

STATE OF CALIFORNIA
California Energy Commission

California Energy Commission

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In the Matter of:

**APPLICATION FOR CERTIFICATION
FOR THE HIDDEN HILLS SOLAR ENERGY
GENERATION SYSTEM**

Docket No. 11-AFC-02

OLD SPANISH TRAIL ASSOCIATION

**OPENING TESTIMONY, EXHIBIT LIST, EXHIBITS
AND PROOF OF SERVICE**

February 4, 2013

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Opening Testimony Old Spanish Trail Association

INTRODUCTION

Intervenor Old Spanish Trail Association (OSTA) provides the Opening Testimony regarding the application for certification of the proposed Hidden Hills Solar Energy Generating System (HHSEGS).

All of the testimony presented herein was prepared by the person testifying; a signed declaration and resume has also been provided for each person.

Jack Prichett, president of the Tecopa, CA, chapter of OSTA compiled this submitted testimony and the documents and exhibits it contains. An Exhibit List, bibliographic references and copies of many of the documents referenced in the opening testimony are being filed concurrently with this testimony.

OSTA reserves the right to supplement and/or revise this testimony at any time up to and including the close of the evidentiary hearings. Moreover, many of the factual issues discussed in this Opening Testimony involve both legal and factual questions while others are predominately legal issues. Therefore, OSTA respectfully reserves the right to address all disputed issues identified at the hearings through testimony, rebuttal, cross-examination, or at later stages of this process including in briefing following the evidentiary hearing.

Pursuant to the discussion at the Prehearing Conference on February 26, 2013, OSTA may also file additional Opening Testimony on the topic of Visual Resources.

OSTA also requests that the Commission take official notice of documents cited in testimony which are published by the California Energy Commission and are available on the Commission website. Some of those documents are included in the Exhibit List, with the URL link cited.

TESTIMONY SUBMITTED

1. **Jack Prichett**, Re: Overview of testimony and introduction of other testifiers; Present 2008-2011 field surveys of OSTA-Tecopa; Review OSTA archival and historical map evidence; Show deficiencies in CH2MHill methodology and particularly identify features in the Historical Roads and Trails Study; Present stronger OSTA-proposed CUL-9 mitigation measures to replace measures as written in Final Staff Assessment; Declaration, Resume.
2. **Dr. Elizabeth von Till Warren**, Re: Significance of OSNHT status and the NPS Feasibility study and finding of eligibility, as well as the historical significance of the OSNHT, including Armijo, Fremont and Kit Carson; Declaration, Resume.
3. **Tom Sutak**, Re: Documentary archival evidence for use of the Mormon Road and earlier OST in the Stump Springs/Hidden Springs area, including traveler diaries and descriptions, and the Importance of the Mormon Road in Mormon History; Declaration, Resume.
4. **Richard A. Bent**, Re: Inadequacy of CUL-10 as written in the FSA; will present the OSTA reformulation of CUL-10 and also describe our integrated approach of producing a video and including mobile museum concept as a key interpretive measure to achieve broad public education and outreach; Declaration, Resume.
5. **Susan Sorrells**, Re: Local business owner and lifelong resident of Shoshone/Pahrump presents the economic significance of OST as a tourist attraction and the importance of relatively unaltered landscapes in the area; Declaration, Resume.

EXHIBIT LIST

The Old Spanish Trail Association's Exhibits Numbers **600 to 699**.

| | |
|-------------|---|
| Exhibit 600 | National Trails System Act, revised 2009. http://www.nps.gov/nts/legislation.html |
| Exhibit 601 | Hafen, Leroy and Hafen, Ann 1993. The Old Spanish Trail. Lincoln, NE, and London: University of Nebraska Bison Books (orig. 1954 by A.H. Clark Co., Glendale, CA, as part of the "Far West and the Rockies" historical series.) |
| Exhibit 602 | Lyman, Edward Leo. <i>The Overland Journey from Utah to California</i> . Reno & Las Vegas: University of Nevada Press, 2004. |
| Exhibit 603 | Walker, Clifford J. 2009. <i>Gone the Way of the Earth: Indian Slave Trade in the Old Southwest</i> . Barstow, CA: Mojave River Valley Museum Publications. |
| Exhibit 604 | Crampton, C. Gregory and Madsen, Steven K., 2007. <i>In search of the Spanish Trail: Santa Fe to Los Angeles 1829-1848</i> . Layton, Utah: Gibbs Smith, Publisher. |
| Exhibit 605 | Steiner, Harold. <i>The Old Spanish Trail Across the Mojave Desert</i> . Las Vegas: The Haldor Company, 1999. |
| Exhibit 606 | Sutak, Tom. <i>Into the Jaws of Hell – Jefferson Hunt: The Death Valley '49ers Wagon Trail & His Adventures in California 1846-1857</i> . Danville: Pine Park Publishing, 2012. |
| Exhibit 607 | CH2MHill 2012, Historic Trails and Roads Technical. HHSEGS study performed for Hidden Hills Solar and given Confidential status as Attachment DR125. NOT PUBLICLY AVAILABLE. |
| Exhibit 608 | HHSEGS Final Staff Assessment, Dec. 2012. Chapter 4, Cultural Resources. http://www.energy.ca.gov/sitingcases/hiddenhills/documents/fsa/04_Cultural_Resources_596-798.pdf |
| Exhibit 609 | Official NPS map of the Old Spanish National Historic Trail http://www.nps.gov/olsp/planyourvisit/maps.htm |

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| Exhibit 610 | Prichett, Jack. The Old Spanish National Historic Trail: A Report on Cultural and Visual Resources in the Near Vicinity of the Proposed Hidden Hills Solar Energy System Plant, Inyo County, CA, 2012. Submitted on behalf of Old Spanish Trail Ass'n, an intervenor in the HHSEGS license application. http://www.energy.ca.gov/sitingcases/hiddenhills/documents/others/2012-04-27_Jack_Prichett_OSTA_Cultural_Rsources_Report.pdf |
| Exhibit 611 | Lorton, William B. 1849. <i>Journal</i> . Unpublished ms. The Bancroft Library, Univ. of California, Berkeley, Calif. [Notes: Lorton was traveling with the San Joaquin Company (often called the Jefferson Hunt Wagon Train). The dates note in brackets are from Lorton's journal; he lost track of the calendar, then later realized, and corrected, his dates; LeRoy Johnson, who is editing the journal has corrected dates of the Stump Spring entries.] |
| Exhibit 612 | Pratt and Choteau quoted in Hafen and Hafen 1993 (Exhibit 601), pp. 365-369. |
| Exhibit 613 | Bigler, Henry W., cited in Steiner 1999 (Exhibit 605), p.159. |
| Exhibit 614 | Prichett, Jack 2012. See Exhibit 610, p 43. http://www.energy.ca.gov/sitingcases/hiddenhills/documents/others/2012-04-27_Jack_Prichett_OSTA_Cultural_Rsources_Report.pdf |
| Exhibit 615 | CH2MHill 2012, Historic Trails and Roads Technical. HHSEGS study performed for Hidden Hills Solar and given Confidential status as Attachment DR125. NOT PUBLICLY AVAILABLE. See page 3-1. |
| Exhibit 616 | Prichett, Jack 2012. See Exhibit 610, p 44 http://www.energy.ca.gov/sitingcases/hiddenhills/documents/others/2012-04-27_Jack_Prichett_OSTA_Cultural_Rsources_Report.pdf |
| Exhibit 617 | Steiner, 1999. See Exhibit 605, p. 161. |
| Exhibit 618 | Prichett, Jack 2012. See Exhibit 610, p 40 http://www.energy.ca.gov/sitingcases/hiddenhills/documents/others/2012-04-27_Jack_Prichett_OSTA_Cultural_Rsources_Report.pdf |
| Exhibit 619 | Google Earth image with plot of OSTA waypoints, showing "beeline" course of mule trace from Charleston View toward Emigrant Pass. |
| Exhibit 620 | Prichett, Jack 2012. See Exhibit 610, p 34 http://www.energy.ca.gov/sitingcases/hiddenhills/documents/others/2012-04-27_Jack_Prichett_OSTA_Cultural_Rsources_Report.pdf |

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| Exhibit 621 | Google Earth image showing OSNHT mule trace crossing Emigrant Pass. Emigrant Pass is the datum, or starting point for OSTA's "re-discovery" and GPS recording of the trace. |
| Exhibit 622 | Vasek, Frank C. 1980. Creosote bush: long-lived colonies in the Mojave desert. American Journal of Botany 67(2):246-255. |
| Exhibits 623-649 | <i>These exhibit references intentionally left blank.</i> |
| 650 | Old Spanish Trail Association, 2001. Official Response [to the 2000 NPS Feasibility Study for the Old Spanish Trail nomination to National Historic Trail status]. Elizabeth von Till Warren and Harold Austin Steiner and submitted to National Park Service. |
| 651 | Hafen, Leroy and Hafen, Ann 1993. The Old Spanish Trail. Lincoln, NE, and London: University of Nebraska Bison Books (orig. 1954 by A.H. Clark Co., Glendale, CA, as part of the "Far West and the Rockies historical series.) |
| 652 | Bryant, Edwin, 1985. What I Saw in California. Lincoln, NE and London: University of Nebraska Press [republication of the earlier original]. |
| 653 | Fremont, Brevet Capt. John C. , 1845. Report on the Exploring Expedition to the Rocky Mountains in the Year 1842 and to Oregon and North California in the Years 1843-'44. Washington DC: Gales and Seaton, Printers. |
| Exhibit 654-669 | <i>These exhibit references intentionally left blank.</i> |
| Exhibit 670 | Bigler, David L. and Will Bagley. <i>Army of Israel: Mormon Battalion Narratives</i> . Spokane: The Arthur H. Clark Company, 2000. |
| Exhibit 671 | <i>Deseret Evening News</i> . Salt Lake City. October 7, 1905. http://udn.lib.utah.edu/cdn/compoundobject/collection/den4/id/11641/rec/240 |
| Exhibit 672 | Ellsworth, S. George. <i>The Journals of Addison Pratt</i> . Salt Lake City: University of Utah Press, 1990. |

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| Exhibit 673 | Hafen, LeRoy R. and Ann W. Hafen. <i>Old Spanish Trail: Santa Fe to Los Angeles with Extracts from Contemporary Records and Including the Diaries of Antonio Armijo and Orville Pratt</i> . Glendale: The Arthur H. Clark Company, 1954. |
| Exhibit 674 | General Church Minutes 1844-1879. Selected Collections, Brigham Young University, Vol. 1, DVD 18. |
| Exhibit 675 | Hancock, Charles B. "Journal of Charles B. Hancock." MS 1569. LDS Archives. UNABLE TO OBTAIN COPIES. |
| Exhibit 676 | Hancock, Charles B. "Autobiography of Charles Brent Hancock." MS 5285. LDS Archives. UNABLE TO OBTAIN COPIES. |
| Exhibit 677 | Hoover, Vincent A. "Gold and the Arduous Road: The Journal of Vincent A. Hoover and Other Personal Narratives of the Pioneering of the Salt Lake-Los Angeles Road in 1849." Unpublished BANC MSS 71/161 c, reel 56. The Bancroft Library. University of California, Berkeley. |
| Exhibit 678 | Johnson, LeRoy and Tom Sutak. Jargon: Historians' Nemesis. <i>Spanish Traces: Journal of the Old Spanish Trail Association</i> , Autumn, 2011. http://www.oldspanishtrail.org/assets/PDFs/Vol17-22011.pdf |
| Exhibit 679 | Journal History of the Church. LDS Archives. |
| Exhibit 680 | Landon, Michael N., Editor. <i>The Journals of George Q. Cannon: To California in '49</i> . Salt Lake City: Deseret Book Company, 1999. |
| Exhibit 681 | Lyman, Edward Leo. <i>San Bernardino, the Rise and Fall of a California Community</i> . Salt Lake City: Signature Books, 1996. |
| Exhibit 682 | Lyman, Edward Leo. <i>The Overland Journey from Utah to California</i> . Reno & Las Vegas: University of Nevada Press, 2004. |
| Exhibit 683 | Charles C. Rich Collection. Selected Collections, Brigham Young University, Vol. 1. |
| Exhibit 684 | Sonne, Conway B. <i>World of Wakara</i> . San Antonio: Naylor Publishing Co., 1962. UNABLE TO OBTAIN COPY. |
| Exhibit 685 | Sutak, Tom. <i>Into the Jaws of Hell – Jefferson Hunt: The Death Valley '49ers Wagon Trail & His Adventures in California 1846-1857</i> . Danville: Pine Park Publishing, 2012. http://intothejawsofhell.com |

Respectfully submitted,

February 4, 2013

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**Re: I. Overview of testimony and introduction of other testifiers;
Present 2008-2011 field surveys of OSTA-Tecopa;
Review OSTA archival and historical map evidence; Show deficiencies
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II. Present stronger OSTA-proposed CUL-9 mitigation measures
to replace measures as written in Final Staff Assessment.**

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Qualifications

My qualifications are provided on my resume that is attached to this Testimony and as discussed below.

I am formally trained as an anthropologist, having completed five years in the doctoral program in anthropology at the University of California, Berkeley. During the late 1970s and early 1980s I performed fieldwork in urban historical archaeology in the city of San Francisco and was director of publications for an archaeological consultant firm, Archeo-Tec, Inc. In 1983, I served as Senior Technical Editor for a joint venture between the environmental consulting firms of URS and Berger Consulting (see resume). All my work with Archeo-Tec and URS-Berger involved archaeological and environmental assessment for very large-scale projects.

Many years later, after years in corporate communications with an aerospace firm, I retired and found an opportunity to re-apply my archaeological skills in identifying and recording segments of the Old Spanish Trail in eastern Inyo County. Since 2008, I have been working with OSTA's Tecopa chapter in that pursuit. I have served as president of the chapter since 2009 and chaired the Association's national conference in 2011.

Summary of Testimony

Part I of my testimony documents the importance of the Old Spanish National Historic Trail in California and Southwest history, including the reasons that Congress bestowed it with the status of a National Historic Trail. I outline the stringent qualifications necessary for such a designation and the criteria that define a "historic trail." It is clear that portions of the OSNHT would be destroyed by construction of the HHSEGS plant. Such a loss would

represent a severe diminution of California's relatively untouched portions of the OSNHT. It would also represent a flagrant industrial intrusion into a landscape that today looks much as it did in the 1830s.

Part II of my testimony examines the inadequacy of the CUL-9 mitigation measure proposed in the CEC's Final Staff Assessment. CUL-9 as formulated would not enable the data recovery from the site that technologically possible today. My testimony suggests beefing up both the data recovery program of CUL-9 and the data analysis/report writing portion of the measure. We wish to ensure that OSTA is involved in both aspects of the work. The point of mitigation should be to capture as much as possible of what would be lost, and then to ensure that OSTA—a trail stewardship organization—is integrally involved in the re-creation of the site via displays, videos, and educational/interpretive materials.

Statement

I. The Old Spanish National Historic Trail and the Mormon Road: Facing Obliteration in the Pahrump Valley by the HHSEGS Project

The Old Spanish Trail — since 2002 one of the United States' 19 National Historic Trails — represents a unique and irreplaceable remnant of California's and the Southwest U.S.' Mexican-period past (1821-1848).

Congress recognized this fact in 2002 by conferring the status of National Historic Trail to the Old Spanish Trail, thus placing the OSNHT under the protection of the National Trail System Act of 1968 [EXHIBIT 600].

The OSNHT was used between 1829 and 1848 as a pack-mule route for trade caravans that linked Mexico's remote northern outposts of Santa Fe, NM, and Los Angeles, CA. It is the subject of numerous historical monographs [EXHIBITS 601, 602, 603, 604, 605, among others]. Woolen and other goods from New Mexico made their way via muleback to California. New Mexican traders then used their profits to purchase California livestock (primarily horses and mules), which they then herded back to New Mexico.

