

OPEN LETTER TO KEN SALAZAR, U.S. SECRETARY OF THE INTERIOR

Urgent Appeal to cease Blythe Solar and related projects in the Mojave Desert and Protect Sacred and Culturally Significant Sites

September 19, 2011

Secretary of the Interior Ken Salazar
U.S. Department of the Interior
1849 C Street, N.W.
Washington DC 20240

Dear Secretary Salazar:

Greenaction for Health and Environmental Justice contacts you today out of concern for the cultural, ancient geoglyphs and other sacred sites in Blythe, California and the Mojave Desert that are threatened by giant solar projects being developed in the area (including Blythe Solar Power Project, the Palen Solar Power Project, Genesis Solar Energy Project, Desert Sunlight Solar Farm Project, McCoy Solar Energy Project.) Irreparable damage has already been caused by construction that was started at the Blythe Solar Power Project, and we call on you to stop further damage immediately.

Greenaction works with communities and Native Nations to protect health and promote environmental justice, and we have members and constituents in Blythe and among the Native Nations impacted by these projects. Greenaction's interest in the protection of the sacred and culturally significant sites is based on our long history and involvement with Native Nations and the interests of our members in the area.

Greenaction is extremely concerned about these projects, and previously expressed our concerns to you. We are writing you now because as many Native peoples, community groups and Greenaction predicted, the construction at the Blythe site has caused irreparable damage to geoglyphs and ancient paths. We have been informed that a 150-foot wide, 5 mile long road has been built through a sacred area, fences have been constructed, and there has been damage to the eastern part of the Sun geoglyph, (an intaglio of approximately 10-foot radius), to the North and South geoglyphs (an intaglio of 5 x 50 feet), and to the Quechan ancient trail.

This desecration is in violation of initial claims that the Blythe project would not interfere with sacred areas or with the geoglyphs. We have been informed that Solar Trust has deviated from various aspects of the plan that were the subject of approval by the BLM – it has gone outside of the geographic boundaries presented in its construction plan, and it announced in August 2011 that it would switch the technology that it would use for the first 500 MW (from solar troughs to photovoltaic panels.) This is extremely serious, especially as the mitigation measures that had been adopted were heavily criticized as being inadequate in the first place.

We join community members in protesting the desecration of the sacred site, and the irreparable damage caused to the intaglios which have cultural, spiritual and historical significance. The road and the fence that have been built also interfere with the access of Native communities to the site for religious and cultural practices, and also disturb the wildlife in the area including the endangered desert tortoise.

Further, Greenaction is concerned that the BLM's approval process on this project was flawed. Members of the community protest that they were not adequately consulted or informed regarding the cultural and spiritual impact of these projects. La Cuna de Aztlan Sacred Sites Protection Circle states that it was not adequately consulted or informed by BLM, despite the fact that it is a member of the Southern Low Desert Resource Conservation and Development Council which has a Memorandum of Understanding with the BLM for common objectives including the "immediate and future protection of cultural resources including the Blythe intaglios for the public good".¹ Community members also state they

¹ Amendment No. 1 to Memorandum of Understanding Between United States Department of the Interior Bureau of Land Management and the Southern Low Desert Resource Conservation and Development Council of February/March 2008.

were offended that they were excluded from the June 17, 2011 groundbreaking ceremonies for the project, an event which was heavily policed, and that you as well as other officials that attended refused to meet with them. Interior Department's actions violate the MOU referenced above, the Executive Order 12898 on Environmental Justice², and federal trust principles³. This is so even though BLM assessments concluded that "[o]nly members of the community that value the resource culturally and/or spiritually can determine impacts and suggest possible mitigation".⁴

Solar Trust temporarily halted construction on the Blythe project in August 2011 as it goes through a re-permitting process (because the company announced in August 2011 that it would change the technology for the first half of the project to photovoltaic panels). This is an opportunity for the Department of Interior to act swiftly on these concerns.

While Greenaction supports the goal of increasing the solar power, we oppose the siting of these projects in a discriminatory manner and on lands that have sacred, cultural, spiritual, archaeological and environmental significance. The benefits, and the burdens, of development must be distributed in an equitable and just manner within the society. Solar energy developed by desecrating sacred lands and sites and archeological treasures as well as destroying habitats for endangered species does not constitute a less "bloody" and more stable alternative to oil. There are many other more sustainable, just and appropriate alternatives.

Based on these considerations, Greenaction urges you to:

- Order **immediate cessation** of any further construction and development of these projects in the Mojave Desert area where sacred sites and ancient geoglyphs and ancient trails are found;
- **Deny new permits** for the Blythe Project and similar projects in this area, due to irreparable damage already caused to sacred sites and future damage that would be caused by continuation of this project;
- For any permit application that is being considered, **conduct proper Environmental Impact Studies, in consultation with communities and Native Nations**, including in for the Blythe Solar Project,
- Ensure that full consultation with the community members and Native Nations includes **consultation in choosing the members of the team that conducts the EIA**;
- **Support the designation and protection of these sites as sacred cultural sites**;
- **Start a process to search for alternative, sustainable and appropriate sites for solar projects** that do not damage Native culture, life and spirit and destroy pristine natural areas and habitats.

For environmental justice,

Bradley Angel
Executive Director
Greenaction for Health and Environmental Justice

cc President Obama

² The Department of Interior is bound by the principle established by Executive Order 12898 on Environmental Justice, which instructs federal agencies to comply with environmental justice and not to take actions that would have a discriminatory or disproportionate impact on low-income people and people of color.

³ Federal Trust Doctrine imposes a fiduciary duty that requires the federal government to recognize, protect, respect, and support the Native Nations. 25 USCS § 450a.

⁴ Assessments conducted by the BLM on solar projects in Riverside County (including Genesis, Blythe and Palen Solar Projects) recognized that "significant unavoidable impacts that cannot be fully mitigated may be possible", and that BLM does not have the expertise to determine the property's cultural and spiritual significance, stating that "Only members of the community that value the resource culturally and/or spiritually can determine impacts and suggest possible mitigation." Bureau of Land Management, *Staff Assessment and Environmental Impact Statement: Genesis Solar Energy Project*, C.3-2, Mar. 26, 2010. (The Genesis Staff Assessment is similar to those for the Blythe and Palen Solar Power Projects.)