

Pyramid Lake Paiute Tribal Council

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SPECIAL MEETING MINUTES Tribal Chambers ~ Nixon, NV March 26, 2026, Special

Members Present:

Steven Wadsworth, Tribal Chairman
Nicholas Cortez, Councilmember
Judith Davis, Councilmember
Loren Decker, Councilmember
Nathan Dunn, Councilmember

Edward Ely III, Vice Chairman
John Guerrero, Councilmember
Della John, Councilmember
Ceira Sampson, Councilmember
~~Georgina Wadsworth, Councilmember~~

Members Absent: Nathan Dunn, Councilmember and Georgina Wadsworth, Councilmember

CALL TO ORDER

Chairman Wadsworth called the March 26, 2026, Special Tribal Council meeting of the Pyramid Lake Paiute Tribal Council to order at 5:00 p.m.

ROLL CALL

Roll call was taken by Brenda A. Henry, Tribal Council Secretary. Councilmember Dunn and Councilmember Wadsworth were absent. All other Councilmembers were present at the roll call, and a quorum was established for this meeting.

APPROVAL OF AGENDA

Chairman Wadsworth presented the agenda.

Councilmember Cortez had motioned to *approve the March 26, 2026, Special Council meeting with no changes*. Vice Chairman Ely seconded the motion. Votes were seven (7) **for** and zero (0) **opposed** with zero (0) **abstentions**. **MOTION PASSED**

PUBLIC COMMENT. No Public Comment.

NEW BUSINESS

1. Discussion and Possible Action Regarding Solar. *Benjamin John, Business Office*

Mr. John said in regards to the document provided to the Council, the first two pages are historical on how the decision was made to enter the interconnection queue, why the Council approved that decision and the

circumstances of the business landscape at that time when this feasibility study was done. As everybody is aware, that landscape has changed. The document provides up-to-date information on where the interconnection application stands and provides options on how to proceed.

Councilmember Davis said on page one and two, it was stated those are the feasibility studies, when was that done? Mr. John said the feasibility study was brought forward in June and was completed in July 2025 because the feasibility application window closed on July 30, 2025. It was a short timeline to get it done and submitted but they got it done. NV Energy just completed the cluster study at the end of February. According to NV Energy it's doable, however there are a lot of upgrades that the Tribe will be responsible for in the amount of \$50 million. What the Council needs to decide now, because the Council wanted to be owners, the next step would be putting up a \$2 million deposit to enter the facilities study. The cost of the deposit would be \$2,527,000, and they also have a \$500,000 credit with NV Energy, so it would only require a deposit of \$2,027,000. The problem altogether is that in 30 days, they will want another \$2 million and then after 150-160 days, they will want another 10% of the \$50 million, in a total of 190 days, the Tribe will have to give them a deposit of roughly \$20 million towards the \$50 million in upgrades.

Vice Chairman Ely asked if we are involved in a cluster. Mr. John said there are six others and they are also paying but it's based on a percentage of the total megawatts that it is proposed to be put on the NV Energy system. The Tribe's percentage is 900 megawatts or 30% of the 3,276 total and this is the Tribe's share of that total. The idea back when this was first approved was, at that time, everybody wanted to build solar and there were a lot of developers to work with but as soon as the tax credits got pulled back, they were gone. He will be sending an email, in which he provided a draft for the Council, to NV Energy to try to work with them so they are not so quick to charge the Tribe penalties for leaving the queue. According to FERC regulation 2023, they have 150 days to complete the feasibility study, which would have put them in December before the tax credits got pulled back, developers were still interested, and they could have locked in a deal at that point. However, they didn't finish until the end of February after everything was gone, so they are required to do 150 days, they didn't and can be subject to \$1,000 a day penalty. It's only been about 62 days, and this will be a part of what they will send to them saying the Tribe didn't have enough time to do this. The other thing is, their cluster study results state that the Tribe's date of going into operation in 2028, and they said that's not doable. So, at this point, they are telling the Tribe we have a project that is not even doable, then the argument becomes we couldn't have done this, how is that material going to be a material impact to everybody else because it would never have been built in the first place. All this will be done separately from the decision the Council needs to make. That is to try to mitigate any penalties NV Energy may try to charge the Tribe, if the Council makes the decision to withdraw from the queue at this point. The other part is if the Tribe pays \$2 million to stay in the queue, then the Tribe has no remedy at that point and will lose all the money if they withdraw. This is the last chance to pull out without a lot of money on the line. There are options, realistically the Tribe can withdraw from the queue and do nothing but to him, that wouldn't be the best way to go because he has already talked to two developers who are interested in working here and one of the ideas was still building solar and them buying the power before the meter, so they are not trying to get it on the grid. There is an advantage to that because we don't have to pay all the deposits, they would pay retail for the power versus buying it wholesale off the grid and the Tribe would get a little more money off of it.