After 1848, when California became a territory of the United States, two historical forces conflated to turn the Old Spanish Trail into a wagon trail that brought American commerce and immigrants into California. One of these forces was the discovery of gold at Sutter's mill, which precipitated the Gold Rush. Some 49ers, seeking to avoid the Sierra Nevada, with its memories of the 1846 Donner Party, chose to go south from Salt Lake City, following the OST to reach southern California. Once in Los Angeles, they made their way north to reach the gold fields. The other force was the establishment of the Mormon capital in Salt Lake City. In the late 1840s and 1850s, the Mormon leaderships in Salt Lake sought to establish a southern

California base (one action was to found the city of San Bernardino) as a means of ensuring trade, gaining access to livestock and plant stock, and maintaining relationships established by the Mormon Brigade (EXHIBIT 606). The resulting string of wagon trains that followed the OST from southern Utah to southern California, between 1849 and the 1860s, created a wagon trail known variously as the “Salt Lake Road,” the “Mormon Road,” and other names. This development has been described by numerous historians [EXHIBITS 601, 602, 605, 606]. The route, along which the wagon trail followed and often overlay the original mule trace, is referred to by the Applicant’s consultant, CH2MHill, and by the CEC staff, as the Old Spanish Trail/Mormon Road Northern Corridor (OST/MR NC). [EXHIBITS 607 and 608]

Awarding a license to construct and operate the HHSEGS plant will obliterate portions of the OSNNT/MR NC. This fact is clearly articulated in the CEC’s Final Staff Assessment (FSA), which states:

The [HHSEGS] project would significantly impact the OST-MRNC by erasing potential tracks and traces on-site. **Any OST-MRNC tracks and traces on the HHSEGS project site would be destroyed—directly, physically impacted by the project’s construction. Destruction of the tracks and traces, and the resulting loss of integrity, is irreversible.** Staff has concluded that this impact on the informational values of the OST-MRNC is significant and must be mitigated. Staff has also concluded that the installation of the proposed power towers and heliostats would result in a significant and unavoidable direct, perceptual impact to the OST-MRNC ... [altering] the vast, open landscape that is a character-defining feature of this historical resource. **The visual quality of this section of the OST-MR would be permanently damaged by the project’s presence, resulting in a substantial adverse change in the**

significance of a historical resource and a significant and unmitigable impact. This impact cannot be avoided or reduced if the project is constructed as designed and in the proposed location [emphasis added]. [EXHIBIT 608, p. 4.3-116]

My testimony today will clearly and emphatically delineate the cultural history and visual resources that will be lost forever to California should the project proceed. Moreover, I will seek to convince you that the magnitude and irreversibility of these losses requires much stronger mitigating measures than those proposed in the CEC's FSA. My colleague Richard Bent and I will propose more adequate and robust mitigations that are commensurate with the scale of the resources that California stands to lose.

OSTA's proposed mitigations will ensure that the latest remote-sensing and data-analysis technology combine with vision and imagination to capture and recreate for the California public the cultural history and desert environment that will be forever lost if HHSEGS is built.

The Historical Record of the OSNHT/MR NC in the Area of the CA/NV State Line and OSTA's Trail Survey Work in the Area

Official Route of the OSNHT: Qualifications and Determinations

The National Park Service feasibility study (NPS 2000-2001) and the 2002 addition of the OSNHT to the National Trail System resulted in an official map showing the route of the OSNHT. [EXHIBIT 609] As can be seen, this map shows the OSNHT passing south of the project site. However, this placement of the route on this map is clearly in error since it shows the trail passing south of Stump Springs: numerous references in travel journals cite Stump Springs as a trail stop. Moreover, several 19th century maps also show Stump Springs on the Trail [EXHIBIT 610, pp. 49-51]. Thus there is abundant documentary evidence to confirm the error in the official OSNHT map.

More importantly, it is essential to realize that the official Trail map is an approximation, defining the route on the basis of the best knowledge available in 2000-2001. It was prepared, for example, prior to creation of the Old Spanish Trail Association's Tecopa chapter, and prior to the extensive field surveys conducted by the chapter between 2008 and the present.

Finally, the NTS Act and the NPS and BLM, the Trail managers, anticipate that research and field surveys would result in the finding and inclusion of additional branches and variants of trails. A National Historic Trail, therefore, is best regarded as a braided set of paths, diverging and converging, as they take slightly different courses through a terrain. Definition of trail routes is subject to revision and expansion in light of new knowledge. This last factor is particularly relevant in the case of the OSNHT and the HHSEGS site.

The OSNHT/MR NC and the HHSEGS Project Site

There is abundant archival evidence demonstrating that the OSNHT/MR NC passed through Stump Springs, as I documented in my April report to the CEC [EXHIBIT 610]. More importantly the archival sources (travelers' journals such as those of Lorton [EXHIBIT 611], Pratt [EXHIBIT 612], and Bigler [EXHIBIT 613], make it clear that the parties on the OSNHT/MR NC used the springs to the north of Stump Springs, as well HHSEGS site. These springs include Hidden Springs, Brown Springs, and the Rocher qui pleu [EXHIBIT 614].

With this type of archival evidence in hand we can be certain that westward-bound parties on the OSNHT/MR NC used several springs along the eastern edge of the HHSEGS site. But would they have proceeded west, across the project site on their way toward Emigrant Pass and Resting Springs?

The answer is a clear Yes, based on two arguments:

- 1) travelers in the desert whenever possible chose the most direct route, allowing for terrain, between two spots. This is a point made,

and repeated, in one of the Applicant's Cultural Resources submissions [EXHIBIT 615]. The most direct route from Hidden, Brown, and la Rocher qui pleu springs toward Emigrant Pass would lead directly across the project site [EXHIBIT 616].

2) OSTA's field surveys have recorded segments of a mule trace just to the southwest of the project site, pointing northeast in the direction of Hidden, Brown, and Rocher qui pleu springs [EXHIBIT 616 *ibid.*]. These segments appear to be extensions of the 11 km of continuous trace that OSTA has recorded that lead directly from Emigrant Pass. Their location and orientation would accord with the premise of relatively direct routes, since the terrain across the playa offers few obstructions.

The 1829-1848 OSNGT Mule Trace Between the Springs and Emigrant Pass

A single-track mule trace, as opposed to a dual-track wagon trail, would likely be a remnant of Mexican caravans during the 1829-1848 trail period. Such a trace would be worn into desert pavement, but would not persist in the softer soils on the dry lake plaza in and around the project site [EXHIBIT 617].

This is where OSTA's well documented, on-the-ground trail surveys provide convincing evidence of a previously unrecorded segment of the OSNHT. Our maps of this segment are based upon our 2008-2012 field surveys [EXHIBIT 618, 619]. How can we be certain that this trace resulted from one or more Mexican mule caravans proceeding west? Four lines of evidence buttress that conclusion.

1) We began following and recording the trace from a point that all scholars agree [EXHIBITS 601-605] is a remnant of the mule caravan: the summit of Emigrant Pass [EXHIBIT 620]. Here the deeply worn single trace is clearly visible at the summit and as it descends the Pass to the west, heading toward Resting Spring [EXHIBIT 621].

2) We have followed this trace eastward and carefully recorded its location by GPS waypoints, photographs, and field notes. From the

starting point at Emigrant Pass we have verified its unbroken presence for about 11 kilometers to a location just southwest of Charleston View. The crucial point, here is that this entire segment of traces is directly connected, without interruption, to the spot on Emigrant pass that all authorities agree is part of the 1829-1848 period route.

3) Where this 11-km segment crosses arroyos, there is clear evidence that the animals were proceeding west. Examination of the eastern and western lips of the arroyos shows that the concavity of the trace is much broader and deeper on the west lips. This is consistent with heavily laden animals clawing their way up and out of a steep-banked arroyo.

4) Much of the 11 kilometers of trace pass through nearly pristine desert. Over the 11 kilometers we have recorded fewer than 15 artifacts, except for roadside litter where the trace approaches or crosses Old Spanish Trail or gravel roads. The lack of beer cans, bottle glass, batteries, and other modern detritus indicates virtually no modern presence along the remote reaches of the trace. In some places creosote plants with stems of 3-5 cm have grown up in the trace, indicating that the trace was in existence at least 50 years ago [EXHIBIT 622] and quite likely longer.

Now, to return to our discussion of the OSNHT/MR NC and the HHSEGS project site, we are confronted with a classic “It goes in here; it comes out there, so it must have passed through” situation. OSTA’s map reconstructing the likely routes may be hypothetical, but the Trail’s crossing the project site is consistent with a variety of archival and observational data. These include the accounts cited earlier, while the soft soils in the playa area that are subject to wind and water erosion may account for the fact that wagon tracks and mule traces are not readily visible, as they are approaching Emigrant Pass.

Finally, the archival accounts and OSTA field recordings are in themselves sufficient to establish the project site as falling across a previously unrecorded segment of the OSNHT/MR NC. OSTA has the concurrence of the National Park Service in this judgment.

In comments submitted to the CEC on July 23, 2012 [HHSEGS Docket; TN 66318], Michael Elliott, a National Park Service cultural resources specialist whose purview includes the OSNHT, wrote:

Many historic sites exhibit no currently visible surface archaeological manifestations. These include trails, battle sites, cultural water routes, traditional cultural properties, cultural landscapes, shipwrecks, treat trees, and others. All these sites can have great historical significance, often under Criterion A, so the question of their eligibility revolves around integrity. The seven aspects of integrity are location, design, setting, feeling association, materials, and workmanship. With no tangible surface remains, non-feature sites must exhibit a high degree of integrity in location, setting, feeling, and location. Any undertaking that diminishes the integrity of a property along any of these aspects must be considered an adverse effect.

The National Register Bulletin 15 states: “All properties change over time. It is not necessary for a property to retain all its historic physical features or characteristics. The property must retain, however, the essential physical features that enable it to convey its historic identity. The essential physical features are those features that define both *why* a property is significant (Applicable Criteria and Areas of Significance) and *when* it was significant (Periods of Significance).

Designation of a National Historic Trail is a rigorous process.

The National Park Service conducted exhaustive research — both documentary and in the field — to document the significance, integrity, and location of the Old Spanish NFT as part of the feasibility study for its designation. The language of the Nation Trails System Act of 1968 (as amended) states: (To be designated as a National Historic Trail ...) “it must be a trail or route established by

historic use and must be historically significant as a result of that use. The route need not currently exist as a discernible trail to qualify, but its location must be sufficiently known to permit evaluation of public recreation and historical interest potential. The trail was determined to be nationally significant (NPS 2001:23) in terms of National Historic Trail criteria—a much more restrictive standard than National Register evaluation. [Emphasis added.]

Congress agreed, designating the Old Spanish NHT in 2002.

I want the Commission to absorb the import of what I have just read: *the OSNHT/MR NC in the project site clearly meets National Historic Trail criteria.*

The Trail may not be visible there, but such is not required.

Other evidence attests its presence. It also retains the essential physical features that convey its historical identity. Finally, the Trail meets the criteria of National Historic Trail criteria — a much more restrictive standard than that for National Register evaluation.

II. OSTA Response to Mitigation Measures Proposed in the FSA.

OSTA’S Position with Respect to the HHSEGS Application for Certification before the California Energy Commission

OSTA recommends that the CEC deny the HHSEGS application. Our position is based upon the complete, irreversible destruction of portions of the Old Spanish National Historic Trail/Mormon Road Northern Corridor (OSNHT/MR NC) that will result from building the plant in the proposed location.

Construction of the plant would result in grading and later site use that would permanently destroy and remove all vestiges of the OSNHT/MR NC with no possibility to preserve or restore them at the end of project life. No set of mitigation measures could ever compensate entirely for what is lost to us and to posterity.

The irreversible destruction of portions of the OSNHT that would result from construction and operation of the HHSEGS plant represent an immeasurable loss of historical, cultural, and visual resources.

The portion of the Trail in the Project marked a point at which westbound travelers left the Spring Mountains and prepared for the next few days of trek across long, harsh sections of the Mojave Desert. Today, it is still possible for visitors to the Pahrump Valley to enjoy vicariously what travelers 180 to 120 years ago experienced on the OSNHT/MR NC.

Nothing can ever replace the heritage and history that will be lost if the project is built. If the Trail in the Pahrump Valley is obliterated; if the broad vistas are replaced with views of skyscraper-height towers, then mitigating measures must be commensurate with the enormous loss of place and historical identity that will disappear for today's Californians and for posterity.

Mitigation Measures CUL-9, CUL-10, CUL-11

Seen in this light the only mitigating measures that can even partially compensate for the loss must be a large, comprehensive, and extensive artificial re-creation of what has been lost. Such a re-creation must embody findings and knowledge about the lost resources and environment, based upon the most complete and technologically sophisticated techniques of modern scientific data recovery.

Moreover, the capturing and analysis of these data must then be rendered into highly engaging, easy-to-understand, yet scientifically and historically accurate means of communications for the purpose of informing and educating a public that can no longer visit the real thing. Means for achieving this goal will include: video production for use on the Internet, in museums and schools, and on television; interactive displays for museum visitors; attractive and state-of-the-art museum space; strong public education and outreach programs, and more.

It is OSTA's considered opinion that mitigation measures CUL-9, CUL-10, and CUL-11 as set forth in the FSA fall woefully short of meeting the mitigation goals just outlined. The three measures propose too little, are too limited in their scope and vision, and would not adequately compensate California and its citizens for what they will lose.

In light of OSTA's position and in light of the deficiencies we find in CUL-9, CUL-10, and CUL-11, OSTA proposes the following reformulation of these measures. The reformulated measures not only increase the scientific rigor and comprehensiveness of field methodologies in CUL-9, but prescribe for CUL-10 a much broader view of re-creating and presenting lost cultural resources to the general public. I will now present the enhancements to CUL-9 that are needed for the measure to ensure the best, most comprehensive, technologically possible data recovery from the project site. These will be data capable of being used by future scientists, archaeologists, movie-makers, and educators.

CUL-9

I have copied the text of CUL-9 directly from the FSA. I have used strike-out text to show changes and inserted the OSTA-proposed replacement text in *red italics*.

CUL-9 Prior to the start of construction-related ground disturbance or grading, boring, and trenching, as defined in the General Conditions for this project; and/or surface grading or subsurface soil work during pre-construction activities or site mobilization, and/or mowing activities and heavy equipment use in loose or sandy soils, at the project site and at laydown areas, roads, and other ancillary areas in California, the project owner shall fund a study of the Old Spanish Trail-Mormon Road Northern Corridor (OST-MRNC) by the Old Spanish Trail Association (OSTA). The project owner shall submit the OSTA study research design *developed in cooperation with OSTA* to the CPM for review and approval prior to the start of the investigation. The study shall not begin prior to CPM approval. No ground disturbance shall occur prior to completion of the OSTA

study, unless such activities are specifically approved by the CPM. The OSTA study shall, at a minimum:

- a.** *Gather remote-sensing data capable of revealing tracks, trails, traces, swales, vegetation changes, and other evidence of past activity on and immediately adjacent to the HHSEGS site. The remote sensing data to be gathered include aerial photography, both visible light and infrared; and LIDAR data from an airborne LIDAR survey of HHSEGS site and immediately adjacent areas.*
- b.** *On the basis of these remote sensing data*, ground-truth all potential OST-MRNC tracks and traces within the identified OST-MRNC in the Pahrump Valley; and
- c.** Produce a report, *based upon the remote-sensing data and the ground-truthing*, identifying the confirmed OST-MRNC tracks and traces in the Pahrump Valley and justifying the confirmation or rejection of each, with a map showing the confirmed tracks and traces; and
- d.** Complete a DPR-523l form for each confirmed track and trace located on the HHSEGS project site and submit these forms with the report required in Part b.

At the same time as or after the completion of the OSTA study, the project owner shall fund a follow-up study of the OST-MRNC, to be conducted *in partnership with OSTA* by an independent qualified ~~historian~~ academic. *This co-principal investigator with OSTA could be a qualified historical archaeologist, a historian, a cultural geographer with relevant experience, or an academic research center or institution with expertise in historical archaeology. Such a research institute or center would preferably be associated with the University of California or a branch of the California State University system. A qualified cultural resources contract firm could also serve as the co-principal investigator, provided that the firm has no ties with the project, BrightSource LLC, or CH2MHill.*

OSTA will participate in selection of the qualified co-principal investigator and will also share in the development of a research

design, data analysis and interpretation, and preparation of the study report.

