

DOCKETED

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STATE OF CALIFORNIA
Energy Resources
Conservation and Development Commission

In the matter of:

Amendment for the **PALEN SOLAR
ELECTRIC GENERATING SYSTEM**

DOCKET NO. 09-ACF-7C

COLORADO RIVER INDIAN TRIBES

**Testimony of Wilene Fisher-Holt regarding Impacts of the Palen Project on Cultural
Resources**

[SUBMITTED TOGETHER WITH APPLICATION FOR CONFIDENTIALITY]

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Qualifications

I am a descendent of the Chemehuevi and Mojave tribes. For the past 2 years I have maintained the position as the CRIT Museum Director. As the Museum Director I am also responsible for the Cultural Resources of the Colorado River Indian Tribes and the traditional lands of the tribes. I have a strong background in the cultural arts of my people which includes knowledge of both the Mojave and Chemehuevi traditions and customs. I was born and raised on the CRIT reservation in Parker, AZ. I attended college at the University of Utah in Salt Lake City, UT where I received my Masters degree in Social Work. Both of my grandmothers were known for their cultural arts. Although, back in their time the work was utilitarian not considered art. My maternal grandmother was a Mojave beadworker and my paternal grandmother was a well know Chemehuevi basket weaver and healer in the community. I grew up traveling the areas at hand and have knowledge of both the tribes as it relates to the desert and how our people survived in it. Both of my parents and grandparents taught me how to respect the land, the air we breathe, and the plants and animals and they will take care of us. I have a Masters degree but more importantly my education has been a life-long teaching of who we are as a people of the desert and the Colorado river.

Statement

Both the Mohave and Chemehuevi consider the Chuckawalla Valley (Palo Verde area) part of our traditional homelands. Since time immemorial our peoples have lived and survived in this area. It was only with the Federal Government that our people were forced to live on reservations. There are both Mohave and Chemehuevi families today that can tell of family history and ties to the proposed solar area (Palen, Ford Dry Lake, McCoy Springs, Corn Springs, Alligator Rock, Dragon Wash, etc.).

The petroglyphs, both Chemehuevi and Mohave, are considered sacred and tell a written story/history of our people. Some are completed by Shaman and hold a very significant message to that area where they are located (Palen, Ford Dry Lake, McCoy Springs, Corn Springs, Alligator Rock).

Most importantly, creation stories both Chemehuevi thru Salt songs and Mohave thru Bird songs tell a history of these areas. The mountains have Indian names and the trail systems both spiritual and visible foot trails is evidence that we were and continue to live here.

It is believed these solar developments, including the Palen Project, the Genesis Solar Energy Project, and the McCoy Solar Energy Project, disrupt the Creation stories systems, including both the spiritual and visible trail systems. They will also disrupt the connection the songs carry our ancestors to and thru the happy hunting ground. Also, the Mohave used the trails for runners to communicate between settlements throughout the desert and along the Colorado River. Currently, Tribes continue to hold Spirit Runs for these sacred areas given to the people by our Creator.

The traditional clan songs of the Mohave tell of so much detail of names, places that they are more of the history of our people:

When our Creator Mastamho at Avi Kwame (Spirit Mountain) set us here and gave us our name, the Amacava (Mohave) he gave us our Creation stories and the clan songs...He set our lands so each clan would know its territory and how it fit into the land of the whole tribe. Our clan songs show us places we need to survive, not only physically in finding water and food in the desert, but also how to survive as a people with the same beginning and the same traditions. He also told us about the other people (tribes) living around us and gave them their territory.

As for the Clans, since the beginning of time the Mohave believe God "Matavilya," gave the Mohaves their names to use and pass on to their children. He began with the above things-the sky of heavens. Neolge the sun; Oach the clouds, rain and wind. Whalia, the moon; and Maha the birds. Then he named the earth things-desert and mountain animals and plants. The families named for the animals of the earth are Moha the mountain sheep and deer; Hipa the fox and/or coyote; Masipa, the quail; Necah the worms; Plants are Vemeacka the desert plants; Mus the mesquite, Gottah the tobacco and Kumathee the ocotillo and Quinetha the cactus.

In addition, the wild plants of the desert, desert game, mountain sheep, deer, turtle, rabbit and squirrel supplement our diet. Clay sources from surrounding mountains and desert plants are used for pottery and basket making. These items are mainly for cooking and storage of seeds and nuts, pottery for water carrying vessels. Salt known to be collected from Project area is considered sacred and is used during certain ceremonies and not consumed because of its power during certain ceremonies. The redtail hawk feathers are used for sacred items for ceremony. Creosote is known for its many medicinal uses. The desert not only provides food for sustenance but was also used for housing. Using arrowweed, mesquite and clay for a well-insulated house to survive in the extreme desert temperatures.

