

## DOCKETED

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## **Opposition to Extension for Palen Project**

California Energy Commission

Docket Unit, MS-4

Docket NO 09-AFC-7C

1515 Ninth Street

Sacramento CA 95814-5512

Leonidas Payne, Project Manager

Dear Leonidas Payne:

We are including our comments that were sent to you on 09 23 2014 regarding our opposition to the proposed Palen project.

We are definitely against the request for extension the company is asking to apply for their new permit. Our prior comments reveal all the sacredness and the grave damage that the Palen project would cause at the base of the sacred Chuckawalla Mountains.

We have more agencies and organizations that are against it than any other solar project we have opposed, especially now that the drought conditions are worse. The aquifers are being depleted with the new solar power projects that are in operation.

The California Energy Commission should not be playing games with the people it represents. It is ludicrous for the CEC to even consider the extension much less approving their request.

We know that all humans have a conscience. All you have to do is check the facts that we have presented to you.

*Additional submitted attachment is included below.*

California Energy Commission  
Docket Unit  
Docket number 09-AFC-07C  
1516 Ninth Street MS-4  
Sacramento CA 95616

RE: Letter by La Cuna de Aztlan Sacred Sites Protection Circle Opposing the Proposed Palen Solar Electric Generating System

My name is Alfredo Acosta Figueroa and I am one of the Chemehuevi Tribal Monitors of the sacred sites. I am the Elder/Historian/Coordinator of La Cuna de Aztlán Sacred Sites Protection Circle and a member of Californians for Renewable Energy (CARE).

La Cuna de Aztlán Sacred Sites Protection Circle is comprised of 13 Indigenous and culturally aware individuals who mostly reside along the Colorado River from Needles down to Yuma and are dedicated to protecting these sacred sites.

We are totally perturbed by the action that is continually taking place by the California Energy Commission (CEC) in reference to the Palen Solar Electric Generating System. We are flabbergasted at the disregard of the identified sacred sites. They have been destroyed, are being destroyed and will be destroyed by this solar project.

We have stated before in all our comments against the large solar projects being developed along the I-10 corridor in Eastern Riverside County that the sacred sites are all tied together and there is no way that they can be singled out. The solar projects cannot destroy just one sacred site without destroying the sacredness of the entire area as you will see in our attachment.

We are sending you factual evidence by La Cuna de Aztlán Sacred Sites Protection Circle of why we are in opposition of the proposed Palen amendment project. We are attaching a power point presentation that has been updated in reference to the Tamoanchan/Granite Peak four corner geographical sites including the sacred sites and includes the Palen proposed project site within this area..

In 2008, La Cuna de Aztlán Sacred Sites Protection Circle entered into a Memorandum of Understanding (MOU) with the Bureau of Land Management to be guardians of the sacred sites. The MOU specifies the formation of partnership of Bureau of Land Management, Southern Low Desert Resource Conservation and Development, La Cuna de Aztlán Sacred Sites Protection Circle and Blythe Chamber of Commerce and Tourist Information Center for the protection of cultural resources including the world famous Blythe Giant Intaglios, as well as over 300 geoglyphs (intaglio), thousands of petroglyphs, hundreds of pictographs, surrounding mountain images and several hundred sacred sites that are located along the Colorado River extending from Needles, California down to Yuma, Arizona.

The Chuckawalla Valley is the major prehistoric and ethnographic transportation corridor in the Western Hemisphere. This is where the Palen Solar Power Site is proposed. The McCoy Valley, Rice Valley, Ward Valley sites are also included in the Nahui-Ollin or 4 directions geographical area.

For the past 58 years, we have been studying the place of origin of the Azteca/Mexica, which is Aztlán/Chicomoztoc/Huehueltlapallan/Tamoanchan in the surrounding Palo Verde/Parker Valleys with the center focus being the Blythe Giant Intaglios and the Big Maria Mountains, Little Maria Mountains, Granite Mountains, McCoy Mountains, Palen Mountains, Moon Mountains, Mule Mountains, Chuckawalla Mountains and Eagle Mountain.

The following is a brief explanation of the confirmation of where these sacred sites are located and how they relate to the Creation Story of the local Indigenous Tribes and Azteca/Mexica history.