The project owner shall submit the follow-up study research design to the CPM for review and approval prior to the start of the investigation. The study shall not begin prior to CPM approval. This OST-MRNC documentation and evaluation study shall, at a minimum:

- a.** Produce a local historical context of the OST-MRNC in the Pahrump Valley. *This historical-archaeological context will synthesize a variety of data needed to produce a scientifically and technologically record of all the on-the-ground resources that would be lost if the HHSEGS project proceeds. The historical-archaeological context will include the following elements:*

 - *information from the OSTA report and the Old Spanish Trail Documentation Project*
 - *information from historical accounts, archival manuscripts, and historical maps of the OSNHT/MR NC*
 - *evaluating the role of the Mound, Browns, Weeping Rock, Hidden Hills Ranch, and Stump springs as key natural water sources for those traveling along this portion of the OST-MRNC*
 - *aerial and satellite photography of the project area, as well as an aerial LIDAR survey to be performed of the project site and boundary areas*
 - *integration of the above data into a series of GIS overlay maps to allow easy synthesis, analysis, and presentation of complex data sets.*
- b.** Incorporating, and evaluating the role of the Mound, Browns, Weeping Rock, Hidden Hills Ranch, and Stump springs as key natural water sources for those traveling along this portion of the OST-MRNC;

- c. Evaluate the identified OST-MRNC tracks and traces for NRHP and CRHR eligibility in the local context of the Pahrump Valley;
- d. Evaluate the identified OST-MRNC for inclusion in the National Register of Historic Places (NRHP)-listed Old Spanish Trail-Mormon Road Historic District (Nevada), and the Old Spanish Trail National Historic Trail;
- e. Produce a report of investigations, including full documentation of the OST-MRNC and a recommendation, with full justification, on nominating the OST-MRNC for inclusion in the CRHR and/or the NRHP-listed Old Spanish Trail-Mormon Road Historic District (Nevada); documentation shall adhere to the Secretary of the Interior's Guidelines for Architectural and Engineering Documentation and the National Park Service guidelines for Historic American Landscape Surveys.

The project owner shall ensure that all reports and resource documentation are submitted to the CPM and to the appropriate California Historical Resources Information System (CHRIS) Information Center. The project owner shall also provide all OST-MRNC reports and resource documentation to the interpretive facilities identified in **CUL-10** for use in the planning and completion of OST-MRNC interpretation and exhibits. The project owner shall ensure that all reports, resource documentation, and nominations are submitted to the appropriate federal and/or state agencies for nomination to the NRHR, CRHR, and the Old Spanish Trail National Historic Trail.

Verification: At least 90 days prior to the start of ground disturbance, the project owner shall submit an agreement or contract with the OSTA for required research on the tracks and traces of the OST-MRNC to the CPM for review and approval.

At least 60 days prior to the start of the OSTA study, the project owner shall submit the research design for the study and a recommended due date for the submission of the draft report and DPR 523L forms to the CPM for review and approval.

At least 30 days prior to the start of ground disturbance, the project owner shall submit the final OSTA study report and DPR 523L forms to the CPM. Construction-related ground disturbance may start after the CPM approves the final report and forms.

No later than 45 days after CPM approval of the OSTA study report, the project owner shall submit an agreement or contract with a qualified historian for the required documentation of the OST-MRNC to the CPM for review and approval.

At least 60 days prior to the start of the OST-MRNC documentation study, the project owner shall submit the research design for the study and a recommended due date for the submission of the draft report to the CPM for review and approval.

No later than 120 days after CPM approval of the OST-MRNC documentation study research design and due date, the project owner shall submit the draft study report to the CPM for review and approval.

Within 30 days of receiving CPM approval of the draft OST-MRNC documentation study report, the project owner shall submit the final OST-MRNC documentation study report to the CPM.

Within 10 working days of receipt, the project owner shall provide a copy of all study-related correspondence with OSTA and other agencies and organizations to the CPM.

Within 90 days after CPM approval of all OST-MRNC study reports and documentation, the project owner shall submit the final OSTA and OST-MRNC documentation study reports and DPR 523L forms to the California Historical Resources Information System (CHRIS) and to the Interpretive Center (**CUL-10**) Stakeholders Group for use in the planning and completion of OST-MRNC interpretation and exhibits.

Within 30 days after submitting all OST-MRNC documentation to the CHRIS and the Interpretive Center Stakeholders Group, the project owner shall provide documentation to the CPM confirming receipt of the materials.

Conclusions

The Old Spanish National Historic Trail occupies a unique place in the history of California, representing the first “Interstate” into southern California, bringing Mountain Men, Mexican traders and immigrants, and later 49ers and Mormons. The Pahrump Valley segment of the trail is framed by grandiose mountains and a nearly intact Mojave desert landscape. Kit Carson, John C. Fremont, William Workman and other figures notable in U.S. and California history stopped at Stump Springs and Resting Springs. They, and countless more trail travelers, helped infuse California with the energy and vision that have made the state great.

OSTA seeks to preserve this piece of California’s heritage, remote as it may be in a corner of the state. If we cannot do so, we wish to ensure that the applicant, BrightSource LLC, compensates the people of California through mitigations proportional to the immense loss resulting from the project.

Exhibits for Jack Prichett Testimony

Old Spanish Trail Association, Nos, 600-622

| | |
|-------------|--|
| Exhibit 600 | National Trails System Act, revised 2009. http://www.nps.gov/nts/legislation.html |
| Exhibit 601 | Hafen, Leroy and Hafen, Ann 1993. The Old Spanish Trail. Lincoln, NE, and London: University of Nebraska Bison Books (orig. 1954 by A.H. Clark Co., Glendale, CA, as part of the "Far West and the Rockies historical series). |
| Exhibit 602 | Lyman, Edward Leo. The Overland Journey from Utah to California. Reno & Las Vegas: University of Nevada Press, 2004. |
| Exhibit 603 | Walker, Clifford J. 2009. Gone the Way of the Earth: Indian Slave Trade in the Old Southwest. Barstow, CA: Mojave River Valley Museum Publications. |
| Exhibit 604 | Crampton, C. Gregory and Madsen, Steven K., 2007. In search of the Spanish Trail: Santa Fe to Los Angeles 1829-1848. Layton, Utah: Gibbs Smith, Publisher. |
| Exhibit 605 | Steiner, Harold. The Old Spanish Trail Across the Mojave Desert. Las Vegas: The Haldor Company, 1999. |
| Exhibit 606 | Sutak, Tom. Into the Jaws of Hell – Jefferson Hunt: The Death Valley '49ers Wagon Trail & His Adventures in California 1846-1857. Danville: Pine Park Publishing, 2012. |
| Exhibit 607 | CH2MHill 2012, Historic Trails and Roads Technical. HHSEGS study performed for Hidden Hills Solar and given Confidential status as Attachment DR125. NOT PUBLICLY AVAILABLE. |
| Exhibit 608 | HHSEGS Final Staff Assessment , Dec. 2012. Chapter 4, Cultural Resources. http://www.energy.ca.gov/sitingcases/hiddenhills/documents/fsa/04_Cultural_Resources_596-798.pdf |
| Exhibit 609 | Official NPS map of the Old Spanish National Historic Trail http://www.nps.gov/olsp/planyourvisit/maps.htm |

| | |
|-------------|--|
| Exhibit 610 | Prichett, Jack. The Old Spanish National Historic Trail: A Report on Cultural and Visual Resources in the Near Vicinity of the Proposed Hidden Hills Solar Energy System Plant, Inyo County, CA, 2012. Submitted on behalf of Old Spanish Trail Ass'n, an intervenor in the HHSEGS license application. http://www.energy.ca.gov/sitingcases/hiddenhills/documents/others/2012-04-27_Jack_Prichett_OSTA_Cultural_Rsources_Report.pdf |
| Exhibit 611 | Lorton, William B. 1849. Journal. Unpublished ms. The Bancroft Library, Univ. of California, Berkeley, Calif. [Notes: Lorton was traveling with the San Joaquin Company (often called the Jefferson Hunt Wagon Train). The dates note in brackets are from Lorton's journal; he lost track of the calendar, then later realized, and corrected, his dates; LeRoy Johnson, who is editing the journal has corrected dates of the Stump Spring entries.] |
| Exhibit 612 | Pratt and Choteau quoted in Hafen and Hafen 1993 (Exhibit 601), pp. 365-369. |
| Exhibit 613 | Bigler, Henry W., cited in Steiner 1999 (Exhibit 605), p.159. |
| Exhibit 614 | Prichett, Jack 2012. See Exhibit 610, p 43. http://www.energy.ca.gov/sitingcases/hiddenhills/documents/others/2012-04-27_Jack_Prichett_OSTA_Cultural_Rsources_Report.pdf |
| Exhibit 615 | CH2MHill 2012, Historic Trails and Roads Technical. HHSEGS study performed for Hidden Hills Solar and given Confidential status as Attachment DR125. NOT PUBLICLY AVAILABLE. See page 3-1. |
| Exhibit 616 | Prichett, Jack 2012. See Exhibit 610, p 44 http://www.energy.ca.gov/sitingcases/hiddenhills/documents/others/2012-04-27_Jack_Prichett_OSTA_Cultural_Rsources_Report.pdf |
| Exhibit 617 | Steiner, 1999. See Exhibit 605, p. 161. |
| Exhibit 618 | Prichett, Jack 2012. See Exhibit 610, p 40 http://www.energy.ca.gov/sitingcases/hiddenhills/documents/others/2012-04-27_Jack_Prichett_OSTA_Cultural_Rsources_Report.pdf |
| Exhibit 619 | Google Earth image with plot of OSTA waypoints, showing "beeline" course of mule trace from Charleston View toward Emigrant Pass. |
| Exhibit 620 | Prichett, Jack 2012. See Exhibit 610, p 34 http://www.energy.ca.gov/sitingcases/hiddenhills/documents/others/2012-04-27_Jack_Prichett_OSTA_Cultural_Rsources_Report.pdf |

| | |
|-------------|---|
| Exhibit 621 | Google Earth image showing OSNHT mule trace crossing Emigrant Pass. Emigrant Pass is the datum, or starting point for OSTA's "re-discovery" and GPS recording of the trace. |
| Exhibit 622 | Vasek, Frank C. 1980. Creosote bush: long-lived colonies in the Mojave desert. American Journal of Botany 67(2):246-255. |

Declaration of Jack Prichett

Re: Testimony on Cultural Resources Relative to the Application for Certification for the Hidden Hills Solar Energy Generating System

Docket No. 11-AFC-02

I, Jack Prichett, declare as follows:

1. I am currently a cultural resources and communications consultant and have held this position for more than nine years.
2. My relevant professional qualifications and experience are set forth in the attached resume and in the testimony presented above which are incorporated herein by reference.
3. I prepared the testimony attached hereto and incorporated herein by reference, relating to (1) significance of the Old Spanish National Historic Trail as a cultural resource and (2) needed reformulation of CUL-9 in the CEC's Final Staff Assessment.
4. It is my professional opinion that the testimony above 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 testimony above and if called as a witness I could testify competently thereto.

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

Dated: February 3, 2013

Signed:



At: Venice, CA

Jack Prichett

857 Nowita Place
Venice, CA 90291

(310) 821-7341
jackprichett@ca.rr.com

Communications planning with strong background in historical archaeology and environmental assessments

HHSEGS-Relevant Professional Background

- ❖ **1983–1984, Senior Technical Editor**
URS-Berger (now Tetra Tech, Inc.)
San Bernardino, CA

Headed 10-editor staff for a \$20 million environmental impact assessment performed for nationally significant U.S. Air Force program for construction of MX missile sites. Produced 17 volumes of reports in 10 months, including cultural resources, air quality, water quality, and socioeconomic impacts. Reports passed all reviews and successfully met court challenge.

- ❖ **1978–1981, Publications Director**
Archeo-Tec, Inc.
Oakland, CA

Conducted historical archeological excavations in San Francisco and researched, co-authored and co-edited 900-page Behind the Seawall and 300-page Yerba Buena Center, nationally recognized cultural resources reports.

Relevant Background: Old Spanish Trail

- ❖ **2009–Present, President**
Old Spanish Trail Association, Tecopa Chapter
Tecopa, CA

Senior member of Trail Committee that conducted field work 2008 to 2012 on portions of the Old Spanish National Historic Trail between Emigrant

Pass on Old Spanish Trail Highway, eastward to Charleston View, CA.
Led Tecopa Chapter role in coordination of field survey and production of the 2009 report, Focused Phase 1 Archaeological Study for Old Spanish Trail Association. Research was conducted under OSTA-National Park Service funding.

Chaired the 2011 OSTA annual conference held in Pomona, CA, with program of 49 speakers and attendance of more than 150 trail scholars and OSTA members. Since 2011 have coordinated OSTA's activities as an Intervenor before the CA Energy Commission in the licensing application by BrightSource Energy for the HHSEGS project.

Historical Archaeological Publications and Presentations

See attached bibliography.

Consultant Work Since 2003

- ❖ Directed public relations for congressional campaign of Marcy Winograd, 2006. Duties involved media relations, campaign photography, arranging campaign appearances. Winograd won 38% of the vote against a highly favored, 12-year incumbent.
- ❖ Led marketing campaign for Cynthia's Lodgings, 2007-2008. Developed print and web-based marketing materials, acted as photographic consultant and director.
- ❖ Headed Public Relations committee of 55,000-member Angeles chapter of the Sierra Club in Los Angeles, CA, 2003-2006. Established the chapter's electronic pressroom; wrote, edited, produced chapter's annual reports. Wrote a library of electronic fact sheets for reporter use.
- ❖ Promoted events of Venice Community Housing Corporation, 2008-2012, receiving wide TV, radio, and press coverage for VCHC activities.
- ❖ Served as media relations director for West LA Democratic Club, 2005-2008. Helped produce and candidate forums for local and statewide elections, including writing and issuing media releases, and organizing candidate interviews.

Corporate Career

Testimony of Jack Prichett

- ❖ **1994, Vice President, Manager of Bancorp Communications
First Interstate Bank
Los Angeles, CA**
Worked with senior bank executives to develop strategy and communications program for 26,000 employees across 13-state territory.
- ❖ **1994-2003, Senior Communications Manager
Northrop Grumman Corp.
Redondo Beach, CA**
Managed multiple functions, with primary responsibility for media relations, in 20-person communications department of \$1.8 billion operating unit dealing in space communications, telecommunications products, and other high technology businesses. Provide strategic direction and manage staff, budget, and activities of contract PR agency and vendors. Work daily with media ranging from Space News to Los Angeles Times.

Education

- ❖ Passed Ph.D. candidacy exam in Anthropology, University of California, Berkeley, 1971. Received M.A., 1981.
- ❖ B.A., French, California State University, Sacramento, 1964.

Bibliography

(Partial list of historical/archaeological works)

- 1979 The Running Springs Ranch Site: archaeological investigations at Ven-65 and Ven-261** (co-authored with Allen Mc Intyre). Monograph XII of the Institute of Archaeology, University of California, Los Angeles.
- 1979 The Yerba Buena Center** (monograph co-authored with Roger R. Olmsted, Nancy L. Olmsted, Allen Pastron [co-principal archaeological investigator]). Prepared for City of San Francisco Redevelopment Agency as part of cultural resources assessment for the George R. Moscone Convention Center.
- 1981 Behind the Seawall: Historical archaeology along the San Francisco waterfront, 3 volumes** (co-authored and edited with Allen G. Pastron). Prepared for City of San Francisco Clean Water Program as part of the city's federally mandated Wastewater Management Plan.
- 1981 Up in smoke: clay pipes and the remains of a gold rush warehouse along San Francisco's northeast waterfront** (co-authored with Allen G. Pastron). Archaeological report prepared for Blue Jeans Equities West, San Francisco.
- 2011 On the Trail again: locating, recording, and assessing a 19th century mule trace in the Mojave, near Tecopa, CA.** Presentation made at the annual conference of the Old Spanish Trail Association, Pomona, CA.
- 2012 The Old Spanish Trail: 21st century threats.** Desert Report, March 2012. Publication of the Sierra Club's California-Nevada conservation committee. Also online at www.desertreport.org.
- 2012 There yesterday, gone tomorrow?** Locating, recording, and protecting the Old Spanish Trail near Tecopa, CA. Presentation made at Old Spanish Trail Days, Tecopa, CA, Oct. 20.
- 2012 There yesterday, hearing today, gone tomorrow?** Locating, recording, and protecting the Old Spanish Trail near Tecopa, CA. Presentation made at Old West Days, Shoshone Museum, Shoshone, CA, Nov. 3.