Vice Chairman Ely wanted to confirm what was just presented on the dates, there was 150 days and they already passed and they basically informed him that this project wouldn't be possible anyways. Will the Tribe get some of the deposit back? Mr. John said that the memo going to them is trying to preserve all that deposit. Basically, the Tribe paid for the study, the 250 is for the cluster study which they did and that was the fee for the deposit of the commercial readiness deposit, they potentially could try to hit the Tribe with a fee for withdrawing at this point. That amount was \$500,000.

Councilmember Decker asked if this deal is done? Mr. John said it doesn't have to be but it's up to the Council to decide, they will just pivot and go a different direction. It's not about a deal, it's just that the Tribe is not going to be a power generating owner of a power generating project that sells power to NV Energy. It will depend on how NV Energy responds to his memo because the other part of this memo is maybe they will say they want to work with the Tribe which will change some things also, they just don't know and they won't know until that part is done. But they need to proceed with the idea of whether they are staying in the queue or not. If they are staying in the queue, then the Council needs to know there is \$2 million due on April 1st and towards the end of April there is another \$2 million due and 150-160 days from then, it's another \$10 million due. Initially, it was okay they can do \$2 million and then they go to the bank, he's already talked with Wells Fargo Commercial to apply for a line of credit for \$5 million, then set aside two and a half million of it and get a letter of credit. Take the letter of credit and exchange it with NV Energy for the checks, get the checks back, and give them a letter of credit. However, that will require current financials which went out the window at that point. He has talked to a company that would give the Tribe a short-term loan of a million dollars and told them our situation and they were willing to use the 2023 audit, but they would need letters from the Comptroller about the Tribe's position even though it's not official or audited, but honestly, a million dollars is really not going to help.

Vice Chairman Ely said this seems to have really turned south, he remembers Will Adler being present and it was a good deal but that was only because of the tax credits. Chairman Wadsworth added the only tax credits available are the battery storage which is why NextEra is still planning on theirs because they get all those tax credits. Mr. John asked if the Council remembered Estuary, they talked to them when Janet Davis was the Chairperson, but they couldn't work anything out with them. He has reached out to see who is willing or who would do anything and they (unsure who "they" are) have a project that isn't moving forward, they've purchased the equipment but don't have access to land, they can still get the tax credits if they get land and everything done by mid-July, get it under construction and that may be a way to go. The Tribe would still need to withdraw from the queue because this company actually has their own place in the queue and the Tribe would just run everything through their position. Vice Chairman Ely said the only reason for this route is because we have the land and get the tax credits. Mr. John said the company would get the tax credits which would be a part of the deal they would have to work through because they've purchased all this equipment and they are not going to get their money back. So maybe they'll split the tax credit, but they probably won't go 50/50 but they split it somehow so the Tribe can benefit from it. When they do the land lease, tie the land lease into their revenues from them selling energy to NV Energy because they already have the equipment. For example, the small side of this project cost wise was roughly \$450 million.

Vice Chairman Ely asked if this idea was time sensitive. Mr. John said no, if the Council decides not to withdraw from the queue, they will need \$2 million by April 1st, otherwise they will get kicked out of the queue. He's talked to three companies in the past two days that are willing to do something else, but he likes

Estuary because they are under a time crunch at this point, rather than the Tribe being under a time crunch. Councilmember Cortez added that hopefully being able to recoup the money they have already paid is probably the best option. Vice Chairman Ely said the \$250,000, he knows they are not going to get that back but it's like a set of construction plans or engineering, you pay for that and at least you've got the plans. Mr. John said the feasibility study they did in the beginning for the utility scale development was \$200,000, the one they're doing for micro grids is \$250,000, and the one they are currently doing for setting up a travel utility is \$298,000, so that is what it costs for these studies. What they can do, which he has already spoken to the developers about, is they can use the numbers to know what they can put on the grid at that substation before they trigger all the upgrade costs. When they're at 900 megawatts, they are at 140.3% capacity, over by 40.2. the developer can use those numbers and figure out how to bring that down to less than 100% which is the number they can potentially develop and put on that substation without having to upgrade it. So, there is value in the information they got from NV Energy.

