

**Twin Falls District RAC Subcommittee for the
Monument and Cassia Land Use Plan Amendments**

Meeting Minutes 7/10/2012
Rock Creek Fire Station
1559 Main Street North, Kimberly, Idaho

Resource Advisory Council (RAC) Subcommittee members present:

Peggy Stanley, Chair
Denise Alexander
Katie Shewmaker
Hank Mayland
Afton Patrick
James Wills
Charlie Howell
LaMar Orton
Yvette Tuell

Bureau of Land Management (BLM) representatives present:

Jenifer Arnold, Acting District Manager
Michael Courtney, Burley Field Manager
L. Suzann Henrikson, Burley Archeologist
Barbara Bassler, Jarbidge Planning & Environmental Coordinator

Public Attendees:

Ken Reid, Idaho State Historic Preservation Office
Jack Brennan, Eastern Idaho Climbing Coalition
Troy Neu, Eastern Idaho Climbing Coalition
Randy Kline, Power County Prosecuting Attorney
A.J. Church, Representative of U.S. Senator Mike Crapo
Julie Ingram, Facilitator
Bev Ashton, Facilitator

*[Copies of certified minutes are posted on the Idaho BLM website at:
http://www.blm.gov/id/st/en/res/resource_advisory/twin_falls_district/meeting_minutes.html](http://www.blm.gov/id/st/en/res/resource_advisory/twin_falls_district/meeting_minutes.html)*

Item I: Welcome and Introductions

Chairperson Peggy Stanley called the meeting to order at 6:10 p.m. at the Rock Creek Fire Station in Kimberly. Everyone present introduced themselves.

Item II: State Historic Preservation Office

Ken Reid, Archaeologist for the Idaho State Historic Preservation Office (SHPO), said his office would not make comments about any proposed alternatives in the Cedar Fields climbing area until they receive condition assessments from the BLM. Ken gave an overview of the 1966 National Historic Preservation

Act, passed by the US Congress to ensure the public would have a voice in protecting historic properties. This Act mandates the Section 106 process federal agencies must follow to reflect the interest of the Tribes in protecting state and local properties. Ken explained that SHPO is not a regulatory agency; instead SHPO provides comments on proposed federal actions affecting the properties.

Ken offered to answer any questions from subcommittee members or public present. Ken said there is a process of change going on in the area because of natural forces (e.g. wind, rain).

Public attendee Randy Kline said one of his concerns is the distinction between staging and camping. He commented he does not believe the graffiti is done by climbers and would hate to see an area closed for the good users because of a few idiots. He said the only way you will protect from damage is to put a 12-foot fence around it. There is a huge amount of interest in this area. Troy Neu said if the area was closed to climbing, the majority of climbers would not use it and, if it is closed totally, there would be no policing of violators.

BLM Archaeologist Suzann Hendrikson explained the process after the condition assessment is done. SHPO reviews the assessment and comments on the BLM's recommendations regarding adverse effects to historic properties. If there are adverse effects, BLM, SHPO, and Shoshone-Bannock Tribes develop mitigation measures for these effects. If there is disagreement between the BLM, SHPO or Tribes regarding the necessary measures, the Advisory Council on Historic Preservation (Council) will have to be consulted and included in the resolution of adverse effects.

III. A public comment period was opened from 6:45 to 7:15 p.m.

Troy Neu commented on his research on the climbing routes. In 1995 there were 10 walls already established. By 1999, there were 150 documented routes. Nevertheless, as far as the climbing activity and route development, from 1999 to 2010, only 6 additional routes were added and documented. We don't want the entire area closed.

Randy Kline asked how form letters are considered—does BLM consider a form letter with 300 signatures as one comment from 300 people? Mike Courtney said it would be considered 300 people making one comment. Randy continued to comment that he believes trail building is a non-issue here. Power County relies heavily on recreational users. His concern is that closing an entire area is overkill. Other things to protect the area from being eroded can be done. The climbers are huge stewards of the land. Unless you look closely you can't even see the bolts. I would like to be able to find a way to idiot-proof areas. It's an area that is a nice place. The last thing he wants to see is the public locked out.

No more additional comments were requested so the comment period was closed at 7:00 p.m.