STATE OF CALIFORNIA
California Energy Commission

In the Matter of:

Docket No. 11-AFC-02

**APPLICATION FOR CERTIFICATION
FOR THE HIDDEN HILLS SOLAR ENERGY
GENERATION SYSTEM**

OLD SPANISH TRAIL ASSOCIATION

Testimony of Elizabeth von Till Warren

**Re: Significance of OSNHT status and the NPS Feasibility study
and finding of eligibility, as well as the historical significance of the OSNHT,
including Armijo, Fremont and Kit Carson**

Docket No. 11-AFC-02

Summary of Testimony

My testimony relates to the significance of the Old Spanish National Historic Trail as a cultural resource important in the nation's history and as a part of the National Trail System established by Congress with the National Trail Systems Act.

The segment of the Trail threatened by construction of the HHSEGS plant was used by Col. John C. Fremont in his explorations that revealed to the U.S. public and the Congress much of the geography and culture of what today is California, Nevada, and Utah. Fremont actually camped within miles of (or perhaps even within) the boundaries of the proposed HHSEGS plant. The connections are real and enduring. They must not be lost to the citizens or California or the U.S.

Qualifications

My qualifications are provided on my resume that is attached to this Testimony and as discussed below.

I have over 50 years of experience in academic and professional archaeology and history. I hold a PhD in history, with a dissertation on the history of the Las Vegas springs, a major desert water source in the period of the Old Spanish Trail.

In addition, my Master's thesis on Antonio Armijo and his route on the first mule caravan to traverse the Old Spanish Trail is a seminal work in OST studies. I have studied the Trail, contributed to numerous studies and historical investigations on the Trail in Nevada and California, and been active in OSTA and the Partnership for the National Trails System.

Statement

First, let me introduce myself. I am a professional historian who has been engaged with the Old Spanish Trail for a long time. I moved to Southern Nevada in 1969, enrolled as a Master's candidate in the History Department at University of Nevada, Las Vegas. In 1973, I received my M.A., submitting a thesis that revised the interpretation of the route taken by Antonio Armijo and his caravan, first to open a route to California from Santa Fe. At the same time, in 1972, I began to teach local history to Clark County school teachers new to the area, taking them on long field trips to visit historic sites and “get the feel” of the Mohave Desert. I realized then how important it was to be able to put yourself back in time, learning not only from the written word about historical places and events, but from the environment of the places important to the story. We visited caves and rock shelters, old cabins, cemeteries and mines, transported back in time by taking old roads and trails. Thereby did the newcomers from Iowa, Illinois and other states learn about the history of this part of the Mohave, and learn to care about this place, so different from their experience up till then.

As we traversed the roads of Southern Nevada, I learned the value of intact landscapes for conveying the feeling pioneer travelers and settlers experienced in linking their fates to this open, seemingly empty land. It is this quality of openness, emptiness, and loneliness that sets apart the old trails from modern highways and developments. It is this quality, wherever it is still found, that must be preserved and protected along the Old Spanish Trail. This quality, even today, distinguishes the trail as it wends its way through southern Pahrump Valley and over Emigrant Pass. While the trail traces may be hard to distinguish on the ground, the silence and emptiness of the landscape itself conveys to the traveler the sense of traveling back in time. It is easy to picture the mule trains and horse herds that passed this way in an earlier time.

All of this is threatened by the proposed Hidden Hills Solar Electric Generating Station and the miles of transmission and gas lines on which this project will depend. Add to the immediate impact of these facilities that the project's life span is relatively short but the physical damage to the land will be irreparable, and to the highly valued visual qualities of the area, decades long. Mitigating these consequences requires understanding and appreciation of the Old Spanish National Historic Trail, its significance for local and regional history, and its value to the nation. My testimony addresses these values.

Construction and operation of the Hidden Hills Solar Electric Generating Station (HHSEGS) will cause irreparable harm to the segments of the Old Spanish National Historic Trail located in eastern California along the Old Spanish Trail Highway. Towers hundreds of feet high, lighted by the sun and by burning natural gas, will illuminate a landscape which today exhibits natural light, with few artificial intrusions. The night sky is dark, and constellations of stars seem close enough to touch. All of this, and the quietude experienced for thousands, indeed millions, of years will vanish when this project is constructed. Add to this loss, the damage to the national trail, designated by Congress as a National Historic Trail because it is important to the history of the nation. What are those significant values?

Is it even possible to mitigate for all this?

The Old Spanish National Historic Trail, some 2500 miles long and passing by a variety of routes through six states, was elevated to National Historic Trail status by Congress in 2002 in recognition of its “importance in developing the American economy” and its contribution to the “changing role of the U. S. in the world economy” (Exhibit 650: 6). This trail was developed in the early 19th century by New Mexican entrepreneurs active in the trade between Santa Fe and Missouri. I will present details about this trail and its importance locally; first I should like to discuss the category of National Historic Trails.

National Historic Trail status is enjoyed by only 19 trails. This designation, bestowed only by Congress after lengthy and detailed study, recognizes the importance of these routes in the nation's history. With this recognition come significant levels of protection for the physical trail and its landscape. Great effort is made to identify the trail on the ground and its setting today. Those places which still retain the open space and quietude typical of the 19th century are especially prized and strong efforts are put forth to defend these rare landscapes from modern intrusion. Such places are identified as “high potential segments” which can transport the visitor back to the era of 19th century; they are few in number and deserving of special treatment. One such place is the south end of Pahrump Valley, with its open space and its historic sites. Stump Springs, an important Old Spanish Trail watering hole here, and the area around it, are designated an “Area of Critical Environmental Concern” by the BLM, which guards it against intrusions and regularly monitors its condition. The HHSEGS project, with its transmission lines and access roads will negatively impact this rare site.

In addition to this individual site recognition, the extraordinary values intrinsic to national trails are recognized as well in the new status accorded them by BLM management since the year 2000. A new direction for BLM's multiple use mission focuses on its National Landscape Conservation System, which includes all national monuments, national conservation areas, wilderness and wilderness study areas, wild and scenic rivers, national scenic and historic trails, and the California Desert Conservation Lands.

Support for the trails is not only provided by Congress, but by thousands of volunteers. Each trail has a support group – the Old Spanish Trail Association is one – which raises funds, provides various on-the-ground services, and assists the respective federal agency (National Park Service, Bureau of Land Management, Forest Service) in reaching shared goals for the trails it manages. These non-profit groups have come together to benefit from one another's experience and to take to appropriate members of Congress the goals and objectives of the volunteers. Since 1984, this Partnership for the National Trails System has offered a forum for trails managers and their volunteers, raised literally millions of dollars for trails and documented thousands of hours of volunteer time which is valued at multi-millions of dollars. In 2011, the value of these contributions totaled more than the \$29 million Congress appropriated for the NPS, BLM, and FS combined. The Partnership (PNTS) continues to expand its membership, and includes national historic and scenic trails, and recreational trails (see Exhibit 654).

Old Spanish National Historic Trail Facts

The Old Spanish Trail was a true folk trail, with no one person or party blazing new pathways. Rather, knowledge accumulated by fur trappers and traders, New Mexican soldiers and Catholic priests eventually culminated in the opening of a commercial connection between Santa Fe and Los Angeles. The first commercial caravan, led by citizen Antonio Armijo of Santa Fe, successfully completed the first round trip, trading woolen goods for horses and mules, in 1829-30 (Exhibit 651, *passim*).

Armijo's success stimulated commerce between these two far-flung points of Mexican territory.

Commercial caravans continued to ply the long and dangerous route for the next twenty years, enriching the citizens but also exposing them to foreign influences. Eventually, New Mexican citizens emigrated to California along the Spanish Trail as well, contributing important skills to the growing population of mid 19th century California, while weakening the political power of New Mexico and Mexico. America's "manifest destiny" - to occupy and control all the territory between the Atlantic and Pacific oceans - would be supported by many re-located New Mexicans as well as immigrants from "the States" in the late 1840s (Exhibit 652). The route to California for all of the New Mexicans and many of the Americans was one or another variant of the Spanish Trail (see Exhibit 650 for graphic depiction of the trail by the National Park Service which, in conjunction with the Bureau of Land Management, manages what is now called the Old Spanish Trail).

Use of this trail increased dramatically during the late 1840s, with "manifest destiny" partly the stimulus. In 1842, with the growing interest in emigration from the East, the government's Topographical Bureau sent Capt. John C. Fremont to survey and map this uncharted territory. Fremont spent the years 1842-1844 in conducting two separate surveys, to the Rocky Mountains, then continuing on to Oregon and North California. He produced a report for each survey; they were combined into one volume and published in 1845 (Exhibit 653). These reports were issued just in time to aid the large numbers of easterners heading west, and became especially valuable to Americans after they learned of the terrible fate of the Donner party of 1846. The Spanish Trail became known as the "southern route" to California, open in the winter although summer heat and sparse water supply made the route seasonally still difficult to travel (see Exhibit 652).

Fremont's Report became the wilderness guide for literally thousands of emigrants. The Senate and the House of Representatives EACH ordered 10,000 copies, which they distributed to their constituents, many of whom carried it with them on their journey west. Many who did not have a copy in their possession had read it, and the stories Fremont included became common knowledge among travelers. One of the most lurid tales took place at Resting Springs, a site he called "Archilette," where a major spring supported a small meadow, a most welcome resting place after enduring long treks over sandy desert and rocky terrain with few watering holes. The story was repeated for many years, and reverberates even today.

Two families separated from the main party returning to New Mexico that spring. Herding horses they had acquired in trade, they went as far out on the desert as they

thought safe, and camped to await the large caravan. Before it arrived, they were attacked by local Paiutes, but one man (Andreas Fuentes) and a young boy (Pablo Hernandez) escaped. They backtracked in search of the main caravan behind them, but stumbled on Fremont's party instead. Two of his guides, Kit Carson and Alec Godey, dashed off to help, while Fremont and his main group followed. The only living being they found at Resting Springs was a small dog.

This event altered Fremont's plan to travel down the Mohave River to its end (Exhibit 653, p. 174). This event also provides important information about the Spanish Trail as it was then used by New Mexicans driving horses from California to New Mexico. Following Andreas Fuentes, the trail led from the Mohave River to Bitter Springs and then on to Resting Springs (Fremont's Archillette), where the group camped for the night. Moving down the trail, most likely along a path that crosses the proposed Hidden Hills SEGS site, Fremont next crossed into today's Nevada to Stump Spring, where he camped. From there, he moved on to Mt. Springs and the major springs at Las Vegas. Fuentes continued to lead Fremont along the trail through Nevada and into Utah, where the party was joined by mountain man Joseph Walker, who guided the party north to Salt Lake (Exhibit 653, p. 174).

Fremont's cartographer for this trek was Charles Preuss. The map was based on measurements of latitude and longitude, and included only the geographic features the party actually saw. This map was issued with the 1845 report. Subsequently, however, an expanded map was prepared by Preuss at the request of the Topographical Corps, and issued in 1848, just in time for the Gold Rush.

Conclusions

Pahrump Valley is an especially valuable segment of the Old Spanish National Historic Trail for two reasons: its association with Fremont, and because, despite the passage of more than 150 years since Fremont's trek along the trail, it retains the magnificent physical setting of that period. Construction of the HHSEGS will destroy a major part of the trail, associated with the springs that erupt along the foot of the Spring Mountains. No mitigating measures will ever be truly commensurate with the damage to the Old Spanish National Historic Trail and the mountain/desert environment it traverses.

California's Mexican-American heritage will also suffer as the desert is industrialized. All Americans are the losers as these projects incrementally change the environment we live in and destroy the historic settings of past human dramas. We need to take a hard look at the true costs of solar projects which depend on massive structures and hundreds of miles of transmission lines. These developments have a short life span of about 30 years, after which the destroyed landscape remains and is of no value for other than more industrial projects. Such landscapes do not evoke warm memories of anyone's past. Rather, they discourage tourists and stimulate people to find other, friendlier, more attractive places to live and work. Surely we can do better, for ourselves and our descendants, the people who will inherit the land but who will surely face major challenges in managing it because of decisions we make today.

Exhibits for Elizabeth von Till Warren Testimony

| Exhibit # | Author and Title |
|-----------|--|
| 650 | Old Spanish Trail Association, 2001. Official Response [to the 2000 NPS Feasibility Study for the Old Spanish Trail nomination to National Historic Trail status]. Elizabeth von Till Warren and Harold Austin Steiner and submitted to National Park Service. |
| 651 | Hafen, Leroy and Hafen, Ann 1993. The Old Spanish Trail. Lincoln, NE, and London: University of Nebraska Bison Books (orig. 1954 by A.H. Clark Co., Glendale, CA, as part of the "Far West and the Rockies historical series.) |
| 652 | Bryant, Edwin, 1985. What I Saw in California. Lincoln, NE and London: University of Nebraska Press [republication of the earlier original]. |
| 653 | Fremont, Brevet Capt. John C. , 1845. Report on the Exploring Expedition to the Rocky Mountains in the Year 1842 and to Oregon and North California in the Years 1843-'44. Washington DC: Gales and Seaton, Printers. |

Declaration of Elizabeth von Till Warren

**Re: Testimony on Cultural Resources Relative to the Application for
Certification for the Hidden Hills Solar Energy Generating System**

Docket No. 11-AFC-02

I, Elizabeth Von Till Warren, declare as follows:

1. I am currently a professional historian and have held this position for 40 years.
2. My relevant professional qualifications and experience are set forth in the attached resume and in the testimony presented above which are incorporated herein by reference.
3. I prepared the testimony attached hereto and incorporated herein by reference, relating to archival evidence regarding historical significance of the OSNHT/MR NC.
4. It is my professional opinion that the testimony above 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 testimony above and if called as a witness I could testify competently thereto.

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

Dated: February 3, 2013

Signed:

A rectangular box containing a handwritten signature in cursive script that reads "Elizabeth von Till Warren".

At:

Goodsprings, NV

Professional Resume

Elizabeth von Till Warren

**P.O. Box 19039
Jean, NV 89019
(702) 874-1410**

Education:

Ph.D., History, 2001. Washington State University, Pullman, WA.

Dissertation: "The History of Las Vegas Springs, a Disappeared Resource."

Appointed Graduate Teaching Assistant, 1990-1998.

M.A., History, 1974. University of Nevada, Las Vegas. Thesis: "Armijo's Trace Revisited: A New Interpretation of the Impact of the Antonio Armijo Route of 1929-1830 on the Development of the Old Spanish Trail."

Appointed Graduate Teaching Assistant, 1972-1974.

B.A., Anthropology, Barnard College, Columbia University, 1955.

Scholarship awards, 1951-55.

Honors and Awards, Academic:

Elected to Phi Alpha Theta, National Honor Society/History, 1978.

Who's Who in American Universities and Colleges, 1974.

Carnegie Scholar, African Studies, Northwestern University, 1955-56.

Public Service Fellowship, awarded by Barnard College for graduate study, 1955-57.

Barnard College Scholarships, 1952-55.

New York State Regents Scholarship, 1951-55.

Professional Experience:

1958-2004 Participated in numerous archaeological excavations at prehistoric and historic sites in Washington, California, and Nevada. In cooperation with UNLV Department of Anthropology, have provided historical data for research at Las Vegas Springs (Big Springs), Las Vegas, Nevada, and at New Fort St. Joseph, Muddy River Valley, Nevada.

1969-71 Curator of Exhibits, Desert Research Institute Museum, now Barrick Museum, UNLV.

1974-77 Interpreter, Nevada State Park System-Spring Mt. Ranch S.P. and District VI Office.

- 1977-89 Consultant in History, Ethnohistory, and Anthropology for Environmental Impact Statement (EIS) contracts, Henningson, Durham and Richardson, EDAW, Inc., HER Corp, Institute for American Research.
- 1978-88 Director, Allied Arts Council, Cultural Focus Program (Convention programs).
- 1997-99 Archivist, UNLV Library, Special Collections Department, NV Women's Archives.
- 2002-07 Historian, HRA, Inc., Conservation Archaeology, Las Vegas, NV.