Vice Chairman Ely asked about a timeline, stating he was told it was \$20 million the Tribe had to put in if they were going to stay in the queue. Which was \$2 million now, \$2 million in 30 days and another \$10 million? Mr. John said in another 150 days, another \$10 million, that will put the Tribe roughly at \$20 million but by the time they start construction, they would have to have given them \$50 million in total because they have to come in and do their part. The Tribe can't build it and can't connect it until they do their upgrades, which they won't do until the Tribe pays. And for context, to build a smaller 450-500-megawatt facility is about \$450-500 million, so the Tribe paying 1% of that price is just a small percentage to contractors who has the funding to get through their queue. For the Tribe it's a lot of money but for a developer, usually this is just the fees they pay.

Chairman Wadsworth said when he was at the legislature, it was a big thing with all these data center companies coming in and worrying about the construction costs for upgraded power lines, and substations and to not pass the bill to the customers, which is what everyone is concerned about. NV Energy has to require the companies to put forth the money to do all the upgrades, so it's not passed on to the customers. Mr. John added that even in the cluster study which breaks it down in more detail, the cost and there is a line that contributes to the Green Link Northwestern Nevada upgrades which they are paying a portion of even though it's not coming here.

Back to the subject, Mr. John said there is no expectation this is going to happen, he just wanted them to have a full picture. What makes the most sense to him is to withdraw from the cluster study and get back what they can and keep going. He thinks they can get the full \$250,000 for the study.

Chairman Wadsworth added that was the purpose of the letter. They had until this date, but they didn't. Mr. John said it's addressed to Thomas Chin but that is not who he is sending it to, it'll be to their supervisors, but they will all be cc'd in the letter. There are two things they need to decide on: one would be to get out of the queue or keep moving forward and the other would be if the Council wants to keep going with this economic development or will they be pulling out and this would be the end of it.

Councilmember Davis is in agreement with Mr. John, because she was counting on the Tribe having that line of credit and without that, where would they come up with the funds. And \$10 million is a lot of money even if they have it at BTFA. Mr. John said realistically, when the developers do this, they are not putting up cash,

they have credit for this, they are not putting up \$50 million, and they are not in that financial position to do that.

Councilmember Cortez motioned *to withdraw from the Interconnection queue*. Councilmember Davis seconded the motion. Votes were seven (7) **for** zero (0) **opposed** with zero (0) **abstentions**. **MOTION PASSED.**

Councilmember Cortez asked if they needed a motion to continue forward. Mr. John said not at this point, they'll just keep working on the deals and maybe come back to the Council with it.

Vice Chairman Ely said he would like more information on this other deal, the location, how much acreage and how interested they are. Mr. John said just in the preliminary conversations he had; it's relating to how the county does things. When the Chairman was having a conversation regarding this, he was talking about the Clean Air Permit, which the Tribe doesn't actually have on the Reservation, and they didn't have to have a state one here. However, it's obvious they need one here on the Reservation, maybe the line to get one wouldn't be as long, but it would be just as strict because they don't want to turn us into a dumping ground for businesses. The same thing applies to zoning, but they would coordinate with the Tribal Lands Manager who would provide a letter stating this area is designated for industrial. He's been saying they need to keep the data centers interested, which is doable. Councilmember Cortez asked if there was a resolution that identified an industrial park zone. Mr. John said the map was brought to the Council and not approved but then the map was included in the land use binder and was approved with the binder documents contents. Chairman Wadsworth said that is tied back to 2021 when the previous NUMU Inc Board was trying to develop that area in Wadsworth, it was ugly because they were under the assumption they had it all approved and could use it, but the Council said none of it was approved. There is a lot of history with that area by the water tanks and where the transfer station is. Vice Chairman said the request started out at 300-350 acres and then expanded to 800-1200 acres. Councilmember Davis said the first industrial park is where NEVCO is, there wasn't supposed to be houses there.