The majority of these Sacred Sites are included in the attachment that relate to the surrounding area of the Chuckawalla Valley I-10 corridor. The I-10 Highway in Eastern Riverside County parallels some of the most sacred trails that connect many of the sacred sites that are located within the area. These trails lead from the Colorado River Mule Mountains to Eagle Mountain range (at the Joshua Tree National Park) and from the Creator's Throne on Black Rock Peak (10 miles west of Blythe, CA) that leads to Corn Springs (Tulla ) in the Chuckawalla Mountains. The trails that lead down from the Palen Mountains merge with the trail from McCoy Well in the McCoy Mountains at the Genesis site and lead to Desert Center.

The lower Colorado River Basin Valleys have been the home of many different Indigenous Linguistic Families, which at one time or another, for thousands of years left and returned to the area creating a complete cycle. They went on their journey to the four directions. Their migration is symbolized by the Nahui-Ollin meaning four directions in the Nahuatl language. Some of the nations settled permanently in the area and others such as the Athapaskans left the Colorado River. Some went north to Alaska before the last Ice Age according to Chief Gary Harrison of the Athapaskan Tribe. Other nations such as the Azteca and the Olmeca went south thousands of years ago. The Chichimeca followed afterwards, then the Tolteca, Yaqui, and finally the Mexica in the 12th century, approximately 1168 AD. Some of the nations have gone full circle returning to the Colorado River (Krober 1976).

There are five Native Reservations in the Lower Colorado River Basin Valleys which include Fort Mojave near Needles California to the north; Chemehuevi; Colorado River Indian Tribes; Quechan; and Cocopah south of Yuma. Of these five, the Mojave and Chemehuevi are most prominent in the Palo Verde/Parker Valleys.

Each Native Tribe has a unique identity and interpretation of the Creation Story given to them by the Creator. Yet, all the Tribes relate to the same cosmic tradition of the Creation. The oral cosmic cultural traditional knowledge is still alive despite the years of the policy of "Kill the Indian, Save the Man," by the United States Government.

Thanks to the Native Mexica cultural tradition, the Uto-Aztecan still has a few Pre-Hispanic codexes that relate to the Creation Story on the lower Colorado River Basin Valleys. We have been able to compare them with the surrounding mountains, geoglyphs, petroglyphs, pictographs, the cosmic events of equinoxes and solstices in the Palo Verde/Parker Valleys and very important is the local Indigenous oral history that relate to the Creation Story of the area.

For the Mexica, there would not be any authentic history if it wasn't backed up by the cosmic archetype. The visible part and the invisible of reality correspond mutually. What is in the cosmos, the duality was created on earth as we can see in the geoglyphs, petroglyphs, pictographs, solstices and equinoxes.

The majority of these sacred sites extend west to the San Jacinto Mountains; east to Tonopah/Aguila, Arizona; north to the Avi-Kwamé Spirit Mountain, northwest of Laughlin NV; and south to the Gulf of California to Puerto Penasco, Sonora (Rocky Point) where over 300 craters are and the main one is El Pinacate. This is where the first geoglyphs begin.

The Aztec Sunstone Calendar is the monolith relic that has the most documented history of the world based on the cosmos. The major glyphs on the Sunstone Calendar are geographically located in the surrounding mountains of the Palo Verde/Parker Valleys. The Five Suns depicted in the Aztec Sunstone Calendar all have a beginning and an ending and are inter-related with Tamoanchan (Granite Peak), approximately 45 miles northwest of Blythe and approximately 30 miles north of the Palen Project proposed site. Granite Peak is where the sky meets Earth. When you see Granite Peak from West Blythe (Acacitli -Jackrabbit in the Tullies), it looks exactly like a pyramid that is between the Little Maria and Big Maria Mountains on the right and the McCoy Mountains on the left. This is where sky meets Earth. In the Nahuatl language, it is called Tamoanchan. Deciphered, it means "Ta" relates to Tata which means grandfather and it represents the cosmos. "Moan" means merging/meeting and "chan" relates to chante which means house. In other words, Tamoanchan relates to the spirit of the cosmos descending down to Mother Earth which is manifested in the geoglyphs that are in the McCoy Wash where the Blythe Solar Millennium and McCoy Solar Power projects are currently under construction.