Teaching:

- 1970-89 UNLV- Contributed to Seminars in Archaeological and Historical Preservation, Museology, American Woman in the 20th Century, American History, Impact of War on 20th Century, Nevada History.

UNLV Continuing Education: Anthropology for the Non-Major, Southern Nevada History, Care of Collections (conservation of historical artifacts), Nevada Heritage tours of Southern Nevada and Southern California.
- 1974-79 Clark County Community College, Nevada (now CCSN)-Nevada History, Introduction to Cultural Anthropology, General Anthropology, Peoples and Cultures of the World.
- 1970-74 Clark County School District, Nevada, Professional Growth Services-Anthropology for the Non-Major, Southern Nevada History, Desert Environment: Indian Adaptations; Nevada History; Sexism in the Classroom.
- 1975, 1976 California Lutheran College Extension-Bicentennial Uses of Local History.
- 1975 UC Santa Barbara, Extension-Bicentennial Uses of Local History.
- 2004-07 Project Wet, Water Education for Teachers. Lecturer on history of water management in Las Vegas Valley. Sponsored by USDI, Bureau of Reclamation, Nevada Dept. Of Conservation & Natural Resources, and Clark County School District.

Publications:

Warren, Claude N., Ernest Chandonet and Elizabeth Warren

- 1961 Archaeology. *California Highways and Public Works*, Journal of the California Division of Highways and Public Works, 40:Nos. 5-6. Sacramento, CA.

Warren, Elizabeth von Till

- 1972-74 Numerous popular articles dealing with regional history, especially trails, springs, archaeological sites. *Nevada West and Pahrump Valley Times*, Las Vegas, NV.
- 1974 Historical Archaeology. *Proceedings of Workshop on Nevada Historical Resources*, Nevada Historical Society, Reno.
- 1975 *Spring Mountain Ranch State Park*. Brochure prepared for Nevada State Park System, Carson City, NV.

Coombs, Gary B., Robert H. Crabtree and Elizabeth Warren

- 1979 *The Archaeology of the Northeast Mojave Desert*. Cultural Resources Publications, Archaeology. Bureau of Land Management, Riverside, CA.

Lyneis, Margaret M., David L. Weide and Elizabeth von Till Warren

- 1980 *Impacts: Damage to Cultural Resources in the California Desert*. Cultural Resources Publications, Archaeology-History. Bureau of Land Management, Riverside, CA.

Warren, Elizabeth

- 1980 *Las Vegas Fort: Old Values, New Meaning*. Exhibition pamphlet. Preservation Association of Clark County, Las Vegas, NV.

Warren, Elizabeth von Till, Claude N. Warren and Martha Knack

- 1980 *A Cultural Resources Overview of the Amargosa-Mojave Basin Planning Units*. Cultural Resources Publications, Anthropology-History. US Dept. of Interior, Bureau of Land Management, Riverside, CA.

Warren, Elizabeth von Till, Robert H. Crabtree, Claude N. Warren, Martha Knack and Richard McCarty

- 1981 *A Cultural Resources Overview of the Colorado Desert Planning Units*. Cultural Resources Publications, Anthropology-History. Bureau of Land Management, California Desert District, Riverside, CA.

Warren, Elizabeth von Till and Ralph J. Roske, Spanish translation and Interpretation by Elizabeth Nelson Patrick

- 1981 *Cultural Resources of the California Desert, 1776-1880: Historic Trails and Wagon Roads*. Cultural Resources Publications, Anthropology-History. Bureau of Land Management, California Desert District, Riverside, CA.

Warren, Elizabeth von Till, Spanish translation by Donald Schmiedel

- 1986 Extracts from diary of Antonio Armijo, Route on the Old Spanish Trail, 1829-1830. Appendix D in Walker, Clifford J., *Back Door to California: The Story of the Mojave River Trail*, Patricia Jernigan Keeling, ed. Mojave River Valley Museum Association, Barstow, CA.
- 2001 Brutal Barter: Indian Slave Traffic in the Great Basin, 1710-1880. *Spanish Traces* 7, No. 2:6-19. Old Spanish Trail Association, Marysville, WA.
- 2006 Trails to Rails: Opening of the Mojave Desert. Desert Report, Spring 2006. California/Nevada Desert Committee, Sierra Club, Los Angeles.

Reports:

Warren, Claude N., Lawrence Alexander, A. Peter Charest, and Elizabeth von Till Warren, with an Appendix by Robert Leavitt

- 1972 Archaeological Reconnaissance at Big Springs. Prepared for Board of Directors, Las Vegas Valley Water District by UNLV Department of Anthropology.

Warren, Elizabeth von Till

- 1981 Historical Resources section, Environmental-Technical Report No. 23. MX project contracted to Henningson, Durham, and Richardson, Santa Barbara, CA.

Rusco, Mary and others

- 1981 Historical Overview of Coyote Springs Valley, Nevada. Contribution to Cultural Resources Overview and Survey for EDAW, Inc., San Diego, CA, prepared by NV State Museum, Carson City, NV.

Clark County, NV

- 1981 Contributed to Section 3, Historical Resources, Task One: Existing Conditions. Comprehensive Plan for Clark County, Nevada. Board of Commissioners, Clark County. Las Vegas.

Seymour, Gregory R. and Elizabeth von Till Warren, with Contribution by Catherine S. Fowler

- 1998 Results of a Class III Cultural Resources Survey and Architectural Inventory of the Las Vegas Springs Site, a 180 Acre Parcel in the Las Vegas Valley, Clark County, Nevada. Prepared for Las Vegas Valley Water District, Las Vegas Nevada. HRC Report 4-9-2. Harry Reid Center for Environmental Studies, Marjorie Barrick Museum of Natural History, UNLV.

- Roberts, Heidi, Elizabeth von Till Warren, Richard V. N. Ahlstrom, and Claudia Woodman, with Contributions by Gregory R. Seymour
- 2002 Archaeological Survey for the Table Mountain Wind Generation Project, Clark County, Nevada. BLM Report No. 5-2416. Prepared for PBS&J, Henderson, NV by HRA, Inc., Conservation Archaeology, Las Vegas, Nevada. HRA, Inc. Archaeological Report No. 01-02. January.
- Warren, Elizabeth von Till
- 2002 John Howell of North Carolina, Pioneer of Las Vegas Valley. Biography prepared for Las Vegas Springs Preserve, Las Vegas Valley Water District, Las Vegas, Nevada. July.
- Roberts, Heidi, Richard V.N. Ahlstrom, Elizabeth von Till Warren, and William Eckerle, with contributions by Velda Begay, Clarabelle Jim, Lalovi Miller, and Bud Myers
- 2003 Coyote Named This Place Pakonapanti: An Archaeological Survey of the Corn Creek Dunes Site in the Desert National Wildlife Refuge, Clark County, Nevada. Prepared for US Fish & Wildlife Service, Desert National Wildlife Refuge by HRC, Inc., Conservation Archaeology, Las Vegas, NV. HRA, Inc. Archaeological Report No.02-03. January.
- Ahlstrom, Richard V. N., Suzanne Eskenazi, and Heidi Roberts, eds., with contributions by Elizabeth von Till Warren and James R. Hinds.
- 2004 “A Select History of Las Vegas Valley, Nevada, 1830-1950.” In An Archaeological Survey for the Las Vegas Valley Disposal Boundary Environmental Impact Statement, Clark County, Nevada. BLM Report No. 5-2467, HRA, Inc. Archaeological Report No. 03-15. Las Vegas.
- Warren, Elizabeth von Till, David Valentine, and Annette Borchardt.
- 2006 The History of Clark County Wetlands Park, Henderson, Nevada. Prepared for Southern Nevada Water Authority, Las Vegas, NV and Bureau of Reclamation, Lower Colorado Regional Office, Boulder City, NV by HRA, INC., Las Vegas, NV. Draft, March.

Exhibits:

- 1969-71 Natural and Cultural History of Southern Nevada. Exhibits planned and installed as Curator, Desert Research Institute Museum (now Barrick Museum), UNLV.
- 1975 Natural and Cultural History at Spring Mountain Ranch State Park, Red Rock Canyon, Southern Nevada. Content and texts. Design by Larry Clinesmith, NV State Park System. Funded by Nevada State Park System.
- 1980 Las Vegas Fort: Old Values, New Meaning. Conceived and developed for Preservation Association of Clark County (PACC) for installation at Old Las Vegas Fort. Content and texts. Design by Jean Giguet, Barrick Museum, UNLV. Funded by NV Humanities Committee and the City of Las Vegas, NV.

- 1980 With U.S. Forest Service staff, designed interpretive “all senses” trail for Desert Overlook on Mt. Charleston. Goal to provide fullest possible experience of mountain environment and contrasting desert valley below, especially targeting physically disadvantaged public.
- 1982 The Meadows. Traveling exhibit conceived and developed for Southern Nevada Historical Society (SNHS), Las Vegas. Following temporary installation at local area malls, the Old Las Vegas Fort, and conventions contracted by Cultural Focus, Allied Arts Council, exhibit mounted, with minor modifications, at Barrick Museum, UNLV. Funded by SNHS.
- 1993 Valley of Fire State Park. Research and texts for all exhibits in Visitor Center, and contributor to outdoor entrance station panels. Design by Limn Studios, Fort Washington, PA. Funded by Nevada Humanities Committee and Nevada State Parks Cooperative Association.
- 2005 Pioneer Trail, Las Vegas, NV. Research and texts in preparation for signs marking historic sites in LV Westside community. Funded by BLM, Southern Nevada Public Lands Management Act. A City of Las Vegas Centennial project.
- 2001 Goodsprings History. Researched and wrote text for markers at historic sites in Goodsprings, Nevada for the Goodsprings Historical Society.
- 2005 Old Spanish Trail, Clark County, NV. In collaboration with Carol Corbett, Harold L. Steiner, Susanne Rowe and Stanton Rolf, research and writing of texts for eight kiosks marking Old Spanish National Historic Trail through Clark County. Funded by BLM, Southern Nevada Public Lands Management Act.
- 2007 Old Spanish Trail Park, Clark County, NV. In collaboration with Ashley Hall, Garry Hayes, Nick Saines, and Hal Steiner, researched and wrote texts for 11 signs telling the history of the Old Spanish Trail and its role in southern Nevada, for placement in new park. Texts include trail subjects such as Paiute ethnohistory, early explorations through the area, Spanish Trail caravans and Mormon Road wagon traffic. Park opened in 2008.
- 2008 Sunset Park, Clark County, NV Supplied text and illustrations for signage for new interpretive trail. Topics include prehistoric occupation and use, Old Spanish Trail – Armijo passage 1830, 20th century land use and development, history of park development.

Community Service:

- 1963-69 League of Women Voters, Pocatello (Idaho) Chapter, member, Foreign Affairs Committee Chair.
- 1963-67 Pocatello Zoological Society, founding member; president 1965-66.
- 1965-66 Pocatello, City Parks and Recreation Commission, member. 1981-1990 Soroptimist International of Las Vegas Valley. Charter member, past president, board member. Committees chaired: environment, economic and social development, foundations, status of women.
- 1969-70 Friends of Tule Springs Park. Spearheaded forming ad hoc organization with goal of preventing City of Las Vegas from selling park, then defined as the regional park in the City’s

Park Plan. Continued monitoring status of park until Nevada State Park System assumed responsibility in 1977.

1970-2004 Archaeo-Nevada Society, Las Vegas, NV. Member and advisor.

1972-83 Southern Nevada Historical Society member; president 1977-83.

1974-2004 Preservation Association of Clark County, founding member, president 1985-87.

1974-77 Goodsprings Improvement Association, non-profit community organization, member and secretary.

1975-77 Goodsprings Citizens Advisory Council. Appointive, advisory to Clark County Board of Commissioners. Founding member and first secretary.

1975 Bicentennial Committee, Clark County. Chair, Heritage Division, 1975-76.

1976-77 Nevada Community Education Advisory Council. Elected December 1976; vice-chair 1976-77.

1976-82 Nevada Humanities Committee, member. Executive Committee, 1981-82.

1981-90 Soroptimist International of Las Vegas Valley. Charter member, past president, board member. Committees chaired: environment, economic and social development, foundations, status of women.

1982-85 Sun Youth Forum, Las Vegas. Moderator of high school debate sessions sponsored by Las Vegas *Sun* newspaper

1983-89 Joint Study Committee on Environment, founding member and co-chair, 1983-88. Spearheaded drive to create Parks in Floodways in Las Vegas Valley; achieved permission legislation at state level, 1987 and 1989.

1983-91 Friends of the Fort. Charter member, member of Board. Spearheaded creation of ad hoc organization to prevent City of Las Vegas from closing Old Las Vegas Fort. Solicited involvement of community organizations including Soroptimist International (Greater LV, LVV, and Metropolitan LV); Junior League, Mesquite Club, and Daughters of Utah Pioneers. Group disbanded upon state assuming responsibility for Old Fort in 1991.

1984-85 Mt. Charleston Interpretive Association, founding member.

1985-87 Clark County Task Force on Environment, member.

1985-89 Friends of Nevada Wilderness. Charter member, elected to Steering Committee. Lobbied for Nevada Wilderness; achieved first wilderness set-asides for Nevada.

1986-88 Greater Las Vegas Chamber of Commerce. Leadership Training Program instructor. Responsible for sessions on History and Neighborhoods; Local Economy and Quality of Life.

1987-90 Nevada Division of Historic Preservation and Archaeology, Advisory Board. Advised State Historic Preservation Officer on historic preservation issues, including evaluating nominations for National Register of Historic Preservation and State Register of HP..

1987-93 National Trust for Historic Preservation, Advisory Board. Represented southern NV.

1997-2001 Friends of Big Springs. Spearheaded formation of organization composed of grassroots community residents, to monitor status of Las Vegas Springs Site as Las Vegas Valley Water

District initiated plans to create Las Vegas Springs Preserve. Disbanded in 2001; Las Vegas Springs Foundation made Friends group redundant.

1999-2007 Old Spanish Trail Association (OSTA). Nevada Director, 1999-present; President 2001-2003. Liaison to Partnership for the National Trails System.

2000-2013 Goodsprings Historical Society. Charter member, former treasurer. Currently Trustee.

Honors and Awards, Community Service:

- 1978 Carnation Volunteer of the Year Award (DOVIA), for service with Nevada State Parks in establishing volunteer cultural and docent programs at Spring Mountain Ranch State Park.
- 1982 Preservation Association of Clark County. Outstanding Preservationist for 1982.
- 1982 Certificate of Appreciation, award of Life Membership in Institute for American Research, Santa Barbara, California..
- 1983 Southern Nevada Historical Society, Certificate of Appreciation for services to local history.
- 1983 Three Spirit Award, for efforts in history and preservation. Awarded by KVBC Channel 3, Las Vegas.
- 1987 Cultural Achievement of the Year for 1986, awarded by LV Magazine, March 1987.
- 1987 Woman of Achievement, Outstanding Volunteer, for History and Preservation. Women's Council, Greater Las Vegas Chamber of Commerce.
- 1987 US FUNEP 500 award for outstanding environmental achievement for 1987. Selected by US Friends of United Nations Environment Programme, for contribution to environmental solutions since 1972. Award made in Washington, D.C.
- 1998 Archaeo-Nevada Society award for outstanding contributions toward the Preservation of Big Springs Archaeological District.
- 1999 Archaeo-Nevada Society. Recognition for thirty years of volunteer effort to preserve the Las Vegas Springs Archaeological District.
- 2000 Certificate of Appreciation, Clark County Board of Commissioners, for outstanding service to community, for service on Citizens Advisory Council, Goodsprings, NV.
- 2002 Award of Appreciation, Clark County Board of Commissioners, for service on Citizens Advisory Council, Goodsprings, NV.
- 2005 Historic Preservation Award, DAR-Valley of Fire Chapter
- 2005 National Historic Preservation Award, National Society of Daughters of the American Revolution.

