Rio Grande National Forest – Assessment 12
Areas of Tribal Importance

Contents

Introduction

"Stay in touch with this place, talk to these places in your language."
~ Bryan Vigil, Jicarilla Apache elder

Assessment 12 assesses available information for areas of tribal importance. The content of this assessment is based upon guidance found in FSM 1909.12, Chapter 10 (Assessments), and Section 13.7 (Areas of Tribal Importance).

The San Luis Valley and the surrounding San Juan and Sangre de Cristo Mountains are the ancestral homelands, emergence place and/or core areas of several American Indian clans, bands and tribes. For other groups, the area was more peripheral and represented seasonal hunting and gathering grounds or travel corridors. Despite their removal by the U.S. Government in the late 1800s, several tribes maintain strong cultural and spiritual connections to the planning area. These include the Jicarilla Apache, Navajo, Southern Ute, Ute Mountain Ute, and several Upper Rio Grande and Western Pueblo Tribes. Tribal population centers vary between 75 miles (Jicarilla Apache) and just over 400 miles (Hopi Tribe) from the planning unit. Ceremonial and culturally important sites and traditional gathering areas for certain plants and other materials exist on the Forest.

As managers of National Forest System lands and programs on the Rio Grande National Forest we have a renewed opportunity during this planning process to better understand the effects of the historic trauma of removal and should manage programs with respect to the tribes whose homelands we now manage. This requires extra effort in implementing the Archaeological Resource Protection Act, the National Historic Preservation Act and the Native American Graves Protection and Repatriation Act. The assessment process can aid us in looking for new ways to make the lands and programs we manage relevant to the tribes now living far away. These tribes are showing a renewed interest in the homeland-related traditions of their people and are looking to us to help them re-establish their connection to the ancestral landscape (USDA 2015).

Information Sources and Gaps

At the outset of the assessment process, we asked nineteen Tribes with active cultural affiliation to the planning area to participate in this phase of the planning process. The Jicarilla Apache Nation, the Navajo Nation, the Pueblo of Santa Ana, Southern Ute Tribe and the Ute Mountain Ute Tribe chose to participate in this phase. In early 2015, our Heritage Program Manager met with the Jicarilla Apache Cultural Preservation Office in Dulce, New Mexico and the Navajo Nation Cultural Preservation Office in Window Rock, Arizona respectively. In spring of 2015, our Heritage Program Lead and Deputy Forest Supervisor met with the Pueblo of Santa Ana in Bernalillo, New Mexico. We gathered information from the Southern Ute and Ute Mountain Ute Tribes through phone interviews and email. Previous consultation, extensive grey literature and other pertinent documents also inform this assessment. In 2012, the Bureau of Land Management completed an ethnography as part of potential solar development in the San Luis Valley (Higgins et al. 2013). The Great Sand Dunes National Park and Preserve has also completed ethnography for the Park that includes the greater context of the San Luis Valley (White 2005). Parts of both ethnographies remain confidential and for internal use only and cannot be released to the public due to their sensitive nature. Both have added greatly to our understanding of areas of tribal importance within the San Luis Valley cultural landscape. For several years, former heritage program lead Vince Spero spearheaded the Tribal Consultation Bulletin that actively engaged Tribes with ongoing NEPA on National Forest System and Bureau of Land Management lands within the San Luis Valley, adding to our knowledge of particular places of tribal importance.

The primary gap in the data is the loss of cultural memory that is a direct result of forced removal of culturally affiliated tribes from ancestral homelands over one hundred years ago. A doctrine of forced acculturation and language loss served to sever ties to ancestral homelands and by extension, a common memory of a comprehensive atlas of culturally, historically and spiritually important places within the planning area. However, important threads of memory still exist and serve to maintain rich and substantive ties to the planning area. Just before, and again during the assessment process we learned that the Comanche Tribe holds a greater affiliation to the San Luis Valley area than previously thought. We should pursue this information gap during the next phase of the plan revision process.

Existing Forest Plan Direction for Tribal Resources

We are directed to adhere to the laws and policies governing relationships with American Indian sovereign tribal nations. We recognize the principles of Executive Order 13175, USDA Departmental Regulation 1350-002, Forest Service Manual 1563, Executive Order 13007, the Food, Conservation, and Energy Act of 2008 (Farm Bill 2008) and the report to the Secretary of Agriculture, USDA Policy and Procedures Review and Recommendations: Indian Sacred Sites (Report) These documents are foundational to our planning procedures and require government-to-government consultation with affected tribes as part of the planning process with regard to areas of tribal importance. As part of tribal participation and consultation procedures, we have requested information about traditional ecological knowledge, land ethics, cultural issues, and sacred and culturally significant sites.

