

# PAHRUMP PAIUTE TRIBE

Mr. Mike Monasmith, Project Manager  
State of California  
California Energy Commission  
1516 Ninth Street,  
Sacramento, CA

RE: Preliminary Staff Assessment for the  
Proposed Hidden Hills Solar Electric Generating System Project

Dear Mr. Monasmith:

In addition to the multiple comments expressed you have received about Preliminary Staff Assessment (PSA) for the Hidden Hills Solar Electric Generating System (HHSEGS) at the June 27, 2012 in Bishop, CA, I am writing to amplify our concerns relating to specific items contained within and/or omitted from the PSA. While my focus is on the PSA, you will note that I refer to certain elements identified in the ethnographic study, as a foundation.

As you have heard and we have shared during multiple public workshops and other forums, the Pahrump Paiute Tribe is concerned with the PSAs failure to discuss and/or consider certain items, which we believe are critical in the CEC's deliberations.

Based upon our review of the PSA, the document does not appear to thoroughly evaluate many of the cultural concerns we consider essential for the perpetuation of our culture. One contributing factor at the forefront of these concerns is the manner in which the ethnographic information was collected through an approved informed consent process. This agreed upon process provides for the reassurance that culturally sensitive information would be protected and kept confidential. We fully support the opportunity to redact culturally sensitive prior to posting on the CEC web site for the public to gain a glimpse into our culture and concerns.

Secondly, the PSA fails to address American Indian Environmental Justice issues relating to the citing of the proposed project within our traditional homelands and within culturally sensitive areas. The traditional stories of the Southern Paiutes passed down for generations, describes our place of creation or origin, which emanates from the Spring Mountains. The Pahrump Valley is considered our traditional holy lands and is known to possess the greatest of spiritual and physical resources within our cultural landscape. Traditional ceremonies that are conducted occur in the southern portion of the Pahrump Valley and incorporate the Hidden Hills area. According to tradition, these ceremonies must be done with the intention of spiritually assisting Southern Paiutes throughout Southern Nevada, Utah, Northern Arizona and Southern California. These culturally and linguistically

connected groups share these same perspectives and rely on our important resources for our mutual cultural survival. Violations to this holy land will be perpetuated by the impact from the proposed HHSEGS to the Southern Paiute cultural landscape and most directly in holy lands specifically the proposed Project Area of Analysis (PAA).

The Hidden Hills area is central to the lives of our people and is near our Creation place in the Spring Mountains. The Pahrump Paiute considers the disregard for our holy lands as constituting both Environmental Justice and equity violations. No other people have had their holy lands impacted by these types of projects causing perceived environmental and/or cultural pollution or damage. There is no question that Southern Paiutes from Nevada, Utah, Arizona and California will continue to lose cultural traditions attributed to the siting of this inappropriate project. Accordingly, the HHSEGS will forever alter and obstruct the visual, auditory and spiritual connection to the resources integral to important cultural ceremonies essential to our existence.

It is our contention the denial of access where certain ceremonies occurred resulting to from this project, notwithstanding the collection of traditional use plants and animals needed for our cultural survival is not thoroughly understood nor conveyed in the PSA. These particular issues are deep-rooted and steeped in our rich cultural traditions that are an integral part of proprietary songs and ceremonies. It is our position that if consideration is given to releasing vetted ethnographic information, a broader understanding about the complex issues relating to our cultural traditions will be better understood.

The lives and health of the Pahrump Paiutes who have occupied this area since our creation have been seriously threatened by the continuous expansion of projects that adversely impact our culture. This threat is not limited to Indian people who live in the immediate vicinity to the HHSEGS and use its resources on a regular basis, but extends to other Southern Paiutes who share resources that have been collecting and using area in or near the proposed PAA. As such, Southern Paiutes fear the continuous invisible peril of auditory, visual, cultural and spiritual contamination of our resources and its cumulative effects on future generations of Indian people. We continue to experience health effects from other energy projects and encounter the perceived risks from impacts to cultural resources needed for survival.

One of the most detrimental consequences of the HHSEGS for the survival of American Indian culture, religion, and society has been the denial of access to their traditional lands and resources. Losses of access to traditional foodstuffs medicine and other important resources have greatly contributed to the undermining the cultural well being of Indian people. Our people will continue to experience breakdowns in the process of cultural transmission due to the lack of access to the Hidden Hills area and the resources within. Although mitigative measures may be suggested by the project proponent and considered by the CEC, allowing our access to the area with impacts derived from the proposed land disturbance, as being with irreparable contamination compounded by the disturbance of the soil and

underground water that ultimately renders these locations unusable. Any impacts to the hydrology and other important resources associated with the HHSEGS will elevate the risks of us maintaining cultural and ecological balance within and adjacent to the proposed Project Area and most importantly, to our cultural landscape.

It is well known among our people that within the PAA are an inordinate amount of cultural and archaeological resources that are more than merely remnants of the past. These resources are still used by our people and needed for our cultural survival. Any impact to these resources must be thoroughly and systematically evaluated and protected for future generations. As such, the area within or surrounding the proposed project should be designated as an Archaeological Landscape.

Further, the CEC must identify efforts to insure cultural conservation easements to include threatened and endangered plant and animal species are designated for the proper management by Southern Paiutes. Our people are tied to the land and resources. When speaking at the June 27<sup>th</sup> meeting, I provided a short overview of our epistemology relating to the Desert Tortoise. This important “relative” is highly revered and is known to bring good luck, protection to the people environment and the area, it brings one good luck and most importantly, allows one to live a long life. These attributes must not be forgotten and can disrupt the natural balance of the area. The Bighorn Sheep that are known to exist in the area is considered our teacher who brings our songs, stories and knowledge that is vitally needed. Clearly, the approach of keeping these animals and preserving the areas where they were traditionally placed will insure proper protection of the area and the continuity of our culture.

Lastly, as you are aware, the HHSEGS is being proposed near the St. Therese Mission now currently under construction. It is important to note, the Pahrump Paiute Tribe does not have any affiliation with this undertaking or plans to become aligned with this particular income generating private venture. Any consideration by the project proponent to suggest or the CEC to consider an agreement to incorporate the Pahrump Paiute Tribe in a shared mitigation strategy is highly inappropriate and considered culturally unacceptable.

Sincerely,

Richard W. Arnold

Richard W. Arnold, Traditional Practitioner, and  
Tribal Chairman  
Pahrump Paiute Tribe

cc: Thomas Gates