STATE OF CALIFORNIA

California Energy Commission

In the Matter of:

Docket No. 11-AFC-02

**APPLICATION FOR CERTIFICATION
FOR THE HIDDEN HILLS SOLAR ENERGY
GENERATION SYSTEM**

OLD SPANISH TRAIL ASSOCIATION

Testimony of Tom Sutak

**Re: Documentary archival evidence for use of the Mormon Road
and earlier OST in the Stump Springs/Hidden Springs area,
including traveler diaries and descriptions, and the Importance of
the Mormon Road in Mormon History.**

Docket No. 11-AFC-02

Summary of Testimony

As a field investigator and historian, I have researched and published on topics involving the history of the southwest U.S. The "Mormon Road," or the heavily used wagon trail from Salt Lake City to southern California, used during the period 1849 to the 1880s, led many merchants, adventurers, and emigrants to southern California.

With my colleague LeRoy Johnson, I have investigated the route of the Old Spanish Trail (1829-1848) and the Mormon Road wagon trail. I am familiar with the entire route from Salt Lake City to the Los Angeles basin. This work leads me to conclude that the portion of the OSNHT threatened by the construction of the HHSEGS plant would represent a significant loss to the cultural history of California.

Qualifications

My qualifications are provided on my resume that is attached to this Testimony and as discussed below.

I have over 13 years of experience as an historian, author and publisher and researcher of the Old Spanish Trail.

Statement

THE MORMON ROAD: SALT LAKE CITY TO LOS ANGELES

General Description of the Mormon Road

The wagon route that became known as the Mormon Road goes south from Salt Lake City, generally following Interstate 15 for about 225 miles. This first segment originally consisted of trails used by the Indians of the area and occasionally used by trappers, mountain men and adventurers. Several miles north of Paragonah, Utah, this segment intersected the Old Spanish Trail. From Paragonah on to Los Angeles, the route of the Mormon Road was that of the Old Spanish Trail. Like the Old Spanish Trail, this was a foot and animal trail; no wagons are known to have used it prior to 1848.

Many persons are known to have used this first segment of the road during the 1830's and 1840's. One of the most notable was the Ute chief Wakara, who regularly used the route to travel to California to trade slaves for horses or to simply steal horses when he could not get them by trade. According to his biographer, Conway Sonne, Wakara would often bring back along the route 1,000 or more horses and in the winter of 1839-40 may

have left California with more than 3,000 horses obtained by rustling with the help of the mountain men, Thomas “Peg-Leg” Smith and Jim Beckwourth. Of note: Sonne reports that in 1846-47, Wakara was in Los Angeles trading and/or stealing horses (Sonne 1962, 38).

Other notable travelers along this segment included the mountain man and Great Basin explorer, Joseph Walker, Kit Carson and John C. Fremont. These three men traveled a portion of the route together in 1844. Another mountain man, Miles Goodyear, had gone to and from California along this route on a trading mission during the winter of 1846-47 (Hafen and Hafen 1954, 185). The Mormons were not the first to use the route that became known as the Mormon Road, but they were the first to establish regular use of the route and the first to develop it for wagon use.

Initial use of the Mormon Road by Mormons

In 1846, the United States Army enlisted 500 Mormon volunteers to serve as part of the Army of the West in the Mexican War. In July, 1846, this unit began their march west as the Mormon Battalion. They were under the command of regular army officers but company officers and non-commissioned officers were Mormon Volunteers. The Mormon Battalion reached California in January, 1847. Eventually, four companies were sent to Los Angeles and one to San Diego. Several small units were sent to defend the area near Isaac Williams’ Rancho del Chino in present day Chino, California. One visitor to that location was Capt. Jefferson Hunt.

Members of the Mormon Battalion first became aware of the route, including the Old Spanish Trail, while stationed in Los Angeles. Isaac Williams’ Rancho del Chino was the terminus of the route after travelers left the Mojave Desert and he certainly would have mentioned it to them. During his visit with Williams, Jefferson Hunt learned a lot about agricultural practices in California and, as subsequent events show, likely discussed the sale of the ranch to the Mormons. In any case, Hunt was impressed with the productivity of Southern California farms and ranches.

Other members of the Battalion also heard of the trail. Charles Brent Hancock recorded in his later account that he met Wakara in Los Angeles and learned of Wakara’s reputation of driving large herds of stolen horses northeast into the mountains. Hancock also recorded that he met an “Old Spaniard” who told him of the route including the Old Spanish Trail and that it could be taken to the Valley of the Great Salt Lake and even to the Oregon Trail, but that because of the heat, it could not be traveled in the summer (Charles B. Hancock Journal). No doubt many of them were also aware of Fremont’s 1844 trip and the travels of Joseph Walker.

Following their discharge, the veterans began their trek to their final destination, wherever that might be; they did not yet know that the first groups of Mormons were,

at that very moment, approaching the Valley of the Great Salt Lake. They began their journey by traveling north to take the known Humboldt Route to the East. Some veterans stopped at San Francisco, others decided to remain at Sutter's Fort to work for John Sutter, but those that continued over Donner Pass soon learned that the Valley of the Great Salt Lake would be their destination. Those with families there would remain that winter while others continued east to meet their families. Jefferson Hunt arrived at Salt Lake with first group on October 11, 1847.

It soon became clear to Hunt, that the thousands of people arriving in Salt Lake from the East would need to grow sufficient crops the following year to feed themselves and the additional thousands that would be arriving the next summer. Seeds, cuttings and livestock were in short supply and the community badly needed more. Hunt knew it was possible to travel to Southern California and knew that Williams and others there could help them. In addition, Hunt had hoped he would be able to recruit additional troops to volunteer for the army. He found out from the High Council placed in charge in Salt Lake by Brigham Young that further volunteers would not be approved, and he felt an obligation to co inform California military authorities.

Accordingly, Hunt went before the High Council and told them of the assistance that could be obtained in Southern California and asked them to authorize a relief mission to go there along the route that he knew about. The High Council approved the trip, selected three representatives to contract for supplies, and drafted a letter to California Mormons asking them to assist the mission.

No Mormon had been along the route through Utah to the Old Spanish Trail, but it is very likely that Hunt discussed the route with Miles Goodyear who was recorded as having been in Salt Lake the day before the party left. Hunt would lead the party south using the little information he had and the skills he had learned over the previous year while with the Mormon Battalion. The group of nineteen that left Salt Lake on November 18, 1847, included three of Hunt's sons (Journal History of the Church). No wagons, only pack animals, accompanied this party to Chino. No one made a contemporaneous account of the travel, but Hunt gave a verbal account describing the route during a meeting of Gold Rush emigrants on August 20, 1849 (General Church Minutes, August 20, 1849; Sutam 2012, 297-299). A second report of the trip appeared in an article about John Hunt, Jefferson's son, in the Deseret News on October 7, 1905 (Deseret Evening News, October 7, 1905).

In California, the party acquired seeds for planting, cuttings for orchards, 200 milk cows and forty bulls, the latter to be used as food on the return trip to reduce the amount of food carried and to free the pack animals to carry more needed supplies. Two of the original group, including Orrin Porter Rockwell, remained in Southern California, but Hunt hired five Indians at Chino to help drive the cattle back. The group left Chino on February 15, 1848, and arrived in Salt Lake before May 15th. The return took them

between 80 and 90 days because of the slower travel of the cattle. Again, only pack animals were used on the return trip, no wagons. (For details on this trip, see Sutak, 250-269.)

Thus, the Mormons had first used the route that would, after 1849, become their principal route to Southern California and would be called the Mormon Road. In future trips, the travelers would always look for ways to improve the route by locating better water sources and feed sources, or to shorten the distance traveled if possible, or to avoid more difficult or dangerous stretches in the route.

Mormon Parties of 1848 and 1849

The next group of Mormons to travel the route consisted of about 35 Mormon Battalion veterans from the San Diego company who were guided back by Porter Rockwell who had traveled to Southern California with Hunt. This group had 135 mules and horses, and most significantly, a light wagon belonging to the family of Captain Daniel Davis (Bigler and Bagley 2000, 397). This became the first known wagon to traverse the Mormon Road and demonstrated that wagon travel along the route was possible. This group, led by Henry Boyle, left Chino on April 12, 1848, and arrived in Salt Lake City on June 5, 1848, fifty-one days after departure (Bigler and Bagley 2000, 397-400).

The next travel along the route by Mormons began in the Fall of 1849. Jefferson Hunt organized a wagon train of 100 wagons belonging to '49ers who had gathered in Salt Lake City. He contracted to guide them along the route for \$10 per wagon. This large train left the Utah Valley on October 1, 1849. They were preceded by about a week by another group who called themselves the Independent Pioneer Company and which consisted of 28 wagons. This group decided they did not want to spend the \$10 per wagon and engaged a Santa Fe trader who had been over the trail to be their guide (Hoover Journal, September 26, 1849). Hunt's wagon train eventually disintegrated with some taking a supposed short cut to California that led them to enter Death Valley in December, while others, attempted to take the short cut but ended up trailing behind Hunt who had continued on with seven wagons which included both Mormons and '49ers. (For discussion of the break up and resulting events see Sutak.)

These two wagon trains were followed by several smaller trains composed of traders carrying goods to California, by a group of packers led by O.K. Smith, by a group of Mormon packers led by James Flake and finally by a third wagon train composed of Mormons under the leadership of Howard Egan. Thus, as a result of the Gold Rush, 1849 saw the first heavy use of the Mormon Road by both Mormons and non-Mormons en route to California.

Mormon Traveler Accounts of the Pahrump Valley

Of particular interest is the journal of Addison Pratt, a friend of Jefferson Hunt, who accompanied him all the way to California. Pratt's wagon was equipped with a roadometer to accurately measure distances, and his journal records mileages and other details of the trip. It appears that he was charged with his record keeping assignment by Mormon authorities in Salt Lake City who wanted an accurate description of the new Mormon Road. (For a detailed account of the Hunt Wagon Train see Sutak 290-380.)

On November 26, 1849, Pratt states that he and other mounted men left the wagons as they descended into the Pahrump Valley from Mountain Springs. This group went first to Stump Springs and noted the willows and water in holes there, then turned to the right (north) and continued until they found more water and grass in what Pratt describes as a "bog" in what he said appeared to be a "wide water run." The spent the night there and the following morning went to where the wagons had made a dry camp. He listed his miles traveled as "27;" this was an estimate since he was not with his wagon this day and did not have the roadometer. The combined party then traveled 22 miles to Resting Spring. Shortly after starting that morning they saw with a glass (telescope) a lake about ten miles to the right (Ellsworth, 397-398).

From his account, we can recreate his activities on November 26th. He and the other mounted men left Mountain Springs ahead of the wagons probably for the purpose of exploring the Pahrump Valley to the north. They followed the Old Spanish Trail to Stump Springs which was, in reality, shallow holes dug to fill with water from the meager springs there. They did see water, but then explored to the north where they found better springs and more water. However, when the larger group with wagons and more stock arrived, they consumed the remaining water at Stump Springs and essentially had to make a dry camp. The distance from Stump Springs to Resting Spring is about 22 miles. And, a short distance west of Stump Springs, the dry lake bed can be seen about nine miles to the northwest. From the stated mileage, Pratt and group may have gone to the area of Hidden Hills Ranch or on to Brown's Spring in the area of present day Frontsight, or perhaps even further.

It appears that Pratt and his group intentionally set out to explore the region to the north to find more water and grass. They were very likely following trails made by Indians or earlier travelers who had also used the more abundant water and grass to the north. This was the third of four trail explorations or variations made by the Hunt party on this trip. The others were in Utah where Hunt attempted unsuccessfully to find a bypass of the Black Mountains by going west on Beaver Creek and then twelve miles into the Escalante Desert; a successful short cut through Dog Valley north of Cove Fort in Utah that shaved nearly ten miles off of the older pack route; and a successful wagon route to the Amargosa River from Resting Spring about 30 miles west of Stump Springs.

The Mormons creating the Mormon Road were attempting to find improvements in the route of travel to meet their current and future needs for water, feed and safe travel. (For a more detailed account of these trail variations, see Sutam.)

Use of Other Springs in the Pahrump Valley

It is the opinion of this author and others that users of the Old Spanish Trail, and later, the Mormon Road, would go to springs north of Stump Springs for water and feed depending on several factors such as the number of people and livestock in the traveling party, the quantity of water and grass available at Stump Springs, and the rate of travel of the group. Since the nearest water along the Old Spanish Trail was either 18 or 19 miles to the east at Mountain Springs or 22 miles southwest at Resting Spring, water in the Pahrump Valley was critical. Trail travelers, and especially those with wagons drawn by oxen, would badly need water in the Pahrump Valley. If water was available to the north of Stump Springs, it is very reasonable to assume, that some travelers would take advantage of these sources and would go there. It then stands to reason that west bound travelers who went north for water would not head south to intercept the trail but would take a more direct track southwest to the route. These routes would then take them directly through the Hidden Hills Project area. Specifically, the author believes that tracks entering the project area from Nevada at the California state line at the following locations are remnants of traces first followed by Mormon road and/or Old Spanish Trail travelers: 35° 59' 47" & 115° 53' 18"; 36° 01' 12" & 115° 55' 8". In addition, it appears the road leading southwest across the dry lake bed from the south end of Homestead Road in Pahrump also provided access to the more northern water sources in the Pahrump Valley.

An example of multiple trail traces exists less than 30 miles southwest of the Hidden Hills Project site where several routes enter the Amargosa River Canyon from the area of Resting Spring. The author and LeRoy Johnson have established that there were several routes. One, used by John C. Fremont in 1844, follows Willow Creek from the Amargosa, through the current China Ranch, then ascends the northern rim of China Ranch Wash, descends into the valley and goes north to Resting Spring. Another route leads south from Resting Spring, ascends to the rim of China Ranch Wash and then turns west to enter a canyon that Johnson has named Cowboy Canyon, then descends to the Amargosa River and follows it south to Willow Creek and on to Salt Spring Hills (Johnson and Sutam 2011, 21-25). This latter route was the track of the Mormon Road through the Sperry Hills. Again, from this point, the Mormon Road follows the route of the Old Spanish Trail south and southwest and crosses into the Coastal basin over Cajon Pass.

Post-1851 Mormon use of the Mormon Road

As early as 1847, Jefferson Hunt and others advocated the creation of a Mormon settlement in Southern California. Such a settlement would provide easy access to goods from California which was closer to Salt Lake City than the cities in the East and would provide a southern terminus of a Mormon Corridor which could be used to transport new arrivals to Salt Lake City without them having to travel the more lengthy overland route. Church officials decided to establish such a settlement in early 1851. On March 23, 1851, an extensive wagon train consisting of 150 wagons, 437 people, and over 1,100 animals left Provo and headed south along the Mormon Road (Lyman 1996; Rich Journal, April 14, 1851). This wagon train divided into two parts to travel through Utah and then divided again into more units to cross the desert in an effort to more effectively utilize the water and feed along the route. When they arrived in Southern California, they were unable to acquire Williams' Chino Ranch but eventually bought the ranch at San Bernardino from his in-laws, the Lugo family. Thus, San Bernardino became the California settlement for the Mormons.

From 1851 through 1857, when the Mormon settlement was recalled to Utah by Brigham Young as a result of the Utah War, there was a fairly steady stream of traffic along the Mormon Road. Mail service was established between Salt Lake City and San Bernardino and Jefferson Hunt held the sub-contract. Emigrants to Utah were routinely taken along the route and trade between Utah and California was established. For several years in the mid-1850s, the Mormons maintained a small community at Las Vegas to assist travelers. This southern route also extended the travel alternatives and times for other westward travelers and many other emigrants also used the route to avoid late season travel through the Sierra Nevada mountains. Accounts record multiple wagon trains, flocks of sheep and herds of cattle traveling west via this road during the 1850's. (See Lyman for a more detailed discussion of these accounts.)

Following the Mormon recall from San Bernardino in late 1857, some Mormon families remained in California, and consequently there was still much use of the Mormon Road. Even after the completion of the Transcontinental Railroad in 1869 made year round travel between California and the East possible, the route was still used. Portions of the route became part of highway routes in the Twentieth Century and portions are still used by state highways and the Interstate Highway System.

Conclusions

The Mormon Road was invaluable for the development of California. Since it permitted winter travel from Salt Lake City, it greatly extended the length of time that people, goods and livestock could travel overland to California and it greatly hastened eastward communication from California. Only the more southern trails, the Mojave Road and the Gila Trail, permitted similar overland access to California. In light of its service to California and its role in California history, it should be preserved. And, this is especially true of the road where it entered California in the Pahrump Valley. Since the trail variations to water and feed sources north of Stump Springs were vital to heavy use of the trail by wagons and livestock, these should be preserved and any development on these routes should mitigate the damage and destruction to these trails by explaining, showing and demonstrating the value of the Mormon Road to California history.