Scale of Analysis

The scale of this analysis includes all lands within the Rio Grande National Forest planning area, surrounding federal lands that include National Park Service, Bureau of Land Management and U.S. Fish and Wildlife Service lands as well as State and private lands. These lands are encompassed within the larger San Luis Valley and Taos Plateau cultural landscape and ecoregion.

Table 1. Tribes affiliated with the plan area

Tribe/Clan/Band	Language
Comanche Tribe	Uto-Aztecan: Numic
The Hopi Tribe	Uto-Aztecan: Hopi
Jicarilla Apache Nation, White Clan/Ollero	Athabaskan
The Navajo Nation (Diné)	Diné
Pueblo of Acoma	Keres
Pueblo of Cochiti	Keres
Pueblo of Laguna (Kawaik)	Western Keres: Kawaik
Pueblo of Nambe	Kiowa-Tanoan: Tewa
Pueblo of Ohkay Owingeh (San Juan)	Kiowa-Tanoan: Tewa
Pueblo of Picuris	Kiowa-Tanoan: Tiwa
Pueblo of Santa Ana (Tamaya)	Keres
Pueblo of Santa Clara	Kiowa-Tanoan: Tewa
Pueblo of Santo Domingo	Eastern Keres: Kewa
Pueblo of San Ildefonso	Kiowa-Tanoan: Tewa
Pueblo of Taos	Kiowa-Tanoan: Tiwa
Pueblo of Zuni	Zuni (a language isolate)
Northern Ute Indian Bands: Yamparika, Uncompahgre, Uinta, White River	Uto-Aztecan: Numic
Southern Ute Indian Bands: Moache, Capote	Uto-Aztecan: Numic
Ute Mountain Ute Bands: Tabeguache, Weeminuche	Uto-Aztecan: Numic

Among the thirteen Pueblo tribes five different languages are spoken and there is significant diversity in social customs, political organizations and the practices of traditional ceremonials and religions. The Jicarilla Apache and Navajo speak distinct Athabaskan languages, the three Ute tribes speak mutually intelligible dialects of the southern Numic branch of Uto-Aztecan. The Comanche speak a central Numic tongue directly related to Shoshone.

Intertribal and Interagency Native American Graves Protection and Repatriation Act Memorandum of Understanding

American Indian tribes affiliated with the planning area have unique relationships and views with regard to their ancestors. Protecting in place ancient burial sites and reburying remains taken from the planning area and the San Luis Valley are of utmost importance to the tribes. The potential for inadvertent discoveries of human remains is high within the forest planning area due to a relatively high site density, the high potential for preservation of organic material and the erratic aeolian (wind driven) environment that can quickly expose and cover burials. Ranchers, farmers and other locals, as well as past and present land managers, have shared their own experiences of inadvertent discoveries on lands across the San Luis Valley. To address a growing need nationwide for reburial locations for remains, the Farm Bill of 2008 created the authority for land managers to rebury Native American remains on National Forest System lands. In 2010, the Rio Grande successfully utilized this authority to rebury two sets of culturally unidentifiable remains on National Forest System lands.

To be more prepared in the face of such potential, in 2011 an intertribal and interagency Native American Graves Protection and Repatriation Act Memorandum of Understanding was created by several San Luis Valley affiliated tribes including the Navajo Nation, the two Colorado Ute Tribes, the Ute Tribe of Utah, the Jicarilla Apache Nation and the Pueblo of Zuni, the Ohkay Owingeh (San Juan Pueblo), the San Ildefonso Pueblo, the Pueblo of Santa Ana, the Santa Clara Pueblo, the Pueblo of Laguna, the Cochiti Pueblo, and the Pueblo of Acoma. Federal agency signatories include the Bureau of Land Management, the U.S. Forest Service, the National Park Service and the U.S. Fish and Wildlife Service. The memorandum of understanding is designed as a guide for the land management agencies and the tribes in the treatment of inadvertent human burial discoveries in and culturally unidentifiable remains previously taken from the San Luis Valley. With this memorandum of understanding and several reburials, enduring government to government relationships have been forged that lay the foundation for meaningful tribal engagement on Forest projects, programs and this assessment document.

