

March 4, 2011

Iain Fisher, CPUC
Greg Thompson, BLM
C/O DUDEK
605 Third Street
Encinitas, CA 92024

RE: SCH#2009121079 Joint NEPA/CEQA Joint DEIR/DEIS Public Comments for the East County Substation/Tule Wind/Energia Sierra Juarez Gen-Tie Projects

Dear Sirs,

I am writing this letter in response to the request for public comments on the above referenced projects, especially the Tule Wind project, all of which will have a significant impact on this entire area and all of the people and wildlife who live here.

I will start with the Sacred, Religious and Archeological sites in McCain Valley and Jacumba that will be desecrated by these projects, especially the Tule Wind Project. The Iberdrola Company has assured us that they will not be putting wind turbines in any of the cultural sites. They will only come near them. I urge you to really look at the sites in McCain Valley and listen to the Kumeyaay People when we tell you that it is a Kumeyaay Tribal Traditional Property. It will be devastating if this project gets approved and they start moving the earth. It is inevitable that they will find even more evidence of our people's presence in the area. It will be tragic to our people to have to once again rebury the remains of our ancestors and watch the last pieces of our history get dug up, cataloged and stored in boxes somewhere.

The next issue of great concern to the Kumeyaay people and all people of this country is the Golden Eagle. It is unthinkable that this beautiful bird that is "protected" by the laws of the United States of America could be put in further jeopardy by these "green energy projects". It feels much like how many Native Americans were "protected" by the United States Government. Some are saying this is not Golden Eagle territory but they are wrong. There is documentation from our people about the Eagle nests and the importance of the Eagle to our people. I enclose pages from the book Southern Diegueno Customs by Leslie Spier, quoting my great great Grandfather Jim McCarty.

I believe that there is a way for the wind energy projects to coexist with the Golden Eagles, but it will take better planning and the areas of these projects cannot be within Golden Eagle Territories. If the Golden Eagles leave these territories, where will they go? West towards the cities? East towards the 26 renewable energy projects proposed on BLM land? With all these projects on the table there has to be some room to say no the ones that will have such a detrimental and fatal impact on the almost extinct Golden Eagle.

I also ask you to consider the potential health risks. There have not been enough studies conducted to ensure that these giant energy producing machines are not harmful to the health of those who live the closest to them. We don't think we should be used as the test study, only to find out when it's far too late that there are adverse health effects. There should also be adequate setbacks from homes and buildings in the event a turbine should malfunction. I know renewable energy is the future but until the United States Government has conducted the proper studies please place wind farms away from residential areas.

I am also appalled that I wasn't afforded the right to stand up and give verbal comments at the public comment meeting on January 26, 2011 in Jacumba, California, which is usually standard procedure. We were informed that it would be more difficult to take verbal comments. This is very wrong. It was not fair to the people of this community to have their right to verbal public comments taken away by any agency. We should have been allowed to speak before each other and share our thoughts, fears and ideas with each other in a public forum as afforded by the NEPA regulations

In closing I urge you to deny the Tule Wind Project. This project is one of the most detrimental renewable energy projects ever. There is no acceptable mitigation for the loss of the Kumeyaay People's last intact Archeological District. Please leave us one site to show our children the physical evidence and Sacred Sites of our ancestors to go along with the stories from our elders. There is also no acceptable mitigation for the loss of even one Golden Eagle. There is no other more important cultural resource to the Kumeyaay people. Please don't erase the cultural landscape of this area where our people have lived for thousands of years without the horrifying impacts that have occurred in the last few hundred years.

Sincerely,



Angela Elliott Santos
Manzanita Tribal Member
PO Box 1545
Boulevard, CA 91905

SOUTHERN DIEGUEÑO CUSTOMS

BY

LESLIE SPIER

the other hand, there were definite preferences among the gentes; that of hilmiaap for hitlmawa' and öswai', for instance, was so strong that they commonly lived together. The other gentes regard hilmiaap people as the most stupid, according to a member of that gens.

There was no ownership of the groves of bearing oaks in the mountains. On the other hand, it is said that hilmiaap owned patches of wild plum trees (axkai) and scrub oak (xwüp) at sükotip'p (seeping water) in Tule canyon, north of Boulevard, and of red oak (snau) at xawitcar (water in crevices) at Manzanita. Other gentes could not take these products, but these places lie within the district they describe as hilmiaap territory.

