



Indians say Arizona ski resort desecrates their sacred mountains

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By DAVID KRAVETS | Associated Press

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SAN FRANCISCO (AP) - A dozen Southwestern Indian tribes plan to ask a federal appeals court Thursday to

block upgrades to an Arizona ski resort they say already desecrates the mountains they hold sacred.

The San Francisco Peaks are said to be the mother of the Navajo, where White Mountain Apache adolescent girls ascend into womanhood in the Sunrise Ceremony. For the Havasupai, the peaks overlooking Flagstaff, are the origin of humans. To the Hopi, they are the point in the physical world defining the tribe.

But on the western flank of these peaks, which have names like Humphrey's, Agassiz, Doyle and Fremont, rests what the tribes say is an affront to their religion: the Arizona Snowbowl ski resort.

The tribes say the 777-acre resort in the Coconino National Forest desecrates the land and might be cause for the Sept. 11 attacks, the tsunami, recent hurricanes and the Columbia shuttle crash. The tribes want the 9th U.S. Circuit Court of Appeals to block proposed resort improvements, which include the spraying of machine-generated snow, for fear of more universal ills and further desecration of their land.

"The peaks are a single living entity. What they are doing is poisoning that entity and disrupting the spirits that live there and the whole balance of life," said Howard Shanker, a Navajo attorney who will argue before a three-judge panel of the San Francisco-based appeals court.

A federal judge in Phoenix said adding a fifth lift, a tubing area and other resort facilities on federal lands could go forward. U.S. District Judge Paul Rosenblatt ruled in January the tribes "have failed to present any objective evidence that their exercise of religion will be impacted by the Snowbowl upgrades."

Rosenblatt said the tribes would still have access to the peaks. And the judge noted that the tribes' religion has endured despite timber harvesting in the area, mining and the installation of gas, electric and water lines. The area also includes cellular towers, camping, motocross, mountain biking and horseback riding, the judge noted.

The ski resort, one of two in Arizona, opened in 1937 and has recently suffered erratic snow conditions, allowing only 15 days of skiing last year. The resort is seeking to use snowmaking equipment, fueled by reclaimed water from nearby Flagstaff, and hopes to get more than 100 days of skiing per season.

Without steady income from skiing, the resort may go under, said J.R. Murray, the resort's general manager.

"Basically, we're talking about the survival of the business," he said.

On busy days, he said, the resort may see 4,000 skiers. The upgrades would increase skiing from 139 acres on the resort to 205 acres, and would require more than 100 acres of forest thinning and grading.

Arizona Snowbowl is about 14 miles northwest of Flagstaff and 140 miles north of Phoenix, where temperatures often sizzle.

Murray suspects the tribes' lawsuit is a legal tactic to force the resort to go under.

"There's no doubt they have deeply held beliefs. But it's public land," Murray said.

Putting snow on the slopes when nature has not intended it is just another insult to the peaks, the tribes say, especially snow generated by reclaimed water that Arizona state health officials say poses no health risks.

"The fact that the ski area is there is an affront and that they want to expand it is an affront and basically put this sewer water on it," Shanker said. "The Navajo say the peaks are mother and this is mother raped and defiled."

The case is Navajo Nation v. U.S. Forest Service, 06-15371.

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Editors: David Kravets has been covering state and federal courts for more than a decade.



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