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**ELEVEN AUTONOMOUS BANDS**

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June 16, 2003

Mr. Ben Nighthorse Campbell, Chairman  
U.S. Senate Committee on Indian Affairs  
Washington, DC 20510-6450

**RE: STATEMENT BY GENE PRESTON, CHAIRMAN, PIT RIVER TRIBE  
ON THE SACRED MEDICINE LAKE HIGHLANDS  
FOR THE HEARING ON NATIVE AMERICAN SACRED PLACES, JUNE 18, 2003**

Chairman Campbell and distinguished Members of the Senate Committee:

It is an honor to participate in these Senate Committee hearings on Sacred Lands. I've come from Northeastern California to speak to you of a very sacred area: the Medicine Lake Highlands, on the continent's largest shield volcano in the remote Modoc National Forest. The Medicine Lake Highlands are an area of utmost spiritual significance and critical to the cultural survival of the Pit River Nation, the Klamath-Modoc Tribes, and other surrounding Tribes. The sacred Medicine Lake Caldera with its shining lake has been designated as a 32-square-mile Traditional Cultural District by the National Register of Historic Places. The Highlands are located adjacent to Mount Shasta, and these two most sacred landscapes are closely related in Native American creation stories, with many physical and mystical links between them.<sup>1</sup>

The Medicine Lake Highlands are a place where the full magnitude of the Creator's presence can be experienced, a place where the Creator left messages for the people on how to live, a place of refuge. Activities have included ceremony, vision questing, healing, prayer, medicinal plant gathering, hunting and obsidian trading. This is what the Medicine Lake Highlands have been to the Native Peoples for at least ten thousand years and these uses continue to the present time. The Medicine Lake Highlands area has always been respected as a sanctuary where Tribes put weapons down and shared in the calming cleansing sanctity of the land.

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<sup>1</sup> In the creation stories of local Tribes, the Creator made the world from Mount Shasta, and left vital instructions on how to live in it in the Medicine Lake Highlands.

ATSUGEWI

ATWAMSINI

MADESI

ASTARAWI

APORIGE

AJUMAWI

HEWISEDAWI

ILLMAWI

ITSATAWI

KOSEALEKTE

HANMAWI

Unbeknownst to my people, in the 1970s and 1980s plans were made and leases sold, giving away sixty six square miles of the Medicine Lake Highlands with no consultations held. Only in 1996, when the first two projects were being reviewed, was the Pit River Tribe consulted, long after the leases had been sold promising full rights to development and commercial production. One of these projects, Telephone Flat, is proposed to be located in the heart of the Medicine Lake Caldera and would encompass eight square miles, a full fourth of the designated Traditional Cultural District. Another project, Fourmile Hill, would be located on six square miles just outside the Caldera, in an area not yet evaluated for the National Register.

Since 1996, we have engaged in the process of environmental review and after-the-fact consultations with the Federal Government. The Environmental Impact Statement (EIS) documents recognize that these projects would cause severe significant impacts on Native American culture that could not be mitigated. As we and many others have stated numerous times and in numerous forms, no mitigation measures are capable of alleviating the impacts and nor preserving our cultural values. The agencies have made a mockery of the Section 106 Process by issuing geothermal leases without consulting with affected Tribes and traditional cultural representatives in spite of knowing the significance of the area. It is clear that the cumulative effects of these developments would result in total destruction of the qualities needed for continued spiritual and cultural use of the Medicine Lake Highlands. Among the general public, over ninety percent of public comment letters were against these projects.

In 1998, even after EIS' showed beyond any doubt that Native American traditional uses would suffer unmitigable adverse effects, the leases were renewed, again with absolutely no consultations with the Tribes. The process needs to start back with the leases, since Tribes were left out of this decisive basic step. Without this, the process doesn't work for the Tribes. Agencies built on their own assumptions regarding impacts to Tribal culture and the environment, and the Tribal issues and concerns were tabled.

In a May 2000 compromise decision under the Clinton administration, Fourmile Hill was approved while the Telephone Flat project was denied, as a statement that the value of Native culture was recognized by the government. Calpine Corporation then sued the government for denying Telephone Flat, and under the Bush administration, obtained a Settlement Agreement that reopened the decision. The outcome was that the original denial of Telephone Flat was reversed and that project too was approved in November 2002. This is an issue not only of the sacredness of the Highlands. It is also an issue of the integrity of the relationship the federal government has towards the First People of this land. The meaninglessness of federal promises to Tribes has become proverbial, and this decision has created a deeper wound. Where is the equation that says trading our culture is worth the gain? The profit is privatized while the impacts become the burden of Native Americans, society, animals and future generations.