The following is an excerpt of the book, Tamoanchan/Tlalocan Places of Mist written by Alfredo Lopez Austin, one of Mexico's most recognized Historians from the INAH, that relates to Tamoanchan:

"The Earth and the Sky were created, from the body of Cipactli, and with them was also established, along with the great division of the feminine and the masculine of the cosmos, the four posts, represented by trees or gods, or men, were converted into the roads of the gods. They were the roads of the gods because through their hollow trunks flowed the opposite divine essence (man/sun and woman/earth) they flowed between the two halves of Cipactli. Seeing the falling of the sky over the Earth, all four were ordered to make through its center of Earth, four roads to be able to enter and raise up the sky and to get help. Four men were created. One was called Cuauhtémoc; the other, Itzcoal; Izmalli; and the other, Tenexochilt."

Cuauhtémoc is the southwest corner of the Nahui-Ollin, the four directions (swastika image). Cuauhtémoc's Nahualli( your animist, spiritual representation) is the eagle during the descending Sun. The translation of Cuauhtemoc, Cuauhtli is Eagle and Temoc is descending. Cuauhtémoc means Descending Eagle (Sun) which is manifested by the sun descending on Eagle Mountain during the Summer Solstice on June 21st.

The Descending Sun when seen from the Ripley Intaglio during the Summer Solstice (June 21) sets on a large V that is on the southeast side of the Eagle Mountain range inside of Joshua Tree National Park. The V is the origin of Dragon Wash (the dragon represents Quetzalcoatl, the Plume Serpent). The Plume Serpent descends down from the V where the sun sets.

At the base of Eagle Mountain are the petroglyphs that depict the story of the Descending Sun and on the mountainside to the east and above the petroglyphs you can see the large dark image of Tezcatlipoca's (night) Big Nose that is pursuing and overtakes day at sunset.

The four corners of the base of the sky falling are shown in the Borgia Codex Plate 72, and its Earth's cosmic duality geographical site is Granite Peak. This is where sky meets earth and gives the image of

the X or hourglass appearance. The top V of the X represents the cosmos and the upside down V of the X represents Granite Peak, Cipatli/Mother Earth.

Other mountain ranges in the area have also kept their native names, such as the Chuckawalla Mountain Range located south of Eagle Mountain (Near Desert Center, California). Chuckawalla means "Cuetzpalin" in Nahuatl and in Spanish it means "Lagarto" or "Lagatijo" and in English it means lizard. Cuetzpalin is the fourth day on the 20-day Aztec Sun Stone Calendar. There is a small ridge outcropping in Desert Center which represents the lizard Chuckawalla (Hence the name of the mountains) but it is called "Alligator Ridge."

South of Granite Peak are the Palen Mountains and they are very sacred. In the Nahuatl language, they are called "HueHue-Talpallan" which Hue means ancient, and Talpallan means reddish Earth. Altogether this means "the ancient, ancient reddish Earth.

You can see this face image in the center of the Palen Mountains from I-10. You can see that it has a large image of a wrinkled reddish face looking towards the west. At the base, on the east side of the Palen Mountains there is a large arroyo that has a large rectangular 20x40 foot wall which has the petroglyphs and is called the Mural Petroglyph Wash. It is facing west and among the petroglyphs is the image of the Creator descending together with Xolotl "the dog." This is the place where the Creator, Quetzalcoatl goes to the underworld during the ending of one of the suns.

The trail that leads to and from the petroglyphs of the Palen Wash meets with the trail that comes from the petroglyphs of the McCoy Well Springs from the east and they meet somewhere near the Genesis site. It is part of the Salt Song Trail that is part of the Chemehuevi (Nuwuvi) Ancestral sites. The junction of the two trails lead to Desert Center and 4.7 miles west of Desert Center is where the 13 Monuments are located. They represent "13 Acatl" which is the top section of the Aztec Sunstone Calendar.