Existing Tribal Rights

Previous Treaties with Ute Bands

It is important to note that a series of treaties with the Utes existed within the planning area that were violated by the United States government just before the current reservation system was enacted. These include the Treaty with the Tabeguache (1863), the Treaty with the Utes (1868) and the Brunot Treaty (1874). The Colorado Gold Rush of 1859 brought hundreds of trespasser prospectors and unauthorized mining camps into Ute Territory. For the next 20 years there was the constant pressure on the Utes to relinquish their land by the United States, the State of Colorado, and mining and railroad interests. This was done by a series of negotiations and treaties entered into by the United States, then disavowed. The Tabeguache Treaty was crafted in Conejos, Colorado, ceding one-fourth of Ute Territory, the southern San Luis Valley and other areas in Colorado. It was signed by a leader of the Tabeguache Ute, though the leaders of the Moache and Capote Bands (to whom the territory belonged) refused to sign.

The Treaty of 1868 was signed by a Ute delegation in Washington D.C. This time, one third of their remaining land base was ceded to the United States. The Utes lost their territory east of the Continental

Divide but retained the western slope of Colorado. The treaty guaranteed that the U.S. Government would keep out all non-Indians and no unauthorized person would be allowed to cross the 170th parallel. The Utes demanded the government enforce previous treaties and objected to the people overrunning their land. The U.S. Government was preparing to use the military to expel the squatters from Ute land but the squatters demanded that the Utes be driven out of the mine rich mountains instead. The Government solution was to again reduce the size of the Ute Reservation. It wasn't until the Brunot Treaty of 1874 that miners were legitimately allowed to work the land by paying the Ute a tribute of 12 cents per acre on disputed lands. This arrangement only lasted until 1879, when the Ute were expelled from Colorado, except for the Southern Ute Indian Reservation in the southwest corner of the state (Huston 2005). While the Utes lost their last vast tract of land within their Colorado territory, part of the Brunot Treaty would be recognized by the United States and the State of Colorado late in the 20th century.

Hunting Rights: The Brunot Treaty

The Brunot Agreement, ratified by Congress in 1874, withdrew over 5,000 square miles in the mountains of southwest Colorado from the 1868 Ute Reservation. The agreement, entered into between the United States (as represented by Felix Brunot) and the Ute Indians in Colorado, was passed into law (18 Stat., 36) by the House of Representatives and the Senate of the U.S. Congress on April 29, 1974 (after Congress decided in 1871 that the United States would no longer make Treaties with Native American tribes yet continued to interact with Native American tribes in much the same manner through executive orders and agreements enacted as statutes). Under the "reserved rights doctrine," hunting rights on reservation lands relinquished by the Utes were retained; that is, the tribes retained such rights as part of their status as prior and continuing sovereigns. Article II of the Brunot Agreement specified that "the United States shall permit the Ute Indians to hunt upon said lands so long as the game lasts and the Indians are at peace with the white people." The Ute Mountain Ute Tribe's hunting rights were acknowledged when the tribe sued the State of Colorado for their historical hunting rights in 1978. The rights were granted to the tribe under a consent decree that gave enrolled members of the Ute Mountain Ute Tribe the right to hunt deer and elk in the Brunot area for subsistence, religious, or ceremonial purposes. The consent decree specified that tribal members may hunt deer and elk without a state license year-round, providing that they obtain a tribal hunting permit. In 2013, the Ute Mountain Ute Tribe re-negotiated this agreement with the State of Colorado to include the Tribe's fishing rights and the right to hunt a certain number of black bears, moose, mountain goats, big horn sheep and mountain lions, in addition to the existing take of elk and mule deer within the Brunot area. Other game animals may be hunted without a license and without bag limits, but only during hunting seasons established by Colorado Parks and Wildlife. In 2008, the Southern Ute Indian Tribe signed an agreement with the State of Colorado which legally acknowledged their hunting and fishing rights within the Brunot area.