Our people didn't have generalized cremation and burial grounds. While traveling in our nomadic lifestyles if someone passed a ceremony for cremation or burial was held at that place. So, the vast region surrounding the Colorado River is considered a burial ground and sacred, for our ancestors are buried throughout the region. It is very offensive to think that the developers will use vibration and auguring techniques to install heliostats pedestals without knowing what they will encounter subsurface. Genesis is a fine example of what lays underneath! There are buried cultural materials throughout our homeland, "our desert."

Exhibits

In my role as CRIT Museum Director and Director of Cultural Resources have also collected written statements from four CRIT members regarding the impacts of the Palen Project on cultural resources. Three of these CRIT members have identified themselves by name and cultural affiliation; one member has requested to remain anonymous for this purpose. I attest that Exhibits 8015 to 8018 are true and correct copies of these written statements, and hereby sponsor these Exhibits in this proceeding.

Testimony of Wilene Fisher-Holt
regarding Impacts of Renewable Energy Projects on the Colorado River Indian Tribes

I, Wilene Fisher-Holt, declare as follows:

1. I am currently the Museum Director as well as the Director of Cultural Resources at the Colorado River Indian Tribes. I have served in this position with CRIT for 2 years. I am also the Tribal Historic Preservation Officer.

2. My relevant professional qualifications and experience are set forth in the attached testimony.

3. I prepared the attached testimony relating to the proposed Amendment to the Palen Solar Electric Generating System.

4. It is my professional opinion that the attached testimony is true and accurate with respect to the issues that are addressed.

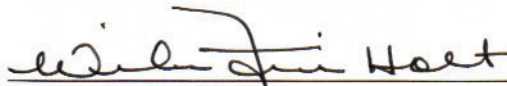
5. I am personally familiar with the facts and conclusions described within the attached testimony and if called as a witness, I could testify competently thereto.

6. In addition to this written testimony, I am sponsoring Exhibits 8015 to 8018 in this proceeding. These Exhibits are listed in Opening Testimony document submitted together with this specific testimony.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

DATED: October 16, 2013

AT: Parker, AZ



Wilene Fisher-Holt

Subject: FW: CRIT confidentiality process

From: Sara A. Clark [<mailto:Clark@smwlaw.com>]

Sent: Thursday, October 24, 2013 3:09 PM

To: Babula, Jared@Energy; Martin-Gallardo, Jennifer@Energy; Celli, Ken@Energy; Scott Galati;

atomicoadranch@netzero.net; lbelenky@biologicaldiversity.org; Stora, Christine@Energy; Roberts, Blake@Energy

Cc: Winter King

Subject: RE: CRIT confidentiality process

Hi Jared,

Thank you for handling the processing of these documents. We appreciate the willingness of the Commission to treat Exhibits 8015-8018 as confidential.

The testimony of Wilene Fisher-Holt can be treated as not confidential and docketed with all other testimony. Would you like me to resubmit Wilene's testimony to you without the note on the cover page regarding the application for confidentiality?

We will work on drafting the NDA, and are able to serve as a point person for releasing Exhibits 8015-8018 to any parties to request those documents.

Best,
Sara

Sara A. Clark
Shute, Miahly & Weinberger, LLP
(415) 557-7272

From: Babula, Jared@Energy [<mailto:Jared.Babula@energy.ca.gov>]

Sent: Thursday, October 24, 2013 12:59 PM

To: Sara A. Clark; Martin-Gallardo, Jennifer@Energy; Celli, Ken@Energy; Scott Galati; atomicoadranch@netzero.net;

lbelenky@biologicaldiversity.org; Stora, Christine@Energy; Roberts, Blake@Energy

Subject: CRIT confidentiality process

All,

I understand the Committee has designated as confidential the four written statements identified as Exhibit 8015, 8016, 8017, 8018 filed under an application for confidentiality by the Colorado River Indian Tribes. I also understand that the Testimony of Wilene Fisher-Holt which was originally filed under the confidentiality request will NOT be confidential. To address document handling and process I suggest the following:

Sara: You do not need to resubmit the four confidential exhibits as I will process those consistent with the Committee designation. Please confirm by email that the testimony of Wilene Fisher-Holt is not confidential. I also suggest you draft the NDA and be the point person for providing the confidential documents to the applicant and intervenors as they provide you with the signed NDA. Appropriate Commission staff and the Committee will be able to access the materials already docketed. Please let me know if you have any questions.

Thanks

Jared Babula