Exhibits for Tom Sutak Testimony

Old Spanish Trail Association, Nos. 670-685

| | |
|--------------------|---|
| Exhibit 670 | Bigler, David L. and Will Bagley. <i>Army of Israel: Mormon Battalion Narratives</i> . Spokane: The Arthur H. Clark Company, 2000. |
| Exhibit 671 | <i>Deseret Evening News</i> . Salt Lake City. October 7, 1905. http://udn.lib.utah.edu/cdn/compoundobject/collection/den4/id/11641/rec/240 |
| Exhibit 672 | Ellsworth, S. George. <i>The Journals of Addison Pratt</i> . Salt Lake City: University of Utah Press, 1990. |
| Exhibit 673 | Hafen, LeRoy R. and Ann W. Hafen. <i>Old Spanish Trail: Santa Fe to Los Angeles with Extracts from Contemporary Records and Including the Diaries of Antonio Armijo and Orville Pratt</i> . Glendale: The Arthur H. Clark Company, 1954. |
| Exhibit 674 | General Church Minutes 1844-1879. Selected Collections, Brigham Young University, Vol. 1, DVD 18. |
| Exhibit 675 | Hancock, Charles B. "Journal of Charles B. Hancock." MS 1569. LDS Archives. UNABLE TO OBTAIN COPIES. |
| Exhibit 676 | Hancock, Charles B. "Autobiography of Charles Brent Hancock." MS 5285. LDS Archives. UNABLE TO OBTAIN COPIES. |
| Exhibit 677 | Hoover, Vincent A. "Gold and the Arduous Road: The Journal of Vincent A. Hoover and Other Personal Narratives of the Pioneering of the Salt Lake-Los Angeles Road in 1849." Unpublished BANC MSS 71/161 c, reel 56. The Bancroft Library. University of California, Berkeley. |
| Exhibit 678 | Johnson, LeRoy and Tom Sutak. Jargon: Historians' Nemesis. <i>Spanish Traces: Journal of the Old Spanish Trail Association</i> , Autumn, 2011. http://www.oldspanishtrail.org/assets/PDFs/Vol17-22011.pdf |
| Exhibit 679 | Journal History of the Church. LDS Archives. |
| Exhibit 680 | Landon, Michael N., Editor. <i>The Journals of George Q. Cannon: To California in '49</i> . Salt Lake City: Deseret Book Company, 1999. |
| Exhibit 681 | Lyman, Edward Leo. <i>San Bernardino, the Rise and Fall of a California Community</i> . Salt Lake City: Signature Books, 1996. |
| Exhibit 682 | Lyman, Edward Leo. <i>The Overland Journey from Utah to California</i> . Reno & Las Vegas: University of Nevada Press, 2004. |

| | |
|--------------------|--|
| Exhibit 683 | Charles C. Rich Collection. Selected Collections, Brigham Young University, Vol. 1. |
| Exhibit 684 | Sonne, Conway B. <i>World of Wakara</i> . San Antonio: Naylor Publishing Co., 1962. UNABLE TO OBTAIN COPY. |
| Exhibit 685 | Sutak, Tom. <i>Into the Jaws of Hell – Jefferson Hunt: The Death Valley '49ers Wagon Trail & His Adventures in California 1846-1857</i> . Danville: Pine Park Publishing, 2012. http://intothejawsofhell.com |

Declaration of Tom Sutak

**Re: Testimony on Cultural Resources Relative to the Application for
Certification for the Hidden Hills Solar Energy Generating System**

Docket No. 11-AFC-02

I, Tom Sutak, declare as follows:

1. I am currently an historian, author and publisher and have held this position for 13 years.
2. My relevant professional qualifications and experience are set forth in the attached resume and in the testimony presented above which are incorporated herein by reference.
3. I prepared the testimony attached hereto and incorporated herein by reference, relating to the Old Spanish Trail and the Mormon Road.
4. It is my professional opinion that the testimony above is true and accurate with respect to the issues that are addressed.
5. I am personally familiar with the facts and conclusion described within the testimony above and if called as a witness I could testify competently thereto.

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

Dated: February 3, 2013

Signed:



At: Danville, California

TOM SUTAK

BIOGRAPHICAL SKETCH

I am a graduate of the School of Criminology at the University of California, Berkeley, and live in Danville, California. I retired as a criminologist and security industry executive after thirty-six years. In addition, I was a community college instructor for twenty five years and served on a State licensing board within the Department of Consumer Affairs for twenty-eight years.

Historical Qualifications

I have been studying the history of the Death Valley Region for more than forty years. I recently wrote *Into the Jaws of Hell – Jefferson Hunt: The Death Valley '49ers Wagon Train & His Adventures in California 1846-1857*, a book published in 2012. The book contains considerable information about the development and use of the Mormon Road between the years 1847 and 1857, much based on the use of primary sources, such as 19th century travelers' journals and diaries.

I spent ten years visiting sites, traveling trails, and visiting libraries and archives while researching Jefferson Hunt's western travels during 1846 through 1849. I made extensive use of the Bancroft Library at the University of California, Berkeley, the Huntington Library in San Marino, and the LDS Church History Department Library in Salt Lake City in addition to many other libraries. Included in my research were numerous trips to various locations and sites along the Salt Lake City/Los Angeles road, also known as the Mormon Road or the Mormon Corridor. I gave special attention of those portions of the Mormon Road which were also part of the older Old Spanish Trail and extended from Virgin Hill/Mormon Mesa near Mesquite, Nevada, to the Mojave River near Barstow, California. I estimate that I made no fewer than twenty visits, encompassing no less than fifty days, on route segments between Pahrump Valley, Nevada, and Salt Spring Hills south of Tecopa, California. During this research, I made several discoveries of trail variations which are recorded in my book.

I have given presentations about my findings at meetings of the Mormon History Association, the Old Spanish Trail Association, and the Sixth Death Valley History Conference. I have had articles published in the Journal of Mormon History and in Spanish Traces, the journal of the Old Spanish Trail Association. I am a member of the Oregon California Trail Association and serve on the Board of Directors of the Tecopa Chapter of the Old Spanish Trail Association.

STATE OF CALIFORNIA

California Energy Commission

In the Matter of:

Docket No. 11-AFC-02

**APPLICATION FOR CERTIFICATION
FOR THE HIDDEN HILLS SOLAR ENERGY
GENERATION SYSTEM**

OLD SPANISH TRAIL ASSOCIATION

Testimony of Richard Bent

**Re: Inadequacy of CUL-10 as written in the FSA;
will present the OSTA reformulation of CUL-10 and
also describe our integrated approach of producing a video
and including mobile museum concept as a key interpretive measure
to achieve broad public education and outreach**

Docket No. 11-AFC-02

Summary of Testimony

I propose revisions to CUL-10, as described in the CEC's Final Staff Assessment. CUL-10, as written, is inadequate to address the massive loss of cultural historical losses that would result from construction of the HHSEGS plant. In my testimony, I propose revisions that would include professional production of a broadcast-quality video and a "mobile museum" program that would ensure the widespread educational/interpretive measures to ensure that California's citizens—and others in the southwest USA—are able to re-live and perpetuate the vicarious experience of the Old Spanish National Historic Trail that it is now possible to experience by simply being in the Pahrump Valley.

Qualifications

My qualifications are provided on my resume that is attached to this Testimony and as discussed below.

I have over 4 years of experience as a communications consultant. My background included more than 20 years as a high-level manager of exhibitions, trade shows, and marketing at a Fortune 100 aerospace company. I bring this background to the development of interpretive, educational, and public outreach measures that would compensate, in part, for the loss of cultural resources to the HHSEGS plant.

Statement

The Need for a Much Broader and Imaginative Interpretive and Outreach Program to Tell the Story of the Cultural Resources Lost at HHSEGS

I agree with my colleague Jack Prichett and the others who will testify on behalf of OSTA that the loss of cultural resources, especially the OSNHT-MR NC, will be immense should the HHSEGS plant be built. The affected land draws tourists and interest from around the world and from areas within California and the southwest United States. OSTA believes that the CUL-10 efforts are too limited to reach the number of interested parties who would suffer the loss of this land. The provisions of CEQA are intended to benefit all citizens of this state. Many audiences within and without California should be given access to the “re-created resource,” even though they may not be traveling to or through the area.

And because no mitigation measures could ever be commensurate with the scale of the loss, OSTA believes that far stronger educational and interpretive measures are required than those prescribed by CUL-10 in the Final Staff assessment.

We call for bold, imaginative measures that will take the story of the OSNHT-MR NC far beyond the limits of a single museum, that will transport the story to the doorsteps of schools and local museums across the state. We would employ two educational outreach vehicles for this approach:

- a high-quality, professionally produced video, capable of many uses, from broadcast TV, to web postings, to dissection for use as mini curriculum units for history classes
- a “mobile museum”—a large van, designed for educational use, and equipped for displays, interactive media, and distribution of educational materials. Because of the project area’s remoteness and the need to reach a larger audience, many who have great interest in the Old Spanish Trail and

the area it traverses can be more adequately served by a mobile museum and a professionally produced video that will be discussed below. The mobile museum could be operated in conjunction with the Shoshone Museum or possibly with some other museum or educational institution.

As Jack did, I have copied the text of CUL-10 directly from the FSA. I have used strike-out text to show changes and inserted the OSTA-proposed replacement text in *red italics*.

CUL-10 The project owner shall negotiate, design, plan, cause to be built, staff, and maintain the infrastructure, and architectural and interior improvements necessary to implement interpretive and preservation objectives that will reduce the project's significant and feasibly unmitigable effects to the Pahrump Metapatch Mesquite Woodland-Coppice Dune Archaeological Landscape, the Pahrump Paiute Home Landscape, the Ma-hav Landscape, and the Old Spanish Trail-Mormon Road Northern Corridor in Pahrump Valley. The interpretive and preservation objectives that the project owner shall implement include, at a minimum:

1. *A professional quality video with an initial production of 60 minutes would be created to help disseminate information about the cultural, paleontological, geological and historical aspects of the trail.*

The video would be produced to ensure three major purposes are met:

- *Integrity. The video would accurately reflect the cultural, historical and scientific data produced by the CUL-9 studies.*
- *Quality. The video would be broadcast quality, developed by an established production company specializing in cultural productions.*
- *Versatility. It would be capable of use in many ways, capable of repackaging for diverse audiences and purposes.*

The core video would be shown to large audiences while vignettes taken from the core video would be used in

museums, for broadcast and at conferences as well as other uses. The natural history element of the video would show the character of the geological aspects of the trail leading to the ancient pre-historic period. The importance of use by pre-historic populations would be the next section followed by the historic period including the political and cultural landscape that contributed

OSTA has consulted with an established, nationally recognized video production company, outlining content scenarios for such a video. The budget for a production that would include some re-enactments, location shooting at some points on the trail, GIS graphics to show mapping, and musical score would be an estimated \$660,000 to \$950,000.

The video would accurately depict the importance of the trail in the settlement of the southwestern United States. Beginning in Abiquiui, New Mexico the story of the trail would follow the route taken by merchant Antonio Armijo through the four corners area continuing through Utah and Nevada entering California just east of Tecopa, CA, through Barstow, the Cajon Pass and into San Bernardino. The story would continue following the trail through the San Gabriel valley, where founding settlers' adobe homes still exist, the San Gabriel Mission and finally into Los Angeles ending at the Plaza. Reenactments would be depicted showing how the mules were loaded, how the people who used them looked in authentic costumes. Every effort would be taken to ensure the historical integrity of how the people at that time would have used the trail. Other notable historical people including Kit Carson and John C. Fremont who had explored and scouted the area and possibly named the trail would be depicted.

- 2. The planning, design, construction and maintenance of a mobile museum to supplement interpretive and preservation objectives of the small stationary museum display proposed for the Shoshone Museum in order to reach a broader interested public at distant locations. The mobile museum would contain interactive and passive displays outlining the cultural, paleontological, geological and historical features being affected by the project.*

A mobile museum will reach a wide and interested population that cannot conveniently get to museums in Pahrump and Shoshone. A precedent mobile museum example is the Van of Enchantment, a mobile museum sponsored by the New Mexico Department of Cultural Affairs and the New Mexico Department of Transportation. <http://www.vanofenchantment.org/>

This mobile museum travels all over the state of New Mexico presenting statewide topics of interest to schools, neighborhoods, small towns and at special events where a large portion of the population does not have access to permanent museums and for those who may not have the resources to get to a museum.

The mobile museum van and its associated costs would be paid for by the Applicant as part of the CUL-10 mitigation. It would be maintained, updated, and staffed for the life of the project or 30 years, whichever is greater.

Again, using the Van of Enchantment as a model, OSTA has researched design, production, implementation and operation schedules and costs. Below are the estimated costs for a mobile museum similar to the Van of Enchantment

Design and Production – \$450,000

Annual operations costs including display refresh, maintenance, storage, fuel, oil – \$220,000

Staffing – 2 full time and 2-4 volunteers including teachers

3. The construction and maintenance of an interpretive kiosk within one hundred yards of the facility site that presents broad overviews of the Pahrump Metapatch Mesquite Woodland-Coppice Dune Archaeological Landscape, the Pahrump Paiute Home Landscape, the Mahav Landscape, and the Old Spanish Trail-Mormon Road Northern Corridor along with information on the nearby interpretive facilities where the public shall be able to access more in-depth interpretive programs for each

resource. The presentation of the overviews and the delivery of information on nearby interpretive facilities could occur in conjunction with the implementation of **VIS-6**, as long as the implementation of that condition occurred within the specified distance from the facility site.

4. The delivery of passive museum displays and multi-media presentations, and hands-on, interactive exhibits, at extant interpretive facilities in Pahrump or adjacent valleys, the primary purposes of which shall be to facilitate the interpretation of the cultural landscapes and corridor, and visual resources. The specific interpretive modes shall include, at a minimum, the development and delivery of accessible¹, separate displays, presentations, and exhibits, of museum quality², for the following topics:

- the genesis, paleoecology, and archaeology of the Pahrump Metapatch Mesquite Woodland-Coppice Dune Archaeological Landscape,
- the seasonal subsistence cycle of the Pahrump Paiute Tribe, and
- the Old Spanish Trail-Mormon Road Northern Corridor.

The interpretation of each of the above topic and subtopic areas shall facilitate separate consideration of the chronologic phases and sociocultural themes relevant to each such area. The planning, development, maintenance, and periodic renewal of these modes shall be done in

¹ “accessible” shall be herein defined as comporting with the *Smithsonian Guidelines for Accessible Exhibition Design* (<http://accessible.si.edu/pdf/Smithsonian%20Guidelines%20for%20accessible%20design.pdf>)

² “museum quality” shall be herein defined as comporting with the *Standards for Museum Exhibitions and Indicators of Excellence* as developed by the Standing Professional Committees Council of the American Association of Museums (<http://name-aam.org/about/past-winners/standards-for-museum-exhibitions>)

consultation with stakeholders that actively participated in the consultation process conducted in conjunction with the review of the project owner's application for certification for this project.

1. The delivery of ethnographic reconstructions,³ at an extant interpretive facility in Pahrump or adjacent valleys, the purpose of which shall be to facilitate the interpretation of the Native American use of the local landscape in the prehistoric and ethnographic periods. The specific interpretive modes shall include, at a minimum:

- Native American installation and maintenance of an aboriginal horticultural garden reliant on natural spring water to the extent feasible, for public interpretation, and
- the conjunctive Native American installation and maintenance, of an exploratory reconstructed village consisting of a few replica dwellings that allow public access to walk in, about, and through the village and garden area. Providing direct visitor access to a real garden, featuring native garden varietals, such as pumpkins, beans, and corn, set near the interpretive materials provided per item 2, above, will greatly enhance the visitor education experience beyond what passive interpretive materials would solely provide.

The planning, development, maintenance, and periodic renewal of these modes shall be done in consultation with representatives of the Native American communities that actively participated in the consultation process conducted in conjunction with the review of the project owner's application for certification for this project.