IV: Discussion on proposed closures in Cedar Fields and Castle Rocks

Facilitator Julie Ingram reviewed the process she and Bev Ashton would be using to add more information and verify the issue spreadsheet developed at the last subcommittee meeting. Julie will ask each subcommittee member to comment on each item and Bev will populate the spreadsheet with input from tonight's meeting. The results will be sent out to members before the next meeting. Julie summarized what she heard at the last meeting about the underlying values that the subcommittee is trying to consider with its recommendations. She said there needs to be a respect for the rights and values of the Tribes; there is concern about a total closure of the area to certain activities, since some feel the area should be closed completely to climbing while others still want access for the public. We need to make sure we are protecting these properties but also allow some use for the public. Julie asked for ideas from the group. Afton Patrick agreed with Julie's assessment. Yvette Tuell disagreed, stating that it should not be Tribal rights versus the public. In her opinion, there should be no compromise on Tribal rights. Yvette considers these rights to be the baseline--it is like other laws, like the Clean Water Act, that need to be followed. Nothing says that we need to compromise the Tribal rights.

Julie continued with the statement that she wanted to frame this discussion keeping these values in mind. Julie started with Katie Shewmaker, asking her thoughts on possible areas of negotiation. Katie said she believes signage and education are important. She also asked Yvette to explain why she thinks Tribal rights are not being respected. She said Tribal rights are not just treaty rights--they are also cultural rights. We have to keep in mind the bigger picture. The Tribes have already compromised. They are bounded to a small area. You will hear from some of the Tribal members that you are not respecting the Tribal rights in this small area; we would like to see our Tribal rights respected. We believe the rocks themselves are sacred--that the rocks themselves have life. This character is within the Archaeological District. This is why some of our Tribal members say that our rights are not being respected.

Julie: What I may be hearing is that the Tribes feel that they have given up so much over the years that they are now digging in. If we can hear what they are saying, this may not be total closure. So Katie, did you have anything you wanted to recommend? Do you want to find a way to keep some places open for these identified uses?

Katie: Can I have a little clarification on what constitutes the Cedar Fields and the archaeological district? Is there legal verbiage that if adverse effects are found the area would have to be managed differently? Suzann Henrikson responded that the BLM would have to come up with mitigation measures.

Katie: That's a good question. When we don't have an Archaeological District, there is more wiggle room. So, Yvette, do you think that there is no wiggle room?

Julie answered that what she heard at the last meeting is that we did come up with some ideas to help mitigate—like people being responsible, policing of users, financial support, and also signage, and more education about the historic and cultural nature of the area. There could be rewards and incentives for educating people. We also identified ways to send information out like Twitter, blogs, etc. There were a lot of options that the Tribes may be willing to consider. Yvette clarified this that the RAC is going to provide recommendations to the BLM but that the RAC doesn't have to agree with the Tribes. The Tribes will have this discussion with the BLM.

Katie said she would definitely like to discuss seasonal closures. Education must be cost effective. Setting up Twitter should be low cost. Julie: What did you feel about reporting land abuse, any of the user groups reporting abuse and help repairing the damage? Katie: I know Troy brought some information about climbers helping. It's really a positive to have those users out there. Julie: So, it is positive those users are out there and help police the area. Katie: Yes, as well as the Tribes.

Julie moved on to question Hank Mayland asking him what he thought should be done.

Hank responded: I think there needs to be overall understanding of the issues by all groups of the spiritual and sacred nature of the area. So, is there any written record of the values of this area? When the District was established, the BLM went to the Tribes to get about 20 years of documentation.

Suzann: Yes, this is summarized in a report in 1999 on the American Falls Archaeological District in three volumes. Jenifer Arnold asked if this information was available to the public. Suzann said the volumes would have to be redacted since certain types of cultural resource information are exempt from FOIA. Hank explained he thinks the basic question is that he would like to get access to any document that would provide more information. Suzann said the information in Volume 1 would work for Hank.

Hank responded that he thinks basic to everything we have talked about is an understanding of spiritually why, what where and who... what is important to the Tribes, and it's not just the Tribes--there are other instances of why this area has value. Has anyone gone through this process to communicate why this is valuable?

Jenifer: Is there text somewhere that would give us an idea of the spiritual value?

Hank: Yvette is there anyone in the Tribe who could provide us with an overall evaluation. It might not be specific to this particular area. The ultimate recommendations here should be based on this and values of others. I'll pass on everything else. I cannot comment on bolts.

Julie: Katie, what about bolts?

Katie: My personal opinion is that unless you are really looking you cannot see the bolts; however, if there are other reasons that this is significant.

Hank: I believe the issue we just discussed is basic to everything else. What's basic to the rest of the discussion is what does this area mean to them [Tribes]. Some are saying stay off the property; others are saying stay off of it at certain times of the year.

Julie: So do you think this is best served by educating the public?

Hank: This information is basic to understanding the entire issue.

