MOUNT SHASTA BIOREGIONAL ECOLOGY CENTER
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Hailey Lang, Secretary
Siskiyou County Planning Department
Yreka, CA
Re: Subsequent Mitigated Negative Declaration (MND) Mount Shasta Ski Park Lift Expansion (Z-21-10 and UP 21-30)
Transmitted: via email on May 2, 2022

Dear Ms. Lang:

Thank you for the opportunity to comment on the Subsequent Mitigated Negative Declaration (MND) for the Mount Shasta Ski Park (MSSP) Lift Extension Project (Project).

The Mount Shasta Bioregional Ecology Center (Ecology Center) has had a longstanding collaborative relationship with the MSSP and the Tribes of the area that dates back to the original construction of the Ski Park, continued through the first planned expansion, and the current chair lift expansion plan. The Ecology Center, since its beginning in the late 1980s, has had a commitment to inclusivity, respect, and appreciation for Native Americans and the unique ancient relationship of their cultures to Mount Shasta and our bioregion. Our organization has been involved in collaborating with all five Native Tribes around the Mountain — the Wintu, Pit River, Shasta, Karuk, and Klamath-Modoc. We have worked closely with Traditional Elders and Cultural Practitioners, as well as with Dr. Dorothea Theodoratus, whose ethnographic studies document Native American spiritual and cultural significance and practices that continue to this day to contribute to the cultural identity of the Tribes and to the human cultural relationship to the Mountain.

This Tribal collaboration and work with the United States Forest Service (USFS) led to designation of Panther Meadows and the entire Mountain down to the 4,000-foot elevation as a Historic District by the Keeper of the National Register of Historic Places on March 11, 1994 through Executive Order 11593. This designation was subsequently revised by the Keeper on November 18, 1994, and now includes Panther Meadows and what is known as the Cosmological District at the 8000-foot elevation. The revision made it clear that other sites on the Mountain, such as Gray Butte, were still significant and could be evaluated on their own, as the need arose.

Our purpose in submitting these comments is not to oppose the MSSP Project for extending a ski lift onto Gray Butte, but to assure that this will be carried out in a harmonious way with the Native Americans' long-standing cultural relationship to Mount Shasta, so that it will be beneficial to all in the long run.

We recognize the benefits of the MSSP to the economics of our rural communities and the value they provide to skiers and snowboarders from around our region. Our hope is for MSSP to continue its reputation as a good neighbor to the Historic District and as a good steward of their property. We believe it is possible for other uses to occur within and near the Historic District, but we urge that those uses must occur without overly intruding on any other users including the natural values that are essential to preserving Native American culture and the pristine natural qualities for which Mount Shasta is known to visitors from all over the world.

We believe that the current plan does respect the original concerns that had been voiced regarding development in an area of significant cultural values to several tribes. The concerns are part of the administrative record contained within the Environmental Impact Report (EIR) that this Subsequent MND has referenced. During our conversations with the project manager, Richard Coots, we were reassured that MSSP will actually implement improvements that will avoid future construction disturbances outside of the project boundary. We believe that MSSP's efforts reflect their concern and understanding of the importance of the area.

We are seeking some clarity on a number of points that are outlined below. When applicable, we have suggested additional Mitigation Measures that would maintain the Subsequent MND were the mitigation measures added to the plan.

Tribal Notification

Given the recognized significance of Mount Shasta, Gray Butte, and the Panther Meadows area and the long involvement of local Tribes and Native organizations with this landscape, it is surprising that no consultations were requested by Tribes with traditional ties to Mount Shasta after letters were sent.

We believe this may be due to the wrong recipients being sent the letters.

Siskiyou County as the lead agency has an affirmative obligation to contact affected Tribes for this MND. We believe that this obligation actually means making direct contact and should also involve following up to make sure notifications have been received, that the project is understood, and that the Tribes know what their part in the process is.

Furthering of mitigation measures, CUL-1, beyond AES-1 and AES-2

We believe the cultural significance of the area merited a more specific description of the existing values, and that the Project's potentially significant adverse effects should have been analyzed more thoroughly. Despite Gray Butte and Panther Meadows location outside of the analyzed project area, it is still necessary to consider that impact to cultural resources could occur outside of the Projects footprint.

Gray Butte figures prominently in the study by Dr. Theodoratus, *Mount Shasta in Native American Culture and History,* and in the National Register Multiple Property Documentation Form (Section E, Page 4).

In the ethnographic and National Register documentation, Gray Butte is described as important to the Pit River, Wintu, Shasta, Karuk and Okwanuchu Tribes. Several directives by the Advisory Council on Historic Preservation and by the California State Historic Preservation Officer in connection with USFS projects indicate that Gray Butte needs to be further evaluated for eligibility to the National Register of Historic Places.

The MND states on page 124 that " The Project area does not contain any tribal cultural resources, so it would not contribute to cumulative impacts to tribal cultural resources on Ski Park property." Research of ethnographic studies and past Tribal consultations reveal that this is not true. Gray Butte is a highly significant cultural resource, especially to the Pit River Tribe, and it is still used today for cultural purposes by individual practitioners. Please note that the Pit River Tribe has been left out of the enumeration of Tribes to whom Panther Meadows has significance in MND pages 20, 26 and 63.

We ask that the Pit River Tribe be included in future versions of these sections of the MND.