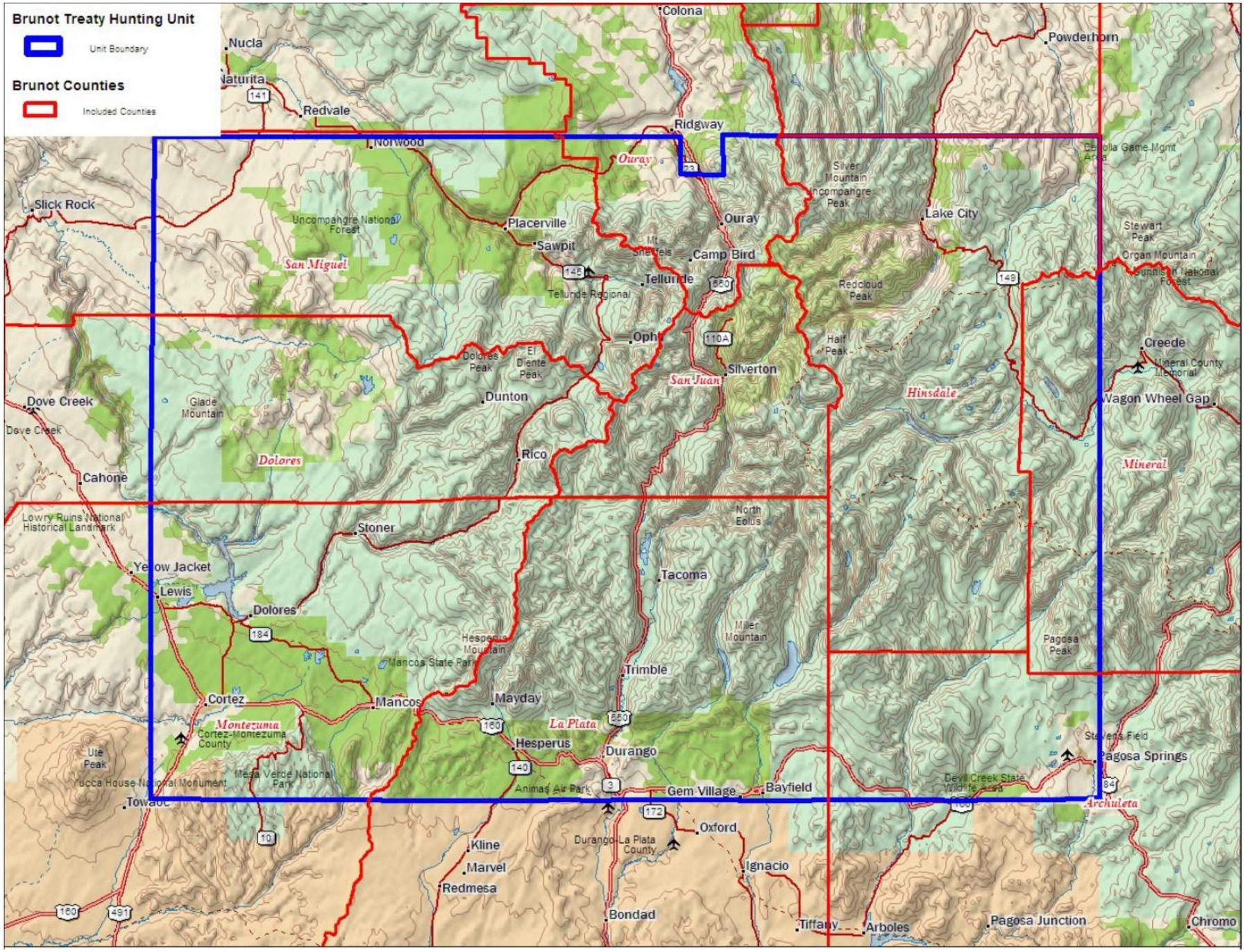

Figure 1. Brunot Treaty Hunting Unit

We will continue to ensure that the hunting and fishing rights of the 1874 Brunot Agreement are upheld on National Forest System lands under our management jurisdictions. In exercising their Brunot hunting rights, the Ute Mountain Ute and Southern Ute tribal members adhere to federal policy and regulations designed to protect natural and cultural resources, and enrolled members of the Ute Tribe can access their treaty area to exercise hunting rights. The Brunot Agreement tract contains parts of the present day counties of San Juan and Hinsdale within the planning area (figure 1).

Spiritual Rights

Ute, Jicarilla Apache and Navajo people are culturally and spiritually affiliated to places within the planning area. These include Mount Blanca on the Conejos Ranger District and the Natural Arch on the Divide Ranger District. The Navajo in particular maintain spiritual and cultural rights to practice their traditional religion at Mount Blanca. The Jicarilla Apache conduct ceremonies at the Natural Arch. There may be other places that ceremony occurs within the planning unit as it is still considered part of the ancestral homeland to many.