Each gens owned one or more eyries from which eaglets were taken for use in the mourning ceremony (ewukerük). Hilmiaap gens had an eyrie on a peak called hamiltcahwai' near Jacumba; paipa' owned another at watetayu'mp, six miles south of Guiyapipe. Another gens wishing to hold the ceremony²⁸ approaches any member of paipa', for instance. A relative of the individual approached is purposely sent, for then no payment is demanded. In each gens there are two individuals, who may be women, who watch and capture the eaglets; one of these, the eagle owner (ɛspakwĩnhöt) has this function by reason of his special knowledge, the other he chooses and trains as his assistant and successor after his death. These two watch the eaglets until they have down on their heads, when they take whatever number are in the nest, one or two. It is considered fortunate if there are two, for then there will be two used in the dance and donations will be correspondingly great. The eaglet, feeling ashamed when caught, will not eat for four days. He is kept by the recipient gens for about a month in a dome-shaped brush house, a meter high, which is provided with a door through which the bird is fed by the eagle feeder (ɛspakwĩtsau'ɛ). The eaglet will eat jack-rabbits, cottontails, and the hind quarters of deer, but not squirrels. A clay vessel, painted in a special style, is made to hold his supply of water, because he is a person (i.e., one of the tipai). This is the reason why no one would kill an eagle except at the mourning ceremony (this is true even today), and why it receives such care during its captivity. During this time, however, there is no specially religious attitude (prayers, etc.) toward the eagle. The bird cries out at daylight on the day he is to die, for he knows his approaching fate. Only one who knows how may kill him by pressing under the

²⁸ Compare Waterman, *The Religious Practices of the Diegueño Indians*, present series, VIII, 314-320, 1910.

left wing over the heart.²⁹ All the feathers are saved. When used in the dance, they are the residing places of the spirits of the dead, who leave when the feathers are stored away.^{29a}

An eagle nest, belonging to *hīlmawa'*, situated fifteen miles east of Guiyapipe on the slope facing the desert, remained when nearly all the members of the gens had died. Jim McCarty, a *hīlmiarp*, took two birds from the nest. The owner *Pasenu'*, discovering this, came to Jim and accused him of theft. Jim did not answer until almost an entire sack of tobacco had been consumed. Then he said that, since the gens was practically extinct, they no longer owned it, but that he would for a time. *Pasenu'*, taken aback, looked around at the assemblage and then asked for the larger eagle. Jim refused; *Pasenu'*'s gens was almost gone; if he was entitled to any, it was the smaller one. So *Pasenu'* had to be satisfied with the smaller one.

The only suggestion of a totemic complex was the statement that Wildcat was a *hīlmiarp* and therefore wildcats could not be killed by members of this gens. Nor could any others kill them for if they were discovered a fight might be precipitated. I doubt this statement, for no reason could be given why this taboo, which is apparently a general one, is connected with this gens.

It is stated further that the mocking bird (*cakwillau'*) is a *hīlmiarp* and that it is raised by members of this gens because they want information that the bird can give. Again I believe my informant wished to enhance the estimate of his own gens by ascribing to it a relation which may rather hold for the whole tribe. Wild mocking birds tell when the daylight, months, and seasons are near. Fledglings are kept in a globular cage (*hapētūtL*) of fine mescal fiber cord, twenty or more centimeters in diameter, in the bottom of which is a bed of chamissa rabbit skin (*epa'rlēmī's*), the finest rabbit fur, to keep them warm. When released the bird roosts on a pole above the house, and does not fly off for some time. The owner continues to feed it; when he moves, the bird follows shortly. When a *hīlmiarp* goes hunting, the bird flies to him far from home, perches on his head, and thus rides back to the house. These are good birds (*isa'kwaxa'n*); one takes to them as to humans, because they understand most things.

²⁹ Coleman noted that a Northern Diegueño shaman exhibited a little red feather which he said had pierced the eagle's heart.

^{29a} The Mono dance around a young black eagle two weeks after capturing it, then sell it to another village that they may do likewise (Powers, *Tribes of California, Contributions to North American Ethnology*, III, 398.)