Vice Chairman Ely asked if he was in communication with somebody else about a second idea, not NV Energy and did he get an indication that they worked on reservations before. Mr. John said it was Estuary and the individual came out to the Reservation before, but they couldn't work it out. He said Pilar Thomas, legal from Quarles & Brady, didn't like her because of some deal she had with Moapa didn't work out. His take on this is they shouldn't make the same mistakes; they should learn from them and if they don't agree then just don't business with them. Councilmember Cortez asked if this was that solar project that wanted to be on either side of the highway on the flats. Mr. John said that was back when NextEra still had the land under option, so the Tribe technically couldn't use that land. So, they decided to put it on the west side, up the hill which was enough area for 600 megawatts and when NextEra goes away, they can explore that side, so they picked the same spots when they did the 900 megawatts because a lot of the work was already done. Then he gets a call from NextEra who said they are also interested in doing something. He heard at one of their meetings and by the way, he never hears anything good about NextEra but then again if the Tribe do their deals correctly and get what they want, then it's up to the Council to decide at that point. Councilmember John stated the last deal they did, all they received was a little bit of lease money. Mr. John agreed that they shouldn't have done that deal because the contract specifically stated the Tribe had to ask for what was in the contract but didn't ask, so they didn't do it. He wasn't involved in the contract but after he saw it and this came up at the end of it where he thought they were done but according to Ms. Thomas, she said they had the option to renew for

one more year and he said then they shouldn't renew but then Ms. Thoams said it wasn't up to the Tribe, it was up to NextEra. He didn't understand who would approve a contract like that because it didn't make sense, but it was approved. This is now done and actually the Tribe is in a better position because NextEra now wants to get right away from the Tribe.

Councilmember John asked about the status of the groundwater on Dodge Flats. There is a Nevada Supreme Court decision. It was given to the State, but it was in the wrong court, it was in District Court, and she went to the Nevada Supreme Court and the decision was not for the Tribe. Mr. John said realistically what are they going to do? Chairman Wadsworth said technically, it's not Nevada. Mr. John added that the Tribe just needs to exercise their sovereignty. Councilmember John asked why they let it go to District Court and not federal court. Chairman Wadsworth said it was 10-12 years ago when he was on his first term on the Council and it was still in the courts; he wasn't sure after that. Mr. John said it goes back to exercising their sovereignty, when they drilled Muni Four in Wadsworth, the Water Master came out and tried to say they needed to see it and they denied them access because they don't have authority here. Chairman Wadsworth said the wells they were checking were the monitoring wells, one by Popcorn and the others on the northern end. A lot of the monitoring wells need to be looked at because of the geothermal on the other side of the Reservation border which would include the monitoring wells they made them drill because they weren't sure what they were going to look like.

Mr. John will come back to the Council if it looks like it will work for the Tribe.

Councilmember John said that whatever they do they should try to be part-owners or have some kind of share in the company because the lease money is low. Mr. John said they had to be careful, because with this one they went after ownership but as soon as the fees came up, they had to back away because they didn't have the money. And just like Vice Chairman Ely said maybe they get a graduated share where after so many years, instead of getting more money they get more ownership shares. Councilmember John said it would be helpful to see a cost benefit and to know how long it will take for money to start coming back after investing. Mr. John said they had that with this one when they made the decision, but the circumstances changed when the whole renewable energy market dropped out.

ADJOURNMENT

With no further business before the Tribal Council, Councilmember Cortez made a motion to adjourn the meeting. The motion was seconded by Vice Chairman Ely. Votes taken were all in favor, **motion carried.**

The meeting adjourned at 5:38 p.m.

Submitted by,



Brenda A. Henry
Tribal Council Secretary

CERTIFICATION

*Pyramid Lake Paiute Tribal Council
March 26, 2026, Special Council meeting*

The foregoing minutes were adopted by the Pyramid Lake Tribal Council, governing body of the Pyramid Lake Paiute Tribe, at a meeting duly held on the 2nd day of **July 2026**, having **ten (10)** members present, constituting a quorum, by the vote of **eight (8)** FOR and **zero (0)** OPPOSED, with **one (1)** ABSTENTIONS.

Minutes attested and concurred by:



Steven Wadsworth, Tribal Chairman
Pyramid Lake Paiute Tribal Council

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