Collection Rights

Under the terms of the Farm Bill we will allow gathering for traditional and cultural purposes, and facilitate tribal members in collecting botanical and other special forest products from National Forest System lands. We also coordinate and collaborate with tribal governments to increase awareness and knowledge of culturally significant plants, and will consider potential impacts on culturally significant plants in project design and implementation. Our prescribed burn plans, noxious weed control, and other management projects should address and consider traditional uses and traditional management of culturally significant plants. Of particular note is the importance of the ethnobotanically important oshá plant sacred to several tribes affiliated with the plan area.

During this assessment effort, representatives of the Pueblo of Santa Ana have offered some keen insights into ways that Forest Service and Tribes might cooperate in terms of collecting certain items. Santa Ana representatives are frustrated that they are unable to access areas for ceremonial needs during times of high fire danger within the Cibola National Forest and the Santa Fe National Forest when the forests are closed to the public. Our staff suggest they may be able to access the Rio Grande National Forest during these times, as the Rio Grande National Forest often does not experience the same level of fire danger as the two Region 3 forests. Items include but are not limited to: plant materials such as the oshá plant, resins and wild tobacco and mineral such as red ochre, yellow paint, galina, and kaolinite (white slip). According to Santa Ana representatives, “You (the Forest Service) need to manage these ecosystems with these items in mind.” There are many other items that the forests provide. The representatives discussed developing a list of items; secure information that could be shared with specific national forest staff.

Areas of Tribal Importance

Mount Blanca

Mount Blanca, Sierra Blanca or Blanca Peak is sacred to the Navajo, Ute and Jicarilla Tribes. It is also an important anchor point within the cultural landscape of the Upper Rio Grande pueblos, known as *Pintsae’i’i* or “White Mountains” in Tewa. It is of particular significance to the Navajo Tribe, or Diné of the American Southwest. To them it is known as *Sisnaajini* or “Black Belt Mountain”, with a belt made of white shells. The peak marks the eastern boundary of the *Dinetah*, or Navajo homeland. The mountain is considered a living breathing entity. The wetlands (Bureau of Land Management, U.S Fish and Wildlife Service) and the sand dunes (National Park Service) that flank the mountain are revered as critical components of the life force of the mountain. In modern times the high points on the massif have been delineated as Ellingwood, Blanca and Little Bear.

The Jicarilla Apache call the mountain *Nishnojini,* "Black Belt" Monster Slayer, *Nío nas ga né*, directed Jicarilla and Navajo peoples on where to go from the top of the mountain and it is thought that the clouds retain spirits that bring the water. The mountain is a place of medicine power.

The Kaputa (Capote) Ute consider the mountain a holy place and call it *Peeroradarath*, "the monster's back", "great grandmother serpent" or "dragon's back"; Blanca Peak as the head and the Sangre de Cristo range to the north, the body. Near the mountain was an old lake, *Aripit*, where Ute ancestors hunted the mastodon and the big buffalo, the *Hooche*.

Currently the mountain is shared by four different land management entities: Conejos Ranger District of the Rio Grande National Forest, the San Carlos Ranger District of the Pike-San Isabel National Forest, the San Luis Valley Field Office BLM, and the private Trinchera Blanca Ranch that includes a conservation easement covering the south and southeastern portion of the mountain held by the U.S. Fish and Wildlife Service. The Rio Grande National Forest manages a portion of the upper western flanks of the peak as wilderness that is bounded by a 4x4 road that travels up the southwestern flank of the peak and ends just short of the basin. The southern portion of the massif is managed by the Rio Grande National Forest as backcountry (3.3).

The Navajo and the Jicarilla Apache Tribe asked to meet with these entities as part of the Forest Plan assessment process and to share with them the significance of the mountain to their spirituality and world views today. The meeting was convened at Fort Garland Museum on May 6, 2015, at the base of Mount Blanca. Representatives of the Navajo, Ute, and Jicarilla Tribes were in attendance as well as line officers and staff from the Rio Grande National Forest, the Pike-San Isabel National Forest, the San Luis Valley Field Office Bureau of Land Management and the U.S. Fish and Wildlife Service. Lengthy testimonial from attending tribes made it clear that keeping the mountain as pristine as possible is paramount. It was recognized that overall the mountain is managed to maintain its undeveloped condition; lacking cell towers, large scale mining and very little other development. Wilderness designations and a large conservation easement currently protect a portion of the mountain. However, tribes are still concerned that the mountain is managed by so many different entities. Attendees discussed possibly creating a special designation on the National Forest System lands during the Forest plan process. The tribes recommend a multi-agency management plan among the Forest Service, the Bureau of Land Management and the National Park Service and potentially the US Fish and Wildlife Service that holds the conservation easement for the Trinchera Ranch. The Historic Preservation Department of the Navajo Nation recommends a potential designation of *Sisnaajini* as a Traditional Cultural Property to signify its cultural significance and to maintain its integrity as a critical component of Navajo lifeways and overall well-being of the Navajo people.

