

# 106 SUCCESS STORY

## Protecting Traditional Cultural Places on Public Lands: Mount Shasta

Siskiyou County, California

“Travelers, nature lovers, spiritual seekers, backcountry skiers, and hikers visit the Mountain because of its pristine beauty and grandeur. The fact that it rises high above the encroachments of civilization gives visitors a timeless and unique experience that is healing, inspiring, and unforgettable.”

— MICHELLE BERDITSCHESKY  
*Save Mt. Shasta citizen's group, 2012*

“I consider the evening twilight on Mount Shasta one of the grandest sights I have ever witnessed.”

—PRESIDENT THEODORE  
ROOSEVELT,  
1908



### THE STORY

Mount Shasta is central to the creation stories, legends, and religious beliefs of Indian tribes throughout northern California. At 14,127 feet, Mount Shasta rises high above the surrounding terrain, visible in all directions. Members of the Pit River, Karuk, Shasta, Wintu, and other Indian tribes hold Mount Shasta sacred and continue to practice traditional rituals, such as purification ceremonies, at places of spiritual significance on the mountain, sharing the space with tourists, hikers, back-country skiers, and non-indigenous spiritual pilgrims.

### THE PROJECT

Much of the lower slopes of Mount Shasta is privately owned, but the upper acreage is managed by the U.S. Forest Service (FS) as part of Shasta-Trinity National Forest. The upper acreage included a popular ski area called “Ski Bowl” which was destroyed by an avalanche in 1978. In 1988, the FS issued Special Use Permits to Mount Shasta Ski Area, Inc. for construction and operation of a new ski area. Local businesses supported the proposal, but tribes became concerned upon hearing that the base of the ski area would be sited near a sacred spring in the mountain’s Panther Meadow.

### THE 106 PROCESS

The FS was the federal agency responsible for conducting Section 106 review under the National Historic Preservation Act (NHPA). Section 106 requires that federal agencies identify historic properties and assess the effects of projects they carry out, fund, or permit on those properties. Federal agencies also are required to consult with Indian tribes, state and local governments, and others when adverse effects may occur.

The FS determined, with concurrence from the California State Historic Preservation Officer (SHPO), that no historic properties would be affected by the new ski area. In 1990, based on input from tribal representatives, the SHPO requested that the FS reconsider its determination. The National Park Service had just published National Register Bulletin No. 38 “Guidelines for Evaluating and Documenting Traditional Cultural

Photos: Above, Mount Shasta (Flickr photo by jdegenhardt); Right, spring restoration work in Panther Meadow (courtesy Julie Cassidy, USFS); Mount Shasta looms over the town of Weed, California, in the evening (courtesy U.S. Geological Survey).

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Properties,” but the publication had not yet come into general use. The guidelines encouraged agencies to evaluate traditional cultural places like Mount Shasta for eligibility for inclusion in the National Register of Historic Places, and thus, consideration in the Section 106 process. By October 1991, the FS had completed a study that found a large portion of Mount Shasta was indeed National Register-eligible, encompassing Panther Meadow and the entire area above 8,000 feet known as the Native American Cosmological District on Mount Shasta.

Photos: Left, a view of Mount Shasta from the east; Right, trail restoration work including decommission and replanting in Panther Meadow (photos courtesy Julie Cassidy, USFS)

Intense public interest followed the eligibility decision. Indian tribes, along with the Save Mount Shasta citizen’s group, lobbied for a larger National Register boundary. Other members of the public opposed the determination. Having seen little Native American activity on Mount Shasta, they were unaware of spiritual practices on the mountain that, even today, remain confidential. In 1994, the Keeper of the National Register determined that the whole of Mount Shasta (150,000 acres) was eligible for the National Register for its significance to Native American culture. The larger boundary included more than 1,000 parcels of private land, raising landowners’ fears that it would inhibit future development of their property. At the request of the local congressman, the Keeper reconsidered the decision and restored the FS’s boundaries (19,000 acres). Even so, the FS determined that the project would have an adverse effect on Panther Meadow and the Mount Shasta Cosmological District. Section 106 consultation focused on both direct and indirect effects of the ski area development on these places of traditional cultural significance. As consultation continued, Indian tribes, with the help of “Save Mount Shasta,” sought to protect the area through advocacy, litigation, and public education. In 1998, the FS took the unusual step of rescinding the permit for the ski area, largely because of its impacts to Native American traditional use.

- Consulting Parties:**
- USDA Forest Service
  - California State Historic Preservation Officer
  - ACHP
  - Pit River Tribe
  - Karuk Tribe
  - Wintu Tribe
  - Shasta Nation
  - Modoc and Klamath Tribes of Oregon
  - Save Mt. Shasta citizen’s group
  - Redding Rancheria

## THE SUCCESS

The project was a milestone for the consideration of Native American traditional cultural landscapes in Section 106 reviews. National Register Bulletin 38 and amendments to the NHPA enacted in 1992 set new standards for how federal agencies address places of traditional significance to Indian tribes in Section 106 reviews. For the first time, because of the Section 106 process, a major development was found to be incompatible with a place of traditional cultural significance to Indian tribes and was halted. Today, the FS manages Mount Shasta for multiple uses, working with the tribes to manage Panther Meadow and other important places in a manner that better respects the traditions and practices of the tribes.

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