Julie: So, now to Denise Alexander.

Denise: I'm really not sure where we are going. I think we are spinning our wheels.

Julie: I'm trying to get people to share their feelings.

Denise: From the group I represent we don't want any closures at all. Education is very important. Each generation has various forms of education to get the word out. We still don't know the legal boundaries.

Mike Courtney: I handed out some case law last time; this is the same situation here as in the Forest Service case. The Forest Service could not come into agreement with the Tribes, so the Advisory Council weighed in.

Julie: So I think what I'm hearing is that your recommendation can matter but it will come down to what works for the Tribe and what will work for the BLM. Taking into account what you have heard so far and trying to come up with some creative solutions.

Denise: Knowing the boundaries on the ground. It's important about signage so you know where you are and also educating people about the sensitive areas. Letting them know what you can and cannot do.

Julie: On the enforcement, what would you propose to help with the enforcement?

Denise: Education and how to report violations.

Julie: In terms of any particular user groups, do you think it should be open to all user groups?

Denise: It should be open to everyone.

Julie: James, would you like to give us your ideas?

James: I believe the core issue is negative impacts to the site. There needs to be a way to educate people why the site is significant and I believe the climbers are being singled out as the abusers. From what I saw on the ground, I don't see that the climbers are causing the damages. There needs to be education. There should be education so areas that are not so culturally sensitive could be used. Most of the use was in sand washes. Even if you closed it off to use, there's not going to be any vegetation because of lack of water.

Julie: So you would be open to signage and directions on what to use?

James: If you are using a restricted area, no one would know about it because there are no maps. A lot of the native grasses are naturally going to reseed.

Julie: So, if there are areas shown to be affected, what would you propose?

James: If you could identify the user group that caused it.

Julie: What if you cannot identify the group?

James: If the whole site is so culturally significant that it cannot be used, there can be no compromise. I hate to see anything closed. Are there some areas that are more significant than others?

Yvette: No.

James: I see from the Tribal perspective that there can be no compromise.

Julie: What could help?

James: I've been to lots of multiple use areas that are being maintained by user organizations.

Julie: Do you have any organizations in mind?

James: The Blue Ribbon Coalition. They're national. They are multiple use.

Julie: Do you think they would help?

James: Yes, Clark Collins said they will donate and help. I would like to see some type of compromise.

Julie: What about education, enforcement?

James: I think it would take very little effort to keep the area pristine. There's very little usage.

Julie: What about enforcement from your perspective?

James: Have there been a lot of people who violate the law or do they know if they are breaking the law?

Yvette: You would have to ask the BLM.

Mike C: There is a closure in effect but it is not closed in any identifiable boundaries. We're working on making the current closure more understandable. In this area we don't typically write tickets for people who can't tell if a particular area is closed. We need to get more signage to let people know where the BLM land is. Clark is definitely engaged.

Julie: So, we could get some of these user groups involved to get people to respect the area.

Mike: Maps and other information are all products we're working on.

James: For education, the Shoshone-Bannock Tribes website is actually very good. There are links to what is already out there.

Julie: I heard last time that there may be more value to keeping the area open and educating the public.

James: There would be no education if you close it. I see where the Tribes are coming from but I want to use it too.

Afton: First and foremost, we have to have education. The BLM and the Tribes need to get together and tell us what is important, where the physical boundaries are, identify a map (for us to see before we go to the area). I think it needs to be kept open to get more respect for the area, and have users police themselves.

Julie: Perhaps a little more involvement from the user groups?

Afton: That is an unspoken rule with the user groups to protect the area that they are using. The users need to know why the areas are to be protected and also a contact number to call to report violations. Use partnerships.

Julie: Do you have other ideas about education? You mentioned last time online?

Afton: On the Internet, you can bring up Castle Rocks, Massacre Rocks, Three Island Crossing, to explain cultural values. Maybe this is one we need to add to the BLM site.

Julie: Podcasts?

Afton: Maybe Southern Idaho Tourism could help with this?

Julie: What do you think about in terms of future damage or degradation?

Afton: The landscape is so sandy so there would naturally be very little vegetation.

Julie: Do you agree with seasonal closures?

Afton: I don't think seasonal closures would work. I believe if a very small area is damaged, it should be fenced off and protected. However, the entire area is not going to be vegetated because it is so sandy.

The group took a break at 8:12 and meeting resumed at 8:30 p.m.

Lamar: I have a question. I understand we are dealing with the American Falls Archaeological District. Suzann used the word traditional cultural properties and archaeological district. Could you explain?