The Natural Arch

The Natural Arch, a part of a volcanic dike within the Summer Coon complex, is located on the north eastern portion of the Divide Ranger District and is a popular destination for the public. The arch is considered sacred to both Jicarilla Apache and Ute people. Jicarilla Apache call it Hole in Rock, *Tséghá' go'áńn.* Traditional Jicarilla Apache tribal members conduct ceremonies at the arch to bring rain; a ceremony that connects living people to their Apache homeland and ensures the well-being of the Jicarilla Apache people. The Ute call the site Bear's Den, *Kweeahghaat - ti Kahn.* It is also known as a former rendezvous place for Jicarilla Apache clans and Ute bands. Currently the Natural Arch is considered a Traditional Cultural Property by Ute and Jicarilla Apache. We regard and manage it as a traditional cultural property, although it lacks the formal designation.

The Natural Arch is just outside of the Elephant Rocks Special Interest Area, originally protected for its unique ecosystem. In the new forest plan, we could expand the Elephant Rocks Special Interest Area to include the Natural Arch to afford it more protection.

Other Places of Tribal Importance

The Utes were known to have encampments within the Conejos River Canyon and on Cochetopa Pass and Saguache Creek. They held ceremonies in the Crestone and Penitente Canyon areas and had an established Bear Dance site near present day San Acacio in the southern end of the Valley. The Rio Grande River (*Cut Soy*) and the Rio Grande Pyramid, both of which are within the forest planning area, are significant to the Jicarilla Apache. Rock art sites within the San Luis Valley are important to both tribes.

Certain site types have particular meaning to tribes that formerly occupied the San Luis Valley. Both Ute and Jicarilla Apache groups peeled Ponderosa pine trees for food and other implements such as cradle boards and saddle parts. Culturally modified trees still exist in groves and as single trees within the planning area. Culturally modified trees have gained more recognition as features of tribal importance as well as having great archaeological value as chronological markers of land use and seasonal migration. We train our timber and fuels crews to identify culturally modified trees and we have developed a treatment plan for trees that fall within prescribed burning projects. Likewise we know of wickiups (conical pole structures) and burial scaffolds (in trees) within the planning area which are also areas of tribal importance, especially to Utes and Jicarilla Apache. All tribes affiliated with the planning area consider prehistoric archaeological sites as significant ancestral sites; "footprints" of those who came before.

Emergence and Migration

The Rio Grande National Forest planning area is a place through which ancestors of the some Upper Rio Grande and Western Pueblos migrated from the Mesa Verde, Chimney Rock and Canyon of the Ancients. Several emergence stories also suggest a location somewhere in the north east end of the San Luis Valley in the vicinity of San Luis Lakes and the Blanca Wetlands.

Several Northern Rio Grande Pueblos view San Luis Valley as the mythic and literal source of their existence, or emergence place (*sipapu*), the place where they came up to this world from the World Below, and the place where *Posoge* (Tewa for "Big River" or Rio Grande) originates (White 2005). The emergence story of the Santa Ana Pueblo refers to the *Shipap* as a place in the north, "too sacred… to live there" so the people moved south (White 1942:87). The wetland lakes in the Blanca Area of Critical Environmental Concern (Bureau of Land Management), San Luis Lakes area (State of Colorado) or Big Spring (National Park Service) are thought to be possible locations for the emergence place. The following comes from the Pueblo of Cochiti as recorded by Lange (1959:416):

> …Ma-se-ua is the spirit of Rain who dwells in the lagune of 'Shipap.' This Lagune is said to be to the North, beyond the 'Conejos,' and is described to be very round and deep. Many streams flow into it, but it has no issue. Out of this lagune came forth the Indians and in it dwells 'Te-tsha-na,' our mother, from which sprang the Indian race.

Harrington concluded that Sandy Place Lake, or *Sipop'e*, was a "brackish lake situated in the sand dunes north of Alamosa, Colorado … east of Mosca, a station on the railroad which runs from Alamosa to Silverton, and west of the Sierra Blanca." Despite this attempt at specific placement of the lake, Harrington (1916:52) commented further that "All lakes were … the dwelling places of '*ōk'uwa 'cachinas*' and passageways to and from the underworld."

