Clean Energy & Indian Country: Progress Made & Lessons Learned

Sean Gallagher
K Road Power
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Introduction to K Road Power

- Independent Power Producer (“IPP”) that develops, constructs, owns and operates utility-scale solar power facilities
  - Founded by William Kriegel, former Chairman and CEO of Sithe Energies Inc.
  - Backed by Global Fortune 500 Investor (Barclays PLC)
  - Team backgrounds include AES, Barclays, Goldman Sachs, Sithe, Trina Solar, Tessera Solar, Native American Rights Fund and Tribal Assets Management

- K Road is aggressively pursuing a two-pronged strategy to own over 2,000 MW of operating assets by 2016:
  - Greenfield Projects in Indian Country
  - Acquisition of strong projects already in development outside Indian Country

- The K Road team has developed and operated over 20,000 MW of power assets, in the US and internationally
  - Developed over 260 MW of utility-scale solar facilities in Europe and the United States, and 2,300 MW solar pipeline of projects in the Southwest
  - Advanced projects include Calico Solar (California) and Moapa Solar (Moapa Reservation near Las Vegas)

- K Road promotes sustainable, renewable energy development in concert with environmental and social responsibility in order to:
  - Improve economic conditions of host communities
  - Respect traditions and heritage of all stakeholders
  - Protect the natural environment and reduce society’s greenhouse gas emissions
Utilize an underutilized, attractive resource:
- Despite constituting 25% of the combined total of tribal and public lands in the lower 48 states, less than 1% of proposed solar projects are on Indian reservations.

Lack of activity is unwarranted because:
- Reservations include large tracts of land under single ownership suitable for solar development.
- Certain reservations are proximate to unconstrained transmission.
- Absence of state regulation facilitates permitting.
- The Bureau of Indian Affairs is proving to be an efficient lead agency for NEPA purposes.

K Road approach premised on:
- Respect for tribal sovereignty, development and employment objectives.
- Proprietary suite of contracts that anticipate typical tribal requirements.
- Market terms that contemplate tribal ownership at end of lease.
K Road Moapa is a **350 MW** project located on 2,000 acres on the **Moapa River Indian Reservation** 30 miles northeast of Las Vegas, NV.

Most **advanced on-reservation solar project** in the United States and first on-reservation project to be on the **DOI Renewable Energy Priority List**

The **Bureau of Indian Affairs** approved the ground lease, and has served as the lead agency for NEPA review. BLM was cooperating agency.

The **Final EIS was published in March** and the Record of Decision was issued in June, 2012.

70,000 acres of the 72,000 acre reservation was restored to the tribe in 1980 for **purposes of economic development**

The reservation is transected by a major transmission corridor; **No new transmission needed** to deliver power to Los Angeles or Las Vegas.

**250 MW PPA approved** by LADWP Board October 4. Final approval by City Council expected in November.

**Strong local support** from stakeholders including elected officials, tribe, unions and environmental groups.

Full **construction start June 2013** after desert tortoise translocation in the spring.
## Permitting Advantages on Indian Land

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<th>Item</th>
<th>Indian Country</th>
<th>Public Land</th>
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<tr>
<td>Lead Agency</td>
<td>BIA (few large projects under review)</td>
<td>BLM (many)</td>
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<td>Purpose &amp; Need</td>
<td>Tribal economic development foremost</td>
<td>State &amp; federal policies, etc</td>
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<td>Cultural</td>
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<td>Section 106</td>
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<td>Conservation groups</td>
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<td>Alternatives</td>
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<td>Land rights</td>
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<td>Financing</td>
<td>Limited waiver of sovereign immunity</td>
<td>N/A</td>
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<tr>
<td>Stakeholders &amp; policy makers</td>
<td>Strong interest in promoting non-gaming tribal economic development</td>
<td>Conflicting priorities</td>
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