TESTIMONY OF KEN AHMANN, CHIEF OPERATING OFFICER COLUSA INDIAN ENERGY ON BEHALF OF THE COLUSA INDIAN COMMUNITY

Before the House Subcommittee on Indian and Insular Affairs - April 22, 2026

Chairman Hurd Ranking Member Leger Fernandez, and distinguished Members of the Subcommittee:

Thank you for this opportunity to testify. My name is Ken Ahmann, and I serve as Chief Operating Officer of Colusa Indian Energy, a Section 17 federally chartered corporation wholly owned by the Colusa Indian Community, located in the Sacramento Valley of northern California. I am here today on behalf of the Colusa Indian Community to describe what the Tribe has built, their current initiatives, and — candidly — what the federal government continues to do that slows down tribal development.

The Colusa Indian Community

The Colusa Indian Community ("CIC" or the "Tribe") is a small tribe. It is not a major gaming operator and does not have the revenue base of larger California tribes. What they do have is a more-than-twenty-year track record of responsible, self-funded energy development and a portfolio of current projects that demonstrate what tribal energy sovereignty looks like when it is allowed to work.

Colusa Indian Energy ("CIE"), the only Tribally owned microgrid developer in the country, was given a clear mandate by the Tribe: to develop, own, and operate the energy infrastructure the Colusa Indian Community needs to be economically self-sufficient and competitive. The Tribe's foundational infrastructure is a Co-Gen microgrid that was originally constructed in 2005 and expanded to include solar PV and battery energy storage in 2012. Since that expansion, the Tribe has completely rolled the incumbent utility off their reservation. The microgrid now powers not only the casino resort, but also all of the Tribal members' homes, the Tribal government's administration campus, water treatment plants, thousands of acres of agricultural loads, and various Tribal businesses.

The record speaks for itself. The Colusa Indian Community has sustained **zero power interruptions since their backup power expansion system was commissioned in 2012** — more than fourteen years and counting. While the surrounding region of northern California has suffered through major blackouts and rolling grid failures, the Colusa Indian Community's facilities have not missed a beat. That is not luck. It is the product of a deliberate decision to own, operate, and continuously invest in infrastructure that serves their community — not a utility's shareholders.

What the Colusa Indian Community Is Building

The Colusa Indian Community's foundation is operational. The focus now is growth, and the scope of what CIE is developing reflects the seriousness of the Tribe's long-term ambitions.

CIE is currently installing a **two-megawatt Battery Energy Storage System** to serve as a load buffer for the Tribe's existing generation capacity, further strengthening the reliability of the Tribe's microgrid and enhancing the Tribe's ability to manage power delivery with precision. This is not a pilot project. It is an infrastructure upgrade to a system that already works — making it more capable and more resilient.

The Tribe is actively exploring **natural gas reserves located directly on their Tribal lands** using geologists and seismic data. Their goal is to supply the raw fuel for their cogeneration plant from Tribal

resources, eliminating dependence on outside pipeline utilities entirely. True sovereign power means controlling the fuel supply, not just the generation and distribution equipment. That is what the Tribe is working toward.

The Colusa Indian Community has partnered with Strata Expanse to develop an **AI Center of Excellence on their Tribal trust lands** — an integrated campus combining site-ready land, cybersecure edge networking, and resilient Tribally controlled power. The Tribe plans to expand their generation capacity to over 100 megawatts to support next-generation AI workloads. The demand for reliable power from AI infrastructure operators is real and growing. CIC is positioned to meet it — on Tribal lands, with Tribal workers, generating Tribal revenue.

Beyond the Colusa Indian Community's reservation, CIE is in development for a **standalone energy facility in Washington State** designed to generate up to 3.5 gigawatts of electricity using natural gas-fired baseload power. This project is intended to attract the energy-intensive industries that existing utilities in the region cannot serve. It demonstrates that the model the Colusa Indian Community proved on their own Tribal lands is exportable, scalable, and commercially viable.

Finally, and perhaps most importantly for Indian Country broadly, CIE has developed the **Tribal Energy Training Academy** model. This model uses CIC's microgrid as a live training environment to develop American Indian and Alaskan Natives as electricians, technicians, and engineers. The Tribe's goal is not just to operate their own tribal utility — but to export that expertise to other tribes across Indian Country, helping them stand up their own tribal utility authorities and eliminate dependence on outside investor-owned utilities. An estimated 17,000 Tribal homes still have no electricity at all, and fourteen percent of Tribal households that do have service experience ongoing electricity and facility problems — seven times the rate of the general U.S. population. Power outage rates on Tribal lands run more than six times the national rate. The Colusa model is a solution to those problems.

What the Federal Government Is Doing to Slow Tribes Down

Six federal barriers, in particular, are slowing down tribal energy development efforts:

First, a **BIA policy currently requires the Secretary of the Bureau of Indian Affairs (BIA) to personally review every single clean energy application** submitted by a tribe. This bottleneck is not a statute — it is an administrative policy that concentrates decision-making in a single office and brings tribal clean energy projects to a crawl. We have described this internally as a policy that "gunks up the works." It is incompatible with the pace at which energy markets move, and it should be changed.

Second, the Colusa Indian Community's experience with **utility line acquisition and grid interconnection** has been defined by delay measured not in months but in years. The Tribe's effort to take control of their own distribution infrastructure involved a **ten-year legal battle with PG&E** over the purchase of existing distribution lines. For infrastructure that already existed and that the Tribe was prepared to purchase and operate. Beyond that, the standard transmission planning process — five to seven years — represents a structural barrier that prevents tribal lands from delivering power to remote load centers, regardless of what those tribal lands can generate. No private developer and no tribal government can build a business case around a seven-year interconnection timeline.