San Ildefonso Pueblo, a Tewa speaking tribe, recognizes a deity, *Somaikoli* who came, with the people from the Sandy Place Lake of the North that many believe to be in the San Luis Valley in the vicinity of the Great Sand Dunes (Ortiz 1969). *Somaikoli* is a crippled and blind deity associated with a dance that has been carried on since the time of Emergence.

Traditional Cultural Landscape

The region encompassing the San Luis Lakes (State of Colorado), the Blanca Wetlands (Bureau of Land Management), the Great Sand Dunes (National Park Service) and Mount Blanca (Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service, and private) within the San Luis Valley of south central Colorado is viewed by many tribal peoples as a sacred landscape. According to a definition submitted by the Advisory Council on Historic Preservation in its Traditional Cultural Landscape Action Plan of 2011, the area can be viewed as a Traditional Cultural Landscape; a large geographic area viewed as sacred to several different cultures through time (Advisory Council on Historic Preservation 2011). The management and application of this new potential designation is still being developed by the Advisory Council on Historic Preservation and understood by land management agencies.

Oshá (Ligusticum porteri)

Oshá is an ethnobotanically significant plant from which roots are harvested and used in various forms of medicine. It is known to grow in portions of the forest plan area, and is known as “bear root” to some tribal groups. A member of the carrot family, the plant is locally abundant but nationally rare, known for its many medicinal properties and considered a sacred plant by several Tribes including the Jicarilla Apache, Ute, Navajo and several Pueblo tribes. The Tribes are opposed to any commercial harvest of the plant because it is sacred.

Conditions and Trends

Mount Blanca

Mount Blanca represents one of several large mountains sacred to tribal people that are also managed by the Forest Service. An important trend of note is the increased public recognition of such places by tribal people and to varying degrees, by federal land management agencies. Since the last Rio Grande Forest Plan was released, Bulletin 38 made it possible to nominate significant and sacred places as traditional cultural properties to the National Register of Historic Places. A traditional cultural property designation does not afford greater protection to a place per se, but does require more comprehensive tribal consultation. Other mountains of note that are managed as National Forest System lands are the San Francisco Peaks (Coconino National Forest), Mount Graham (Coronado National Forest), and Mount Taylor (Cibola National Forest). Traditional cultural properties have been nominated and designated with varying degrees of success across the nation. Lack of proper public education about what the designation can and cannot do has led to controversy and even hate crimes between Indian people and Anglos as in the case of Mount Taylor on the Cibola National Forest in New Mexico. At present, the process is cumbersome and lengthy, and does not provide the level of sacred site protection sought by proponents.

Other mountains are considered traditional cultural properties without having the official designation. Lengthy court battles opposed to snow making with re-claimed waste water on the San Francisco Peaks and subsequent decision upholding the decision in favor of snow making have led to strained tribal relationships with the Forest Service nationwide. Previous case law and tribal consultation could have implications within the plan area with regard to Mount Blanca. As mentioned above, the mountain is rather well protected through current management prescriptions; though there is an opportunity to consider the potential for a special ‘geographic area’ designation on National Forest System lands (Rio Grande National Forest and Pike San Isabel National Forest). The Navajo Historic Preservation

Department recommends an interagency management plan for the mountain and would also like to see it designated as a traditional cultural property. While some of the historical and political baggage of such efforts may hamper a designation, it could also be one that exemplifies a successful effort due to its uncontroversial condition at present.

At a finer scale, there is a significant amount of trash and toxic fluids left behind by 4x4 motorists who travel up Mount Blanca each summer. During this assessment phase, the Navajo Historic Preservation Department suggests mounting an education campaign to educate motorists regarding why they should keep the mountain clean. The massif is also a popular destination for recreationalists seeking to climb the 14,000 foot summits included in what is more generally known as Mt. Blanca.

Natural Arch

The site of the Natural Arch is a popular sightseer's destination. Unfortunately, there are often problems with trash and graffiti at the Natural Arch as it appears to be a favorite party place for locals as well. We are developing an interpretive panel depicting the significance of the site in concert with the Ute and the Jicarilla Apache in hopes it will deter further defacement. Because of its popularity and the number of people climbing up to the arch opening, erosion has become a problem. The Divide Ranger District once proposed an established trail route up to the opening, but the Jicarilla Apache cultural preservation office did not want to see a trail created.