Throughout the years the Chemehuevi and other native tribes have used the Chuckawalla Mountains as a source of stone for their utensils such as the "molcajete" and "metates" (Mortar grinding stones).

According to Francis J. and Patricia H. Johnston's highly recognized research of the University of California Berkeley, Archaeological Survey No. 37 dated April 1, 1957 gives excellent reference and general description of the 13 Monuments that are shown on top of the Aztec Calendar and its sacred trails that lead all the way from the Blythe Giant Intaglios to the Coachella Valley.

Along with the sacredness of the area, the area is home to the Poorwill Bird which uses the washes and Chuckawalla Mountains to hibernate during the winter. The Poorwill bird is regarded as sacred for the Hopi and other tribes. Dr. Edmund C. Jaeger, Desert Naturalist, researched the area and published several books and articles about the Poorwill bird.

Currently California is suffering its worst drought since the records have been kept. Governor Jerry Brown has declared a drought emergency allowing the State to request Federal aid. The drought is so severe that it is beginning to dry up the water supply for some of the state parks. Restrooms with flush toilets have been closed at Bliss State Park, Lake Tahoe, Hearst Castle Visitor's Center, San Simon State Park, Portola, Redwood State Park, etc.

In an article in the Riverside Enterprise on July 16, 2014 by Aaron Orłowski, residents of California could face daily fines of up to \$500 for washing driveways and sidewalks, watering ornamental landscaping that causes runoff, using a hose to wash a vehicle unless hose is outfitted with a nozzle and using potable water in a fountain unless the water is re-circulated. Local water agencies must also implement their water shortage contingency plans to limit the number of days people can water or adopt state limitations of two days per week if they don't have a plan that complies. Statewide drought losses include 17,100 jobs, \$810 million in crop revenue, \$203million in livestock and dairy revenue, \$454million in additional water pumping costs, \$1.5 million in direct losses, \$2.2 million total economic losses. Solar power projects will only add to this devastation with the amount of water that is needed to run the projects.

The Palen Solar Project without a doubt will drain the wells of Corn Springs and Aztec Well plus the current wells that have been providing water for the orchards and date tree farms that are currently adjacent to the proposed Palen Project site. The Palen Solar Project will have to drill wells from the aquifers that lead to the Colorado River. The Colorado River Board of Directors of California has stipulated that all aquifers within 50 miles go to the Colorado River and any water taken from these aquifers has to be approved by the Board of Directors.

The emission control laws in California are currently being met and cities are now proposing to include rooftop solar panels in each new construction within the many cities. The former Federal Reserve Chairman Ben Bernanke said on February 27, 2013 that he wants to end investor perceptions that the largest U.S. financial institutions will be given taxpayer bailouts to prevent a collapse. "We need to stop too-big-to-fail".

The U.S. Government does not need to continue its Manifest Destiny Policy of the 1850s. The Native American cultural cosmic tradition is still alive despite its 500 years of domination by Spain, the United States and Canada. One of the worst catastrophes in the world committed against a nation was when Hernan Cortes invaded Mexico/Tenochtitlan in 1521. Mexico/Tenochtitlan was completely razed and leveled off. The Spanish built a new city on top of the old one to totally destroy the Natives' cosmic traditions. With the soldiers came the Catholic priests and what wasn't destroyed by the soldiers was going to be destroyed by the priests. This is when they implemented the notorious Spanish Inquisition of the Holy Catholic Roman Church. They even built churches on top of the pyramids and other sacred sites like the cathedral in downtown Mexico City (Templo Mayor) was built on top of the Twin pyramids. The Inquisition was in operation for over 300 years until the Mexica ousted the Spanish in 1821.

The Natives of the southwest, especially from California were finally free to practice their cosmic cultural tradition when Governor Jose Figueroa secularized all of the Catholic Mission lands in 1836 and gave them back to the natives. This freedom was short lived and only lasted 12 years until the signing of the Treaty of Guadalupe Hidalgo on February 2, 1848. This ended the war with the United States. This is when the Manifest Destiny policy was in full swing. All the land from sea to shining sea belonged to the United States.

Despite all the government's efforts to destroy the Native American's cosmic cultural traditions, the knowledge has survived the policy of "Kill the Indian, Save the Man".