Third, most activities or projects that use, develop, or repurpose resources on American Indian and Alaska Native trust or restricted lands require NEPA compliance — including infrastructure development, permit

applications for energy development, and realty transactions such as lease acquisitions and fee-to-trust land acquisitions[1]. That means every expansion, every new project, every effort to bring additional trust land into productive use triggers a federal review process averaging four and a half years just to complete an Environmental Impact Statement — before the leasing process even begins. One tribal leader has estimated it takes up to 49 steps to develop energy resources on trust lands — compared to just four steps on private lands under state jurisdiction[2].

Fourth, the **land-into-trust process** administered by the Department of the Interior (DOI) and the BIA remains a significant bottleneck for tribes. Fee-to-trust applications take years – and sometimes decades - to complete. As tribes pursue larger-scale economic development and energy projects, the need to bring additional land into trust is increasing, placing additional strain on an already lengthy process. Targeted reforms to improve timeliness, predictability, and coordination would materially support tribal development priorities.

Fifth, while the **Helping Expedite and Advance Responsible Tribal Home Ownership (HEARTH) Act** was intended to promote tribal self-determination in leasing, implementation challenges remain. Tribes must first obtain approval of their leasing regulations from the DOI, a process that can take considerable time. Once approved, tribes may issue leases without further BIA approval; however, projects on tribal land often still require additional federal permits or authorizations that trigger separate environmental review and compliance obligations. As a result, tribal projects remain subject to a fragmented permitting landscape across multiple federal agencies. For large infrastructure projects, frameworks such as FAST-41 can improve coordination and transparency, but do not consolidate or transfer permitting authority. Additional steps to streamline interagency review and clarify tribal authority would help better align implementation with the statute's intent.

Sixth, **Environmental Protection Agency ("EPA")-related permitting timeframes, capacity constraints, and the structure of federal environmental program delegation frameworks** continue to pose barriers to the exercise of tribal regulatory authority. While the EPA administers several programs that support tribal capacity building and provide pathways for tribes to assume greater regulatory roles, the application and approval processes remain complex and time-intensive. In addition, permitting on tribal lands can involve additional layers of federal review, extending project timelines. Under certain statutes, such as the Clean Air Act, tribes may seek approval of Tribal Implementation Plans (TIPs) to assume regulatory authority; however, these and other program-specific delegations can be prohibitively time-intensive to complete. Continued investment in tribal capacity building, along with efforts to streamline approval processes and improve coordination, would support more effective tribal self-governance in environmental protection and permitting.

Legislative Considerations

We are aware that this Committee is examining H.R. 4776, the SPEED Act, and we have reviewed its provisions with interest.

Several elements of the bill could provide meaningful relief. The clarification that NEPA is a procedural statute — not a vehicle for mandating specific substantive outcomes — addresses a genuine pattern of

[1] https://www.bia.gov/service/nepa-compliance/review-process
[2] https://www.congress.gov/crs-product/R46446

agency overreach that has stretched environmental reviews well beyond what the law requires. The proximate cause standard, limiting the scope of review to effects directly caused by the project under review, would reduce the speculative analysis that drives up both cost and timeline. The reduction of the statute of limitations for NEPA challenges from six years to 150 days would provide the litigation certainty that project financing requires.

The bill's presumption of negative impact when a federal agency selects the "no action" alternative on tribal trust lands is a particularly important provision. Federal inertia has real costs. When Interior sits on a lease application or delays a fee-to-trust determination, that is not a neutral act — it is a decision with consequences, and the SPEED Act would appropriately require agencies to reckon with those consequences.

We would encourage the Committee to consider whether the bill goes far enough on the leasing side of this equation. NEPA reform addresses one layer of the regulatory stack. The Secretary's lease approval process — and the BIA's application review bottlenecks — are separate layers that compound the delay. Both need congressional attention, and any comprehensive solution to tribal energy development obstacles should address both.

Beyond NEPA reform, we urge the Committee to address three additional priorities critical to reducing federal barriers to tribal natural resource development. First, Congress should improve the efficiency and predictability of the land-into-trust process administered by the Department of the Interior and the Bureau of Indian Affairs. Second, Congress should streamline implementation of the Helping Expedite and Advance Responsible Tribal Home Ownership Act, including expediting approval of tribal leasing regulations and improving coordination across federal permitting processes. Third, Congress should strengthen tribal capacity and streamline pathways for tribes to assume greater environmental regulatory authority through programs administered by the EPA, including reducing unnecessary delays in permitting and program approvals. Together with NEPA reforms, these steps would move federal policy closer to supporting effective tribal self-determination in natural resource development.

Conclusion

The Colusa Indian Community has proven what tribal energy sovereignty can look like: fourteen years without a single outage, a workforce trained on the Tribe's own infrastructure, and a project portfolio that now extends from AI campuses on the Tribe's trust land to developing a gigawatt-scale generation facility in Washington State.

The Colusa Indian Community is not asking Congress to build these projects for them. Rather, the Tribe is asking Congress to stop making it harder for tribes to build them themselves. The regulatory barriers tribes face are not the product of malice. They are the product of a system that was not designed with tribally owned energy development in mind. It is time to redesign it.

We are encouraged by the attention this Committee is giving to these issues and stand ready to work with members and staff on solutions that address the full scope of what tribal energy developers face on the ground.

Thank you. I am pleased to answer any questions.