Resources at Risk

Currently, no tribal areas of importance are at great risk within the planning area according to consulting tribes. However, there are concerns regarding the continued management and protection of Mount Blanca, the Natural Arch landscapes, and other important wooden features such as culturally modified trees, wickiups and burial scaffolds. The Natural Arch is remote, but easily accessed by the public, who are known to leave trash, build and use illegal fire rings and deface the arch itself with graffiti. People climbing to the arch opening are creating erosion problems on the slope of its western flank.

The Mount Blanca massif is within the administration of three federal land management agencies and one large private land owner with the potential for conflicting management approaches. The complexity of multiple land use objectives within a sacred landscape warrants frequent communication. A popular 4x4 road draws a multitude of off-road enthusiast that leave trash, toxic materials and toxic substances such as oil and antifreeze on the mountain.

Over 100 years of fire suppression have resulted in fuel loading that result in catastrophic wildfire with a high potential to destroy culturally modified trees, wickiups and burial scaffolds. Prior to fire suppression, the fire regime consisted of low intensity and low severity fires in a more balanced fire resilient ecosystem.

The oshá plant (*Ligusticum porteri*) is of ethnobotanical significant and locally abundant within the planning area. Oshá is also regionally scarce likely due to the pressures of over- wild crafting and climate change. The planning area serves as important refugia for plant populations in the southwest and should be managed for sustainable personal use by tribal, Hispano and other communities.

Summary / Conclusion

Because areas of tribal importance were given little emphasis under the 1982 planning rule there is little about them in the 1996 Rio Grande National Forest plan.

Since 1996 several important laws and policies have been written:

- Executive Order 13007 (1996) directs federal agencies, to the extent practicable and allowed by law, to allow Native Americans to worship at sacred sites located on federal property and to avoid adversely affecting the physical integrity of such sites.
- National Register Bulletin 38 (1990, 1992, 1998) *Guidelines for Evaluating and Documenting Traditional Cultural Properties* provides guidance on how to define these properties, which are significant due to the "beliefs, customs, and practices of a living community of people that have been passed down through the generations, usually orally or through practice. . . A traditional ceremonial location may look like merely a mountaintop, a lake, or a stretch of river; a culturally important neighborhood may look like any other aggregation of houses, and an area where culturally important economic or artistic activities have been carried out may look like any other building, field of grass, or piece of forest in the area."
- The Forest Service *Sacred Sites Policy Review and Recommendations* (2012) states that "the 2012 planning rule requires that new plans or plan revisions provide for protection of cultural and historic resources and management of areas of Tribal importance."

As part of this new forest planning process, our tribal consultation has helped us understand the cultural significance of the landscapes of Mount Blanca and the Natural Arch. The plants, animals and other special elements that surround these places hold great significance to affiliated tribes, as well as other residents.

Some traditional ecological and cultural knowledge has been lost since the majority of indigenous peoples were removed from the planning area some 100 years ago. However, traditional peoples of the Ute Navajo, and Jicarilla Apache have maintained meaningful connections to their homelands, and within the planning area continue to collect traditional materials; conduct ceremonies to ensure the well-being of tribal peoples; and generally exercise their rights. The strength of language and tradition varies among tribes. Where tribes are actively working to maintain their traditional culture, we can help by managing areas of tribal importance with greater sensitivity to their status as points of connection to ancestral landscapes. There have been instances where the renewed efforts by tribes to connect with sacred landscapes led to deep divisions between tribal people and the Forest Service when protecting sacred sites conflicted with the agency's multiple use mandate. Executive Order 13007, Bulletin 38 and the new Sacred Sites Policy creates a framework for line officers and heritage program managers to recognize and strengthen decision space and sensitivity when analyzing the greatest good. The Tribal Historic Preservation Offices on the Jicarilla Apache, Ute Mountain Ute and Navajo Nations are active in consulting with us on the many NEPA projects occurring on the Forest. The Jicarilla Apache Tribal Historic Preservation Office in particular has been instrumental in reintroducing and recovering the Jicarilla Apache traditional landscape of the San Luis Valley.

Since our last Rio Grande Forest Plan was completed some twenty years ago, policy development and the manner in which we consult with Tribes has evolved considerably, including how we recognize and manage traditional and cultural landscapes. The legal framework of federal policy, case laws, and Executive orders provides guidance and establishes a higher standard for tribal consultation; authority to facilitate reburial of Native American human remains on National Forest System lands; and authority to allow Tribes to collect forest products. This framework also requires we protect sensitive information that is considered private to the Tribes (Farm Bill).

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