During World War II, not even Nazi Germany under Hitler, nor Fascist Italy under Mussolini, destroyed the sacred sites such as the Vatican, Cathedrals in Europe except some Jewish synagogues, despite that fact that millions of people were killed. During World War II, the United States enforced laws to protect sacred sites in Europe.

On June 23, 1943, President Franklin D. Roosevelt created the American Commission for the Protection and Salvage of Artistic and Historic Monuments in war areas. The commission drew up lists of cultural treasures with the hope that military action might be planned to avoid harming them. Dwight D. Eisenhower understood the importance of the protection and preservation of these sacred sites. Eisenhower stated "if we have to choose between destroying a famous building and sacrificing our own men, then our men's lives count infinitely more and the building must go". He prefaced the proclamation by saying, "Shortly we will be fighting our way across the Continent of Europe in battles designed to preserve our civilization....". His order made clear that destruction of everything in an army's path was not justifiable, that a people's long-established culture and the most beautiful manifestations of what it believes in and values matter and we, when we enter and defend it, are duty-bound to respect those things. Currently a movie is in theaters directed by George Clooney, and based on the book by Robert M. Edsel called "Monuments Men". This is a story of how strongly Eisenhower felt about saving these cultural sites and artistic monuments. Cathedrals, historic structures, famous paintings, sculptures and more were saved for the preservation of the culture of our civilization.

In the Smithsonian magazine of March, 2009, the featured article related to the must-see 10 endangered cultural treasures that included many of the sacred sites that should be preserved from all over the world. In the United States, they included Route Hwy 66 but no indigenous sacred sites. According to Kaisa Barthuli, the program manager of the Route 66 Corridor Preservation Program stated, "if we lose these stories, we're really losing a sense of ourselves."

During the Iraq war, in 2003 and 2004, the United States caused damage to ancient sites with their heavy vehicles and machinery. Military forces built a helipad, carved out parking areas and trenches destroying these sites. Babylon, Iraq was damaged by war and by looters. The U.S. has said it will help rehabilitate Babylon, funding an effort by the World Monuments Fund and Iraq's State Board of Antiquities. This site is tremendously important according to Gaetano Palumbo of the World Monuments Fund, yet in its present state, Babylon is "hardly understandable" as a place where so much happened in history".

It took the Taliban only days to destroy 1,500 years of history when they destroyed the two Bamiyan Buddha twins carved into a sandstone cliff near the provincial capital in Central Afghanistan. They stand 165 feet and 114 feet tall. They were built around the 2nd century. Appeals came from all over the world such as the World Monument Fund and the United Nations Secretary General for the Taliban government of Afghanistan to preserve these sacred sites of the Buddha creation story in Afghanistan. W.L. Rathje, an archaeologist at Stanford University described the destruction of the statues as a crime against humanity. Afghanistan was later invaded by the United States after they destroyed the statues that the world considered to be masterpieces. The United State Government fought to save these foreign religious sacred sites but is not willing to preserve sacred sites in its own country.

On July 22, 2012, columnist Victor Davis Hanson said, "sometimes post-modern, politically correct westerners can be every bit as zealous and as potentially destructive of the past as pre-modern Islamics.

Agriculture Secretary Tom Vilsack has called for the USDA and the U.S. Forest Service to work more closely with tribal governments in the protection, respectful interpretation and appropriate access to Indigenous Cultural sacred sites. Vilsack said, "American Indian and Alaska Native values and culture have spirit and deserve to be honored and respected. By honoring and protecting sacred sites on national forests and grasslands, we foster improved tribal relationships and a better understanding of the Native people's deep reverence for natural resources and contributions to society."

During President Barack Obama's speech of January 28, 2014, he stated that "And while we are at it, I'll use my authority to protect more of our pristine federal lands for future generations." Also, 109 House Democratic members urged President Obama to protect National Monuments using the Antiquities Act.