The project owner shall conduct each phase of the implementation of this condition in consultation with stakeholders who formally respond to the project owner's formal invitation to participate in such consultation, and shall also be able to provide evidence, to the satisfaction of the CPM, of all resultant consultation. At a minimum, the stakeholders should include, in addition to representatives of the

³ "museum quality" shall be herein defined as comporting with the Standards for Museum Exhibitions and Indicators of Excellence as developed by the Standing Professional Committees Council of the American Association of Museums (<http://name-aam.org/about/past-winners/standards-for-museum-exhibitions>)

hosting interpretive facilities, the Pahrump Paiute Tribe, the Old Spanish Trail Association, the Armagosa Conservancy, a representative of each municipality or county government in whose jurisdiction a hosting interpretive facility falls.

The CPM, in consultation with the California and Nevada Bureau of Land Management, will provide active and discretionary oversight to ensure that the negotiated venues for the delivery of the mitigation objectives, the design of the delivery modes, the environmental planning for those modes, and actual mode delivery, maintenance, and efforts of periodic renewal are consistent with the intent of this condition.

Verification: No later than 12 months after the CPM's issuance of the notice to proceed for the project, the project owner shall conclude negotiations with the facilities that will host the delivery of the mitigation objectives for **CUL-10**. The project owner shall submit, for CPM for review and approval, a report of these negotiations and their respective outcomes, and shall further include, as appendices, formal correspondence from each host facility that specifies precisely what mitigation objectives that the facility has agreed to host, the period of time for which the facility has agreed to host them, and any conditions that the host facility has placed on their agreement with the project owner.

No later than 6 months after the CPM's issuance of the notice to proceed for the project, the project owner shall submit, for CPM for review and approval, a draft consultation protocol that sets out the precise manner in which the project owner intends to interact with the stakeholders whose input the project owner shall seek as the project owner negotiates, designs, plans, constructs, and maintains the delivery modes for the mitigation objectives of this condition. The minimum stakeholder group shall include, to the extent feasible, representatives of the hosting interpretive facilities, the Pahrump Paiute Tribe, the Old Spanish Trail Association, the Armagosa Conservancy, a representative of each municipality or county government in whose jurisdiction a hosting interpretive facility falls. The draft protocol shall include, as appendices, proofs of contact for each of the above members of the minimum stakeholders group and any additional potential stakeholders with whom the project owner has made contact, and an initial stakeholder list.

No later than 18 months after the CPM's issuance of the notice to proceed for the project, the project owner shall submit, for CPM for review and approval,

a draft, host facility-approved, initial design proposal for each delivery venue for each mitigation objective in this condition.

No later than 24 months after the CPM's issuance of the notice to proceed for the project, the project owner shall submit, for CPM for review and approval, the host facility-approved, final design for each delivery venue for each mitigation objective in this condition.

No later than 30 months after the CPM's issuance of the notice to proceed for the project, the project owner shall initiate construction or installation of each delivery venue for each mitigation objective in the approved final designs.

No later than 36 months after the CPM's issuance of the notice to proceed for the project, the project owner shall ensure, and provide the CPM evidence, that each delivery venue for each mitigation objective in the approved final designs is in full operation.

For the operational life of the project, through project decommissioning, the project owner shall provide evidence in the annual compliance report for the project that each delivery venue for each mitigation objective in the approved final designs continues to be maintained.

Conclusions

OSTA's amendments to CUL-10 will ensure that, should the project proceed, the mitigations taken will adequately compensate for the damage to the environment and the loss to California's heritage. Those environmental and cultural losses would be substantial and at a minimum the video and the mobile museum program would help preserve what was lost. The cost of preserving the record is not inexpensive—but, then, the loss of the resources is forever. This is the last chance to record the Pahrump Valley as it is, and as it was.

Declaration of Richard Bent

Re:

Docket No. 11-AFC-02

I, RICHARD BENT, declare as follows:

1. I am currently a communications consultant and have held this position for 4 years.
2. My relevant professional qualifications and experience are set forth in the attached resume and in the testimony presented above which are incorporated herein by reference.
3. I prepared the testimony attached hereto and incorporated herein by reference, relating to mitigation measure CUL-10 in the Final Staff Assessment of the CEC .
4. It is my professional opinion that the testimony above 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 testimony above and if called as a witness I could testify competently thereto.

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

Dated: February 3, 2013

Signed:



At: Aliso Viejo, CA

Richard Bent

PROFESSIONAL EXPERIENCE

Richard Allen Productions – Marketing Communications consulting, museum consulting, public relations, exhibits/displays, customer experience management and research, environmental preservation of cultural resources, transportation systems, project management – 2009 to Present

Amtrak Customer Advisory Committee, Washington DC. 2006 to 2012 – Providing customer experience research to improve rail passenger experience. Assigned to Pacific Surfliner. Monitored and reported on employee performance, equipment condition, station conditions, safety, signage and communications. Served as committee chairperson for short distance trains.

NORTHROP GRUMMAN / TRW, Redondo Beach, California • 1981 to 2009

Senior Manager of Marketing Communications (2002 to 2009)

Managed communications operations and marketing communications team. Developed and implemented innovative strategies to increase sales in the space technology (including commercial satellites) and defense sectors by optimizing the marketing and promotion of company solutions. Leveraged multiple platforms including web, print, video / graphics, interactive display, models, and tradeshow, international and domestic to improve company's brand among customers and the public. Collaborated across functions to ensure the effectiveness of key promotional and marketing presentations. Cultivate strong domestic and international customer relationships, including cooperation on classified events.

- Enhanced company's market position and relationship with NASA by spearheading strategic communications for the James Webb Space Telescope program; devised and executed a plan to increase public awareness of space science and the program satellite, including the production of a full-size Webb telescope model for worldwide tours.
- Strengthened global brand and presence by creating customized marketing communications solutions for international business development and by developing and coordinating presentations for world leaders.

Manager of Communications (1999 to 2002)

Managed communications function including public relations, trade shows, video production and support to business development.

- Impacted the bottom line by successfully developing a brand campaign establishing the company as the leader in devising solutions to the most complex engineering problems.
- Generated additional customer opportunities by translating the essence of the avionics hardware into accessible and appealing terms through leveraging of media / PR expertise.

Manager of Exhibits (1987 to 1999)

Oversaw the corporate exhibition function. Prepared and delivered promotional marketing materials including presentations, displays, and exhibits to build and maintain the company's image as a global leader in electronics, telecommunications, and spacecraft.

- Improved global market position through creation and deployment of innovative marketing communications initiatives.
- Drove growth in the global awareness of the company's solutions.

Managed corporate presence at large international airshows

Writer / Producer (1983 to 1987)

Designed written and graphic marketing communications materials. Leveraged marketing and creative expertise to prepare videos, tradeshow displays, advertising, and brochures.

- Strengthened the business development function by playing a key role in generating sales through provision of outstanding tools.
- Improved the public and customer perceptions of the brand.

Senior Technical Writer (1981 to 1983)

Prepared testing / production process documentation and publications for spacecraft and component manufacturing. Facilitated cost reductions and quality increases by contributing to decrease in manufacturing errors through audit skills and development of meticulous documentation.

Telemedia , San Diego, CA. Instructional Systems Design (1978 to 1980)

Designed, researched and wrote instructional materials in support of Naval Training for international clients.

EDUCATION

Bachelor of Arts in Journalism

Bachelor of Arts in Anthropology

San Diego State University, San Diego, California

Associate of Arts in Natural Science and Environmental Sciences

El Camino College, El Camino Village, California

ADDITIONAL DEVELOPMENT

International Business, Digital Design, Aviation Training (Licensed Pilot)

Marketing, Six Sigma Green belt, Electronics Manufacturing Engineering Process Development

PROFESSIONAL AFFILIATIONS

International Association of Business Communicators, Public Relations Society of America

Former Amtrak Customer Advisory Committee Member, American Association of Museums

President, South Coast Chapter of the Sons of the American Revolution, Expo, Rail Pac

Old Spanish Trails Association

*I have developed a tremendous amount of interest in the Old Spanish trail and have discovered many family connections to the trail that I did not previously know. I believe it is an important national resource that deserves preservation as well as more public awareness.

Testimony of Richard Bent

STATE OF CALIFORNIA

California Energy Commission

In the Matter of:

Docket No. 11-AFC-02

**APPLICATION FOR CERTIFICATION
FOR THE HIDDEN HILLS SOLAR ENERGY
GENERATION SYSTEM**

OLD SPANISH TRAIL ASSOCIATION

Testimony of Susan Sorrells

**Re: Local business owner and lifelong resident of Shoshone/Pahrump
presents the economic significance of OST as a tourist attraction and the
importance of relatively unaltered landscapes in the area**

Docket No. 11-AFC-02

Summary of Testimony

I wish to express my opposition to licensing the HHSEGS plant and my support for the position of the Old Spanish Trail Association. In my testimony I speak as a lifelong resident of the Shoshone, CA/Pahrump, NV area who wishes to see our environment protected from industrial development. I also speak as a local business owner. Much of our tourism business comes from people attracted to the wild desert environment and the history—old mines, the Old Spanish Trail, and ghost towns.

Qualifications

My qualifications are provided on my resume that is attached to this Testimony and as discussed below.

I have over 30 years of experience as a business owner in Shoshone and a lifelong attachment to this part of California, in which I was raised. I speak as a local business owner and as a citizen concerned to protect California's desert environment.

Statement

My name is Susan Sorrells and I am a fourth generation resident of Shoshone, CA. My great grandfather, Dad Fairbanks, was a pioneer freighter in the area in the late 1800s. He settled in Shoshone in 1910. My grandfather, Charles Brown, then took over the family businesses in the 1920s and became a state senator for 25 years representing Inyo, Mono and Alpine counties. My father and mother, Bernice and Maury Sorrells then managed the businesses for another 25 years during which time my father was an Inyo Co supervisor. In this testimony, I also represent the views of my cousin, Brian Brown, who owns the China Ranch date orchard in Tecopa, CA.

I grew up in Shoshone learned to love the beauty of the land and its people. I went away to school on the east coast then traveled throughout the world for many years. But during this time Shoshone was my home and my base and I returned there often. In the early 1980s my husband and I started managing the family businesses. At that time the area was booming as a mining community and there were over 700 jobs in mining. By the late 1980s all of these jobs had relocated overseas which devastated the local economy. In the last 20 years the economic engine for the local economy has become tourism. My husband and I have stayed in Shoshone, although we have had many opportunities to sell at a substantial price because we enjoy living in such a beautiful and ecologically and historically rich area.

We also enjoy being a part of our community and enjoy our many interesting guests and visitors who travel from all over the world to witness and to study this fascinating, unique and beautiful land. In the last five years at Shoshone Village we have made a big shift to ecotourism and have made a substantial investment in this shift. We feel strongly that tourism and ecotourism is the key to our economic sustainability. It is a win-win because we can continue to employ over 25 people, improve and grow our business successfully and at the same time steward and protect the land and the cultural heritage by educating people through tours and walks and talks.

So far we have been successful and have seen an increase of visitors. One reason is the growing awareness of the Old Spanish Trail, largely due to the efforts of the Old Spanish Trail Association. The National Landscape Conservation System has also been a tremendous help in this regard since the area includes eight wilderness areas, a wild and scenic river, and the Old Spanish Trail. The Bright Source project threatens this secure future and would devastate our business financially. It is very inappropriate that Bright Source is planning to build in the heart of a rich cultural and diverse ecological area. If this project proceeds it will destroy forever a national treasure that should be protected for future generations.

As a lifelong resident of the area, and as a business owner who depends of the environmental beauty of this area, I urge you not to award a license for the HHSEGS project.

Declaration of Susan Sorrells

Re: Testimony on Cultural Resources Relative to the Application for Certification for the Hidden Hills Solar Energy Generating System

Docket No. 11-AFC-02

I, Susan Sorrells, declare as follows:

1. I am currently the owner and manager of Shoshone Village a business in Shoshone, CA, and have held this position for 32 years.
2. My relevant professional qualifications and experience are set forth in the attached resume and in the testimony presented above which are incorporated herein by reference.
3. I prepared the testimony attached hereto and incorporated herein by reference, relating to the importance of the Old Spanish National Historic Trail and the natural desert landscape for tourism and local businesses in the Pahrump/Shoshone/Tecopa area.
4. It is my professional opinion that the testimony above 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 testimony above and if called as a witness I could testify competently thereto.

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

Dated: February 3, 2013

Signed:



At: Shoshone, CA

DECLARATION OF SERVICE

I, JACK PRICHETT, declare that on February 4, 2013, I served and filed copies of the attached OLD SPANISH TRAIL ASSOCIATION OPENING TESTIMONY, EXHIBIT LIST, EXHIBITS AND PROOF OF SERVICE, dated February 4, 2013. This document is accompanied by the most recent Proof of Service list, located on the webpage for this project at: www.energy.ca.gov/sitingcases/hiddenhills/index.html.

The document has been sent to the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit or Chief Counsel, as appropriate, in the following manner:

(Check all that Apply)

For service to all other parties:

- ☐ Served electronically to all e-mail addresses on the Proof of Service list;
☐ Served by delivering on this date, either personally, or for mailing with the U.S. Postal Service with first class postage thereon fully prepaid, to the name and address of the person served, for mailing that same day in the ordinary course of business; that the envelope was sealed and placed for collection and mailing on that date to those addresses marked ***"hard copy required"** or where no e-mail address is provided.

AND

For filing with the Docket Unit at the Energy Commission:

- ☐ by sending an electronic copy to the e-mail address below (preferred method); **OR**
☐ by depositing an original and 12 paper copies in the mail with the U.S. Postal Service with first class postage thereon fully prepaid, as follows:

CALIFORNIA ENERGY COMMISSION – DOCKET UNIT

Attn: Docket No. 11-AFC-02
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512
docket@energy.ca.gov

OR, if filing a Petition for Reconsideration of Decision or Order pursuant to Title 20, § 1720:

- ☐ Served by delivering on this date one electronic copy by e-mail, and an original paper copy to the Chief Counsel at the following address, either personally, or for mailing with the U.S. Postal Service with first class postage thereon fully prepaid:

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, that I am employed in the county where this mailing occurred, and that I am over the age of 18 years and not a party to the proceeding.



**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
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1516 NINTH STREET, SACRAMENTO, CA 95814
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Docket No. 11-AFC-02

***APPLICATION FOR CERTIFICATION FOR THE
HIDDEN HILLS SOLAR ELECTRIC
GENERATING SYSTEM***

**PROOF OF SERVICE
(Revised 1/16/13)**

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CONVENIENCE ONLY):**

*After docketing, the Docket Unit
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Commissioner and Presiding Member

TBD
Commissioner and Associate Member

Ken Celli
Hearing Adviser

Galen Lemei
Adviser to Commissioner Douglas

Jennifer Nelson
Adviser to Commissioner Douglas

TBD
Adviser to Associate Member

Eileen Allen
Commissioners' Technical
Adviser for Facility Siting

Mike Monasmith
Senior Project Manager

Richard Ratliff
Staff Counsel IV

Kerry Willis
Staff Counsel

DECLARATION OF SERVICE

I, Jack Prichett, declare that on February 4, 2013, I served and filed copies of the attached Old Spanish Trail Association's Testimony dated February 4, 2013.

This document is accompanied by the most recent Proof of Service, which I copied from the web page for this project at: <http://www.energy.ca.gov/sitingcases/hiddenhills/>.

The document has been sent to the other persons on the Service List above in the following manner:

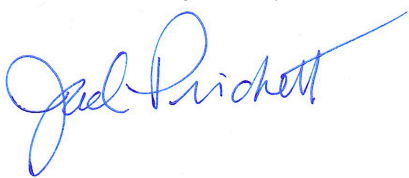
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For service to all other parties and filing with the Docket Unit at the Energy Commission:

 X I e-mailed the document to all e-mail addresses on the Service List above and personally delivered it or deposited it in the US mail with first class postage to those parties noted above as "hard copy required"; **OR**

 Instead of e-mailing the document, I personally delivered it or deposited it in the US mail with first class postage to all of the persons on the Service List for whom a mailing address is given.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that I am over the age of 18 years.



Dated: February 4, 2013