funding programs need to include Tribal cultural monitors. (State and federal agencies participating in this Tribal Consultation have been responsible. NTIA ensures funding for cultural monitors which also supports the companion objective for workforce development.)
- Traditional and cultural preservation can be enabled by broadband and Internet access.
- The CPUC has a proceeding on Tribal Land Transfer Policy (TLTP) rulemaking which could be another opportunity to document these needs and establish supportive policy.
- More can be done, such as addressing these matters, to keep Tribal Members on Tribal Lands, which also contributes to cultural preservation.

Recommended Strategies to Achieve Digital Equity

- What are the strengths and weaknesses in the programming now available?
- What outcomes do Tribal Governments want to see as it relates to the development of the BEAD and Digital Equity programs and what recommendations would you provide to achieve them?
- What opportunities does the Tribal Government see for the State, BEAD and Digital Equity to support advancing broadband deployment, adoption, and workforce initiatives?

Tribal Leaders recommended the following strategies in response to the above questions.

- Develop a uniform application template for Tribes to apply for broadband infrastructure funding, including CASF Federal Funding Account (FFA) and BEAD, which also would streamline the reviews with a consistent process.
- Allow in grant funding the ability to recoup costs for development of the project design and engineering, application preparation, and Tribal cultural monitors. Also, include the costs of personnel for management of the infrastructure construction project.
- Include the California Department of Transportation (Caltrans) in meetings with all other governmental departments and agencies to coordinate on broadband deployment.
- Involve California Inter-Tribal Transportation Association (CITA) and BIA Tribal Transportation Program in infrastructure construction discussions.
- Develop public-private partnerships among all the relevant organizations.
- Collaborate to mobilize on ACP enrollment on Tribal Lands (targeting Members with Tribal TANF eligibility), building upon the work of *Get Connected! California* under the sponsorship of CDT and the California Broadband Council and coordinated by the California Emerging Technology Fund (CETF). Acknowledge and accept the offers by CPUC Commissioner Houck and Secretary Snider-Ashtari to assist the ACP mobilization with CPUC resources and engagement of BIA, IHS, California Indian Legal Services (Heather Hostler), and California Department of Social Services.
- Engage with Tribal Member Services and Tribal Housing Authorities to mobilize for ACP.
- Explore whether or not, and how, Tribes can apply for ACP on behalf of Members.
- Call upon Matthew Rantanen as a knowledgeable resource to assist with ACP mobilization.
- Develop effective digital literacy training programs, preparing Tribal Members as the “trusted messengers” (or Digital Navigators) to deliver the training. Explore CASF Adoption Account grants to support digital literacy training.
- Involve younger Members in teaching digital literacy to elders.

- Identify and inventory existing curricula to consider using in digital literacy training programs (such as content and funding from the San Diego Association of Governments, CETF, EveryoneOn, Dell, and Microsoft).
- Acknowledge that the State has not translated informational materials or the Digital Equity Survey into native languages and invite professional assistance in the future from Tribes to translate and distribute information in-language and in-culture.
- Continue discussions on how to reconcile environmental regulations, such as the California Environmental Quality Act (CEQA), and preservation of cultural assets with broadband infrastructure construction.
- Participate in the CDT Middle-Mile Broadband Initiative Advisory Committee.
- Consider attending the Tribal Clean Energy Summit on August 17-18, 2023.
- Provide input during public comment on the Digital Equity and BEAD Draft Plans.