More importantly, given this omission, we question whether the Pit River Tribe was properly notified about the Project and made aware of the opportunity for consultations. Gray Butte and Panther Meadows are ecologically, culturally, and visually interconnected. Gray Butte has long been a Vision Quest site for the Pit River Tribe. Views from the top of the ridge are important, as is the absence of modern human made structures. We applaud the design plan to keep the top chairlift tower below the Gray Butte ridgeline, but we must also maintain that the simple presence of a lift tower should be seen as a significant impact to traditional cultural practitioners whose ceremonies pre-date all development on Mount Shasta.

Mitigation to deepen the acknowledgment of the historic collaborative work that has already occurred for several decades between MSSP, the Tribes, and other agencies and organizations will serve to solidify the balance that is struck while allowing for multiple user types to simultaneously derive enrichment, appreciation, and enjoyment from the Mountain environment.

We believe that an additional Cultural Resources mitigation measure should be added, CUL-2, to section 4.5.

CUL-2 would be developed to encourage an informed and respectful attitude while visitors are recreating in and around Tribal sacred lands. This mitigation measure could take the form of educational language, signage, or other informative materials, developed in consultation with affected Tribes, that skiers using the Gray Butte Lift, neighboring USFS lands accessed from MSSP, or the proposed Backcountry Envelope. Skier and snowboarders would have continuous access to this information while using this culturally significant area. Examples of this type of

signage that is located where culturally significant areas overlap with modern recreation uses have been developed by the USFS through Tribal consultation (such examples can be seen at Bunny Flat and Panther Meadows where interpretive signage is located at parking lots, trailheads, and along trails). Permanent interpretive signage could be installed by MSSP and be located with other MSSP safety and ski run signage that is typically found at the bottom and top of chairlift facilities. Educational materials could be presented to guests using the Backcountry Envelope. This mitigation measure would come with a low up-front cost, but it would signify the commitment that MSSP makes to the Tribes and the neighboring Historic District.

Helicopter use in construction activities

With respect to helicopter use during construction as described in Attachment D, mitigation for noise, and with respect to Native America ceremonies, should be further developed. It should include detailed descriptions of how such notice and consultation might be given to area Tribes. We maintain that cultural ceremonies can include not only larger gatherings, but also individuals' private ceremonies. The timing of such ceremonies may not be known outside of individuals or Tribal communities.

Additional contact with Tribes regarding helicopter use should include direct contact as well as signage and other outreach at areas of access like Bunny Flat and Panther Meadows parking lots so that Tribal members at large could understand the nature of potential significant noise levels in the area of Grey Butte during construction. The analysis of helicopter use in construction could have been analyzed as an impact to Cultural Resources.

We would propose mitigation measure, CUL-3, which would include additional notification to Tribal leadership, notification in local newspapers, and also place notice of planned helicopter operations at locations where access to cultural sites would most likely occur, such as Bunny Flat and Panther Meadows parking lots and trailheads.

Section 4.2 Agricultural and Forestry Resources, with respect to potential impacts to USFS land

During current operations, guests can leave MSSP property from Coyote lift by skiing either to the east (Coyote Backside) or to the north through a Mount Shasta Avalanche Center (MSAC) beacon check gate. The latter route of travel allows skiers to travel uphill onto Gray Butte in the National Forest. Skiers then access Gray Butte for backcountry skiing and return to the ski area. The new lift will allow access to Gray Butte from another direction and via an even shorter route. The USFS has an understanding of regional cultural protections and also whether a project requires a Special Use Permit. Users of the MSSP ski between National Forest and MSSP property. We believe that use in its current status is documented by the USFS and we confirmed this via communication with Stacy L. Smith, the Lands and Special Uses Officer of the Mount Shasta Ranger District.

There could be additional user visits to neighboring USFS lands that could have the potential for impacts. An additional Mitigation Measure, AG-1, involving documentation of USFS consultation, could be added to avoid future impacts to culturally significant resources.

Aesthetics, section 4.1 and Biological Resources, section 4.4, with respect to ski run lighting

Despite the assurances that no additional lighting on ski slopes is planned, we believe that a retrospective analysis of the current slope lighting should occur in order to identify methods of improving and minimizing the potentially significant effect that ski run lighting can have on aesthetics, cultural uses, and wildlife. We understand the need to balance user safety with lighting needs, but the current lighting has a negative aesthetic effect to many members of our local communities. Current ski run lighting is visible from the communities of Mount Shasta and McCloud, as well as I-5 and the Volcanic Scenic Byway. The current lighting also has the potential to impact nocturnal wildlife and/or migrating wildlife.

An additional Mitigation Measure, AES-2/BIO-4, would require MSSP analyze current lighting needs on the existing slopes, identify best available lighting technologies which balance skier safety, light pollution, and wildlife impacts. We believe that any efforts which could minimize (install downward-facing light fixtures and/or decrease the amount of area illuminated) or eliminates outdoor lighting at existing and planned facilities at night, especially during peak bird migration would be a sufficient mitigative measure. Explicit assurances should be made that no lighting will ever be considered for the Gray Butte Lift Expansion area.

Conclusion

Thank you for your consideration of our input. The Ecology Center will continue to work in cooperation with all concerned stakeholders toward collaborative and inclusive solutions that all project proponents should desire. We believe that the deeper considerations that occur in these collaborative efforts will guard against current and future challenges for project proponents. In the complex world we live in where interests are commonly seen as competing, we find that having meaningful discussions, in which common ground and the overall good is considered before commitments are made, lead to better outcomes. In our tight-knit rural communities we feel these extra efforts are warranted and that through these efforts we can all help truly beneficial projects occur.

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Cc:

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