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**CRIT Exhibit 8029: Summary Transcript of Palen Workshop # 8:
April 8, 2014 Public Workshop on Presiding Members Proposed Decision for Cultural
Resources for the Proposed Palen Solar Electric Generating System**

To facilitate the Commission's review of the discussion that occurred at the April 8, 2014 public workshop, CRIT representatives have summarized some of the key substantive points presented by representatives from the Colorado River Indian Tribes. All tribal representatives listed below have reviewed and approved the summary of their statements.

12:00 Sara Clark (Attorney for Colorado River Indian Tribes):

I will provide some overview comments on behalf of Colorado River Indian Tribes.

First, I have two procedural objections:

1) Timing of CEC Staff's release of CUL-1. Lots of people need to review document. Not enough time to review this before the meeting. Our review has accordingly been cursory and not in-depth.

2) Objection on record regarding 2 statements in staff memo:

(a) p. 3: "Staff has discussed the various concepts proposed for the revision of what are now CUL-1A and the CUL-1B concept with those tribes that responded to the invitation. These tribes include the Chemehuevi Tribe, Colorado River Indian Tribes, Fort Mojave Tribe, Fort Yuma Quechan Tribe, Agua Caliente Band of Cahuilla Indians, and the Soboba Band of Luiseno Indians."

(b) p. 22: "these revisions should reflect substantive input that is the result of intensive consultation with the Native American communities having material or ancestral affiliation to the area."

Both of these comments imply that CRIT was consulted, and provided feedback, on CUL-1. That's not accurate. We had a meeting, but did not consult regarding CUL-1.

Regarding the merits of CUL-1, we are aware that Staff, Commission, and the Project Proponent would like CRIT's support, or for CRIT to propose alternative mitigation measures that would allow for project approval. But it is difficult to do this in a context where the project is going forward and the tribes are being asked to sacrifice cultural resources that are sacred to them. This puts tribes in a difficult position. CRIT's position is that we're not willing to do this at this time.

CRIT believes that this project will cause severe cultural harm, both regarding visual impacts and cultural resources. CRIT is concerned with ongoing curation of the cultural objects that were found at the Genesis site, and that they are now housed at a curation facility in San Diego. It makes it hard to move forward with other projects. So, we have only critiques, not suggestions.

18:05 Daphne Hill Poolaw (CRIT Mohave Elders Group): For the record: when you see that trading is done not by permission, but by compulsion... society is being doomed.

Mohave elders stand firm in saying "no" to project, and any forthcoming projects. We know that the areas throughout the desert as previously inhabited. Since time immemorial Mohaves had sites in the area. Would live, gather food, and prepare themselves for the next life. These

creation stories are still being taught today. Regarding the artifacts in San Diego: still no answer for that. What will be discovered for the Palen project? Metates and grinding stones have significant impacts in Mohave lives, still, today. Families still use them. With the solar project, it seems like we're trying to save energy, but Mohave *live* there; we know how to live in the heat. We can survive on our ground. We still cremate our people today. It's our tradition, way, belief; it is sacred. It was instructed by our creator. Put most prized possession on funerary pyre. Items: grinding stones, as most important tool for that time. It looks like there is nothing in the desert, but there is a deep history of stories, songs, that you can still hear if you listen. Money is not listening. We're not ignorant. We don't want to accept the bait. We had an incident with BLM with a flood that happened several years ago at Genesis, and the site engineers came to CRIT's elders and asked for help to prevent it from happening again.

We were discussing with our attorneys last night and when Native Americans lived here, white people saw the land and said "you move over there" and we'll take this ground. Not once did they say "where would you like us to move"? One thing the white people did for CRIT was to move us to the river. Now the white people want the water. Water and land are important. Why not look elsewhere to locate the project? In your own cities. Find another place. You don't know what's out there right now in Palen. We know.

29:00 Sara Clark (Attorney for Colorado River Indian Tribes): Moving on to some specific criticisms of the measures that have been proposed. Will mention a couple:

-CUL-1A – In the class II studies and petroglyph studies there is mention of involving Native Americans in the studies, but there needs to be more specifics about who, particularly, will be involved. Is there money associated with this? Will people be reimbursed for this work? How will decisions be made? There are 15 tribes.

-CUL-1A – Concerns about confidentiality for sacred sites, trails, petroglyphs. Concerns about public release of this info. Tribes need assurances that there are strong measures in place to prevent disclosure of this info, should surveys be completed.

-CUL-1B – It appears that the native american committee is modeled off of a working group that was put together to deal with mitigation funding for the Genesis project. That has not necessarily worked smoothly.

CRIT is taking position that it is not assenting to the proposed mitigation, nor does it endorse the project, notwithstanding any constructive criticism provided at this meeting.

33:20 Amanda Barrera (CRIT Councilwoman): The Genesis working group is basically the same thing you have proposed: 15 tribes coming together to try to decide how to split a pot of money and it's not working. We're being pushed to spend before the deadline expires.

