Battle Mountain Band – Te-Moak

Chairman Joseph Holley and Vice-chairman Mark Oppenhein, Members Donna Hill, Delbert Holley, Lydia Johnson, and Lydell Oppenhein

Solar Energy Park
DOE/Te-Moak Grant EE0005632
The Battle Mountain Colony (Band)

• Descendants of the Tosawihi (white knife) People

• One of Four Distinct Colonies, Te-Moak Tribe of Western Shoshone Indians

• 683.3 Acre Reservation Established by Executive order on June 18, 1917 – two parcels located in Lander County, Nevada

• Battle Mountain Colony Charter Ratified on December 12, 1938

• 6.25 Acres Added by an Act of Congress on August 21, 1967
Can a solar project on Tribal land be a revenue source and create training and employment opportunities for members?

To answer this question we performed this solar feasibility study to help us determine if we should proceed with a solar project.
Project Team

Department of Energy
EERE Tribal Energy Program
Award

Battle Mountain Band
Project Direction

Fredricks, Peebles and Morgan LLP
Legal

BEC Environmental, Inc.
Project Management

Millennium Energy, LLC
Technical & Economic

Kautz Environmental Consultants, Inc.
Cultural
Study Area Was 319 Acres
Progress Toward a Solar Lease

Completed

- Community Workshop
- Collected and Analyzed Data
- Evaluated Barriers
- Identified Opportunities
- Evaluated Technologies
- Evaluated Business Structures
- Conducted Legal Analysis
- Council Decided to Proceed with a Solicitation
Environmental Impacts – One Example

User Remarks:
Wetlands and Humboldt River adjacent to the proposed Te Moak solar development area.
Interconnection Opportunities

Photo Courtesy of Joe Bourg, Millennium Energy
Technology – Photovoltaic

Photo Courtesy of Joe Bourg, Millennium Energy

Warren Gretz (NREL)
Simple Land Lease
- Returns were not affected by technology
- Least risk but lowest return

Land Lease with Royalty
- Marginally better returns from single-axis tracking
- Band would receive rent and royalties for power generated
- Lower rent would be offset by royalties in later years

Land Lease with Buyout
- Significantly higher returns from single-axis tracking
- Most risk but greatest potential return
Legal Analysis

• Coordinate the length of the lease with laws governing leasing of tribal lands

• New leasing regulations promote economic development of tribal lands and recognize role of tribal leadership in projects

• DOI likely will require NEPA and Section 106 Cultural Impact assessment

• Tribal business entities can provide additional opportunities but are not necessary to oversee a lease
Recommendations

- Establish minimum land lease and royalty rates in the Request for Proposal (RFP)

- Increase available acreage to generate higher revenues for lease-only options

- Give preference to single-axis tracking for a royalty payment or buyout scenario

- Utilize legal counsel throughout the RFP process

- Ensure consistent comparison among proposals, but allow bidders flexibility and creativity
## Progress Toward a Solar Lease

<table>
<thead>
<tr>
<th>Completed</th>
<th>What Is Next?</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Phases 1-3)</td>
<td>(Phase 4)</td>
</tr>
<tr>
<td>✓ Engaged the Colony in the Project</td>
<td>• Prepare Solicitation</td>
</tr>
<tr>
<td>✓ Collected and Analyzed Data</td>
<td>• Conduct Solicitation</td>
</tr>
<tr>
<td>✓ Evaluated Barriers</td>
<td>• Negotiate and Execute a Solar Lease with Buyout Opportunity</td>
</tr>
<tr>
<td>✓ Identified Opportunities</td>
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<tr>
<td>✓ Reviewed Technologies</td>
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<tr>
<td>✓ Reviewed Business Structures</td>
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<tr>
<td>✓ Conducted Legal Analysis</td>
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<tr>
<td>✓ Recommended Technologies and Operating Structures for a 5 MW Solar Lease</td>
<td></td>
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</tbody>
</table>
Ten Issues to Consider (Nahai, 2013)

Before Pursuing Renewable Energy Project, Consider:

1. Resource
2. Market
3. Transmission & Distribution
4. Technology
5. Financing
6. Compensation
7. Approvals
8. Team
9. Employment & Training
10. Outreach Plan
• Always check the background and references of anyone who offers to write a grant for you.

• Be prepared to be involved every step of the way.

• Get training from DOE on how to track and submit reimbursements.

• Get grant writing training.
Thank You

For More Information Contact:
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Battle Mountain Band
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