Supporting our facts of opposition to the solar projects is California Energy Commission's Docket # 09-AFC-8 Cultural Resources report by Elizabeth A. Bagwell & Beverly E. Bastian supporting research stipulates that:

"Staff finds that the GSEP construction impacts, when combined with impacts from past, present, and reasonably foreseeable projects, contribute in a small but significant way to the cumulatively considerable adverse impacts for cultural resources at both local I-10 Corridor and regional levels. This analysis estimates that more than 800 sites within the I-10 Corridor, and 17,000 sites within the Southern California Desert Region, will potentially be destroyed. Mitigation can reduce the impact of this destruction, but not to a less-than-significant level."

For these reasons, and the following Indigenous, State, Federal and United Nation laws we are opposing to the Palen amendment because of their gross violation to the following:

- Inter-Tribal Council of Arizona: Resolution 0212, opposing the Department of Interior Fast-Track Polices of Renewable Energy Projects on Ancestral Homelands, June 29, 2012. The Resolution specifies that whereas over 40 proposed solar and wind renewable energy projects are to be undertaken within a 50-mile radius of the Colorado River Indian Tribes Reservation which puts tens of thousands of acres of land within the ancestral territory homelands of CRIT as well as other Yuman tribes, at further risk of destruction.
- National Congress of American Indians: Resolution #LNK-12-036, opposing the Department of Interior Fast-Track Polices of Renewable Energy Projects on Ancestral Homelands, June 17, 2012.
- Colorado River Indian Tribes Resolution and Letter to President Barack Obama: opposing the construction of Solar Power Projects within 50-miles from the CRIT Reservation boundary of February 27, 2012.
- United Nations Declaration on the Right of Indigenous People Resolution of 2007: was adopted by the General Assembly during the 107th plenary meeting and was signed by President Barack Obama on December 15, 2010.
- Native American Sacred Places, March 6, 2003(S.B. 18)
- Native American Sacred Lands Act, June 11, 2003 (H.R. 2419)
- The Sacred Land Protection Act, July 18, 2002 (H.R. 5155)

- The Native American Sacred Sites Protection Act, February 22, 2002 (S.B. 1828)
- Accommodations of Sacred Sites and Federal Land, Signed by President Bill Clinton on May 24, 1996 (Executive Order 13007)
- Native American Graves Protection & Repatriation Act of 1990
- Archeological Resources Protection Act of 1979
- American Indian Religious Freedom Act, August 11, 1978
- The Civil Right Act of 1968
- Antiquities Act of 1906

The solar companies in their court response to the Colorado River Indian Tribes filing of a Temporary Restraining Order stipulate that there is more public interest to approve the solar sites than supporting the cultural resources. This statement shows the companies' total disregard for the above mentioned laws and discrimination against Native culture and tradition of the indigenous people.

We all know what happened at the Genesis Solar Site after Judge George H. Wu of the 9th District Federal Court denied the Temporary Restraining Order (TRO) to stop the Genesis construction on June 28, 2012. During the construction of Genesis, they committed one of the worst destructions of sacred sites, burials and thousands of artifacts that were found just as the CRIT Elders and our group, La Cuna de Aztlán Sacred Sites Protection Circle had stated in the lawsuits filed.

It is our recommendation that the CEC does not commit these same atrocities at the Palen Project site.

Irreplaceable damage within the I-10 Eastern Riverside corridor has already been done by the current solar power projects especially at the Genesis and Desert Harvest. We are experiencing one of the most heinous crimes against humanity by the destruction of part of the world renowned Giant Kokopilli/Cicimiltl geoglyph group by the current construction of the Blythe Solar/McCoy Solar projects, 10 miles west of Blythe. These twin geoglyphs represent the same as the Bamiyan Buddha twins.

Ignacio Bernal states "I consider that the inscriptions on the rocks are the most genuine source of knowledge in the manner of the thinking of the ancient Natives. Likewise, are the paintings that in reality are very few that have been discovered on the monuments. In both cases they are absolutely authentic data that shows the thinking of the Indigenous. You can incur an error by the writing interpretation of the inscriptions or because the scribe was mistaken."

"Sometimes it takes a jolt or shock to open your eyes to reality and the Solstice Project has been high amperage: stated by Stephen Lekson.

We are determined to continue our struggle to maintain a harmonious balance with Mother Earth and must preserve what has not yet been destroyed by these solar power projects.

Sincerely,

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