I am a Chemehuevi Indian; southern band of Paiutes. The tribes are different in many ways. We are not the Mohave people. You will find same thing under Palen that you did in Genesis. This area was the Mohaves before anyone else was here. The impact of project will be very detrimental. As a native person, leaving the cultural artifacts in the City is hard; they don't belong there, they belong where they came from. Same thing will happen with Palen. You will do a study or studies. But who will you share it with? This information is only for us, to be

passed on by generation. We keep asking BLM “what is your responsibility?” and have yet to get an answer. This is a tactic to pit tribes against each other to fight for the dollar.

36:15: David Harper (CRIT Mohave Elders Group): I am a traditional Spokesperson for the Mohave Elders. The Elders are opposing this project. They support the position of the CRIT tribal administration. Also want to convey that there is no money that is enough to mitigate the impacts to the tribes and the landscapes. These landscapes, artifacts, have no monetary value. They are sacred and cultural. Again, we have a strong concern with the proposed removal from the earth of the artifacts. Financial mitigation is not possible.

44:40 Patricia Pinon (La Cuna de Aztlan Sacred Sites Protection Circle): These types of workshops are very educational and give opportunity to allow what everyone is thinking and feeling. Offers ability to communicate with each other. Shocked that CEC would put mitigation money on table. Surprised that a public agency would use taxpayer money to try to bribe people. My own opinion. Unfortunately, we haven’t made these sacred sites public knowledge, because we wanted to keep the knowledge of them to ourselves. But now in addition to public officials, we have corporations trying to lay track over them. As these proceedings take place, and sites are being revealed to the public, we are seeing more vandalism, spray-painting over petroglyphs, etc. It is occurring because we are trying to protect them.

Solar pioneers are like the original pioneers. We are protesting and resisting, and coming together. It is good for CEC to hear voice of natives in the desert; we have been silent for too long. The project impacts would not offset its visual or other impacts. It will destroy the cultural- and eco-systems of the deserts. Deserts are vital biomes and contribute to the natural ecosystems of the world. Pay attention to what climate change scientists are saying. We have to listen to the earth. Ivanpah is killing birds. 1000 F degree heat, and we want to put more out here? These are not as efficient for the amount of land and water that they are going to use and land that they will contaminate. Question to public agency: why? What is the motivation? Biologists, ecologists, geologists, tribal members, etc. are asking: do we need more superfund sites in CA and the US? People in Virginia can’t even drink the water. Corporations have made promises to clean up the sites on the national priorities list, but they haven’t delivered. Awareness only comes when people bring it to the media. If we don’t put brakes on the money that’s driving the destruction, the future will be questionable. This desert is sacred for all humans. Those who dwell here were here for ten thousand years and will be here forever. Ivanpah is the last one, and there will be no more solar plants in the desert, because we will fight. This is your own back yard, too. Put money aside. Think rationally.

52:45 Alfredo Acosta Figueroa (La Cuna de Aztlan Sacred Sites Protection Circle): I am a monitor for the Chemehuevi Tribe. We were the first to file suit. Glad to see relations here. Before we were just by ourselves. Glad for support. We agree with Elders from the CRIT. Dr. Gates did a good job. There is no doubt that the project would be damaging. We have our own interpretation of the intaglios that the project would affect. Thanks again to CRIT elders and counsel.

69:35 Dennis Patch (CRIT Chairman): Been through a lot of wars with agencies when they wanted to take our water, land, etc. Never stop fighting. Every time I see these things, I know

where I belong; it's hard for people to understand this. There are whole sets of relatives and cousins that stay on the land because it is their home. Every battle we fight is like this. It starts with "consultation" ends with "this is what we are going to do." That's why we fight all the time. We have been told what to do for so long. We were sent away from school and couldn't come home for a long time. We don't think the same. You have to accept that. It's like if we took down your American flag. You would say "that's our land." When we visited San Diego, there were all kinds of grinding stones and metates—hundreds; that means that there was *life* there. But no funerary objects. That's odd. If there was life there, there was death there. Is this a consultation?

\$2 million to the tribes? You bought Manhattan for \$26 worth of beads. That's where the expression "dumb Indians" came from. We heard what they wanted to offer for our water and our land. But if we do that to you—dig up your graveyards to put a mall there—you say no. And this solar power is going to be for those who can afford it, not the poor people. The same thing is happening again. If you are offering us \$26 worth of beads, there's not going to be a sale today. We have won most of our wars against the agencies, for example, when they found gold near I-10 and took the land for 96 years. We got it back. After they got the gold out, though. We are not being mean and ugly; we are talking about where we came from and where we are going to die. Ancestors took the Rio Grande trail. We have people from the Midwest and all over coming to farm in our land. There are bad aspects of alternative energy.

Every time the government wants to take something from us, they say "prove that you lived there" so elders give testimony, show bones, show where villages and funerals were. They did this when they wanted to take water. Same when the solar energy companies came. The answer to that is: if you move all of our stuff, our artifacts from the land and place them in a warehouse in San Diego, you erase our footprint. Then when you say "prove you lived there," we can't. But nobody has to prove anything else. They don't have to prove that solar energy projects are good for us or the people of California. It's just the dollar.