In addition, there is no limit on Calpine's ambitions. The Corporation has publicly announced ambitions of developing up to 1000 megawatts in the Medicine Lake Highlands,<sup>2</sup> ten times the combined wattage of the two proposed developments. The Telephone Flat and Fourmile Hill geothermal developments alone would transform the Medicine Lake Highlands into an industrial zone, but the cumulative impacts of full buildout would be fully devastating.

Twenty-four hour drilling, night lighting and other geothermal impacts in a landscape where there are no freeways, no factories, and no power lines would drastically change the remote, pristine character of the area. Each development could involve drilling on six to eight square miles, and fragment the area with miles of new roads, above ground pipelines and transmission lines. The land would become pockmarked with toxic sumps, noisy drilling platforms, power plant and 10-story high cooling towers spewing emissions laced with heavy metals and toxic gases, health threatening levels of hydrogen sulfide (shown to have chronic health impacts even at low levels), as well as high risks<sup>3</sup> of contaminating the state's largest fresh water spring system by arsenic, mercury and other effluents. Steam plumes, night lighting and chemical odors would permeate the star-studded pure night sky, the air, the water, and the beauty and serenity of the area.

The Tribes continue to vehemently oppose these damaging projects. The Pit River Tribe, Native Coalition for Medicine Lake Highlands Defense (composed of local Tribes and traditional cultural people), and many environmental groups have appealed these decisions. The issue has been taken on by Earthjustice Legal Defense Fund for legal action on behalf of the Pit River Tribe and Native Coalition, with a lawsuit filed in June 2002 on the Fourmile Hill decision, and one soon to be filed against the Telephone Flat approval.

In approving these projects, the government has made an assessment of the value of the Tribe's culture without the Tribe's consultation. Yet knowledge of the land is a gift Native cultures have to give, the sense of sacredness, of sacred places that are to be used for prayer, vision, healing and renewal, fulfilling the responsibility as Native People, given by the Creator, to be the caretakers of the earth. This must be listened to in the Medicine Lake Highlands.

The special relationship of meaning and kinship that the Pit River Tribe have to this specific landscape and its creatures is unique to indigenous culture. It expresses Native peoples' particular genius and the gift they have to give the world. The stories that are related to the land have historically and prehistorically formed

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<sup>2</sup> This statement was made by Calpine to the House Resources Committee in 2001.

<sup>3</sup> Bonneville Power Administration has documented the high threat to fresh water resources that geothermal development poses.

an important cognitive link in humanity's orientation to the natural world, and expresses the human impulse to give meaning, significance and come into relationship to it.

When that relationship is made inaccessible through destruction or alteration of an important sacred area, a people loses its identity and definition, and its basis for transmitting its cultural uniqueness. This would be a loss to all of humanity, and particularly to the people who call this region their home. Native culture represents an ancient link to this land, and to hear Elders express this link establishes a deeper psychological relationship to the land for the "newcomers" as well. In our view, this is an important factor in healing the disjointed relationship to nature that much of industrialized society has developed, and which is responsible for large-scale destruction of life-sustaining natural systems.

The Highlands' cultural significance is recognized not only by local Tribes, but also by Tribes near and far. Resolutions have been passed by the National Congress of American Indians, as well as regional Tribal groups encompassing much of California.<sup>4</sup> In addition, numerous individual Native Americans have signed petitions expressing their opposition.

There are many reasons why we should not entrust the precious and sensitive natural and cultural values of the Medicine Lake Highlands to Calpine's commercial ambitions. There is no evidence that the power from this area is needed in California. In fact, it would be sold out of state to the Bonneville Power Administration, in spite of being heavily funded by California ratepayer subsidies. The energy crisis that drove earlier decisions has now been shown up for the market manipulation that it was.<sup>5</sup> Furthermore, so many plants were built that companies like Calpine find themselves overextended in heavy debt. Excess supply has driven prices down, and Calpine's stock has been plummeting, downgraded to junk-bond status. It is more true than ever that the project's impacts outweigh any possible public benefit from this and other proposed power plants in the Medicine Lake Highlands.

For these reasons, and numerous others stated countless times by the Pit River Tribe and others in comments, resolutions and consultations, I respectfully ask that you take the strongest possible position for the protection of the Medicine Lake Highlands by issuing a directive for the government to deny these damaging projects and buy back the leases it illegally awarded.

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<sup>4</sup> The California Council of Tribal Governments (14 Tribes) and the InterTribal Council of California (24 Tribes) have each passed resolutions opposing geothermal development in the Medicine Lake Highlands.

<sup>5</sup> Recent findings by the California State Attorney General admit this.

Thank you for listening to my words on behalf of my people and these sacred lands. The Tribe asks to submit additional materials at a later date.

Respectfully submitted,

Gene C. Preston  
Tribal Chairman