Suzann: When we nominate sites or a group of sites to the Keeper of the National Register, there are four categories used in the nomination process. These categories include a site's association with a specific person, a site's characterization as a work of art, a site's scientific value, and/or its cultural value. The original nomination for the archaeological district at Cedar Fields identified both its scientific value and cultural value (based on Shoshone-Bannock informant testimonies gathered by BOR). In other words, it was nominated as a Traditional Cultural Property (TCP). However, the trust relationship between the Tribes, the BLM and BOR was not well established at this point. The Tribe requested that the TCP designation on the nomination be removed. They didn't trust the BLM or BOR to keep the information on their sacred area protected and secure.

Lamar: It seems to me that we have two very different cultures and we don't understand each other. The dominant culture sometimes wants to minimize the other culture. I think with this type of property we should be celebrating this culture. One example of this is the Minidoka Internment Site. That is now being celebrated for its historic and cultural significance. I didn't know anything about this Archaeological District before I got involved with the RAC. There needs to be education, like the rare paintbrush plant that is only found on top of Mt. Harrison. The Forest Service has developed interpretation to value this plant on the 200 acres up there. If we are going to do podcasts, we need have someone from the Tribe develop it and

celebrate the culture on this site. One of the tours I attended up in northern Idaho focused on rebuilding the wetlands and restoration. I believe a lot of the idiots out there are not really idiots, they just don't know. We need to educate the kids. Somehow, we need to get the word out. When we were out there [the archaeological district], we looked at the areas that were vegetated. I went over to an area where there was vegetation—perennial native grasses. We need to plant native perennial grasses.

Julie: So, you think it's as much what's being planted as what is growing? How would you propose we would get the information on what should be planted there?

Lamar: I think the idea of using graduate students to study the area is good. Also, if there is no money for studies, then we could plant native species. I think the Tribes need to go out as well as the BLM archaeologists to do cultural outreach. If you educate people, it makes a lot of difference in how people treat the area. If you have people around that value the area, to help police and educate others, then others will learn to value it also. I am all for multiple use, as long as the uses are in harmony with the laws and the cultural aspects. I do believe the Tribes look as the bolts as a violation of the importance of the area. Yvette said those bolts on the rocks are harmful to the Tribes.

Julie: Do you have any idea of whether there should be other studies done?

Lamar: I'd like to see studies on perennials versus annuals.

Julie: So maybe not everything has been looked at in the types of vegetation?

Lamar: I think we should look at types of vegetation

Julie: Jack, we were talking about education with the public.

Jack: I am definitely in support of education. We don't know enough about the Tribes and education and respect for the Tribes. It would be helpful to know more about their cultures. I learn something from every climb. When I first went out there, I thought it was a wasteland—before it became an Archaeological District.

Julie: Maybe you're saying that information should be going both ways. The Tribes may feel users are lacking respect for the rocks. Climbers have a spiritual connection to the place also.

Jack: It's a mutual respect of both cultures. Education has to be done.

Julie: What do you think is the best way to get information out to your user group?

Jack: Well that will come out with the assessment study. We were commenting that BLM and BOR put up signs to delineate the boundaries but could have put up signage about certain areas being closed to motorized vehicles.

Julie: BLM needs to explain to user groups about what they want the groups to do on the lands. If you were trying to reach out to a user group, what would you propose to Tribal members or BLM to address some of the concerns they have about climbing issues?

Jack: Here are bolts [Jack held up a bolt for the group to see.] They could be camouflaged. If no one has ever seen bolts, or have them pointed out to them, they don't notice them. Climbers have actually climbed right past the bolts. We should go out and actually physically camouflage them. One thing that came up last time was seasonal closures. Also, there are areas where Tribal members have ceremonies at certain times of the year; I think closure during those times would be appropriate. Very few people I know would disrupt a religious ceremony. Also, on your list is having an independent study of the vegetation. There are graduate students that could do this. Also, the ISU [Idaho State University] outdoor program has a lot of

climbers that come here. We could present some of the Tribal information to these classes.

Yvette: I wanted to respond to some of the questions brought up. One was additional information on the historical information. I think it's a good idea. I could give you a book, even a couple of books. One is a book on legends, printed in 1970, *The Sage Smoke*. It helps explain the how the Indian people look at resources, water, rocks, etc. The other book is about the Cave Rock Case [*Cave Rock: Climbers, Courts and a Washoe Indian Sacred Space by Michael Makley*]. It starts with the Washoe Tribe and explains why the Tribe did not like the bolts in the rocks. It's a good book to help get a perspective on the Tribes. I understand the need for more information; however, the Tribes are so used to being exploited. I can understand people wanting multiple use on BLM lands. It is not appropriate here. There are other lands where it is more appropriate. The other issue is regarding bolts and visual impacts. We took a bunch of people out there. No one could see them until they were pointed out. Then it was offensive. The Tribal members said, why would they do that? Tribes don't appreciate it. Tribes want to get rid of them.

Julie: The Tribe does not understand why they would put in the bolts? Do you think we could put down as a recommendation to facilitate a meeting between the user groups and the Tribes to allow communication?

Yvette: My initial response was that any education would be good but I don't think it's a high priority. One of the other issues that came up recently when we were out there and had elders with us was the user groups. You could see and hear motorized user groups from where we were; it was disruptive. My people do not want this disruption. It should be as close to natural as possible. The vegetation is also important. So, going back to some of the distrust and back to some of the documents written prior to the establishment of the archaeological district, we want to protect the contemporary component as well as the historical value. The whole reason the archaeological district was established was that nothing happened before to protect the area. The Tribe thinks there should have been management action done as soon as the District was established.

Julie: So when you talk about protection, what specifically does the Tribe want?

Yvette: We would like to see no adverse effects. We would also like to see enforcement. It's not just the rock climbers. There also could be trails that go over the rocks and other archaeological sites; it's also inappropriate burning (like wires); cows rubbing up against the rocks.

Julie: Do you feel the usage is different today than before? What constitutes offensive use of an area?

Yvette: Maybe I can answer some of the questions about the cultural importance of the rocks and the Snake River. My people have certain rules about what should be discussed. (Yvette gave a description of Tribal perspective of the area.)

Charlie: I don't know where to start. I go back to knowing where the baseline is for the Tribe. Some things just aren't negotiable. You have to go back to the baseline. You need to know what the Tribe will accept. So that's what I would base my comments on. I'm for multiple use. The rules are already set in place. You could have campsites outside the area. Everything goes back to the baseline. You need to rule out fires since there's no fuel around. If you identify significant sites, then people will go out. Education and participation from the Tribes is essential. There should be seasonal parking area outside the area.

Julie: So in terms of multiple use, you want to know where the baseline is for use.

Charlie: Multiple use is not always applied in all areas.

Julie: Do you feel you need to know more about the Tribal areas?

Charlie: If the Tribes don't want climbers on the rocks, then Mike's hands are tied within the district. The more you communicate the better off you are.

Julie: So, how do we find out what the baseline is?

Charlie: Perhaps it is not to know the baseline but to understand that there is a baseline.

Peggy: First, I'd like to thank Yvette for opening up. Everyone at this table has brought great ideas to be considered. The RAC is here to make a recommendation to the BLM; we can recommend anything but it is up to the BLM to make a decision. Education is key--getting the word out to the public, signing the District, using social media, and going to the universities for research. I do have some questions for Mike in regard to the map [Peggy held up a map of the Archaeological District). The bright yellow is BLM; the lighter yellow is BOR. So, this decision you will make only falls within the archaeological district?

Mike: Yes.

Peggy: So going to the climbing area, the BLM has 25% of the climbing routes.

Mike: Yes, Tim Duffner, Idaho Department of Lands, has said that state lands may be leased. The climbing association may want to pursue leasing some of these lands.

Peggy: So, I hope the tribes will help BLM with enforcement.

Julie: So you still want multiple use?

Peggy: Yes.

Julie: So do you have any ideas on how the BLM could do this?

Peggy: I think we still need to see the condition assessment.

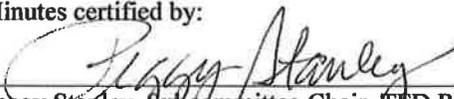
Julie: Is there a timeline for the report?

Mike: We're waiting for comments from the Tribe.

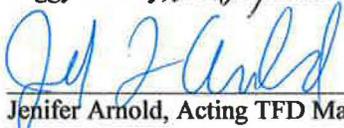
Julie: If there are things at the next meeting that need to come out, we'll try to get them out prior to the meeting. The next meeting will be when we come up with the recommendation to the full RAC. That next meeting will be held here at the Rock Creek Fire Station on Thursday, August 16, from 6:00 to 9:00 p.m.

The meeting adjourned at: 10:15 p.m.

Minutes certified by:


Peggy Stanley, Subcommittee Chair, TFD RAC

8-6-12
Date


Jenifer Arnold, Acting TFD Manager

8/7/12
Date

Minutes recorded by:

Barbara Bassler, Planning and Environmental Coordinator