Skiing on a sacred mountain: Indigenous Americans stand against a resort's expansion

The debate over an Arizona ski resort's future has exposed two vastly different visions of the

American west: ‘Nuva’tukya’ovi is our Mount Sinai’

by Annette McGivney in Flagstaff, Arizona with photographs by Tomás Karmelo Amaya

The Arizona Snowbowl ski resort in Flagstaff occupies 777 acres on a mountain slope that Indigenous nations hold sacred. Photograph: Tomás Karmelo Amaya/The Guardian

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Hopi farmer Bucky Preston talks to the clouds that form atop Arizona’s tallest mountain. And they talk back.

For 2,000 years, communication with the sky has been an important traditional farming method of the Hopi and their Puebloan ancestors. The clouds drift with Hopi prayers from the mountain they call *Nuva’tukya’ovi* - “place of snow on the very top” - to the tribe’s villages, providing life-giving rain and spiritual sustenance to the oldest continuously inhabited community in North America.

But last fall, the sacred conversation fell silent. “I did not have a harvest,” says Preston, 72. “It was the first time in my life that happened.” He says other farmers, who grow without chemical fertilizer or irrigation, experienced the same.

While the climate crisis and historic drought in the south-west may be factors, Preston blames another, human-made force for the disruptions: a ski resort carved into *Nuva’tukya’ovi*.

“Our whole way of life depends on the mountain and praying for moisture Bucky Preston, Hopi farmer

The Arizona Snowbowl resort, which occupies 777 acres (314 hectares) on the mountain’s slope, has attracted skiers during the winter and spring for nearly a century. But its popularity has boomed in recent years thanks to growing populations in Phoenix, a three hour’s drive away, and neighbouring Flagstaff. During peak ski season, the resort draws upwards of 3,000 visitors a day.

More than a dozen Indigenous nations who hold the mountain sacred have fought Snowbowl’s existence since the 1930s. These include the Pueblo of Acoma, Fort McDowell Yavapai; Havasupai; Hopi; Hualapai; Navajo; San Carlos Apache; San Juan Southern Paiute; Tonto Apache; White Mountain Apache; Yavapai Apache, Yavapai Prescott, and Pueblo of Zuni. They say the resort’s presence

has disrupted the environment and their spiritual connection to the mountain, and that its use of treated sewage effluent to make snow is akin to baptizing a baby with wastewater.

Bucky Preston, a Hopi farmer, is among those who say the presence of a ski resort on a sacred mountain has disrupted the environment. Photograph: Tomás Karmelo Amaya/The Guardian

Now, a proposed $60m expansion of Snowbowl's facilities has brought simmering tensions to a boil.

The US Forest Service, the agency that manages the national forest land on which Snowbowl is built, is weighing a 15-year expansion proposal that would bulk up operations, increase visitation and add new summer recreational facilities such as mountain biking trails, a zip line and outdoor concerts. A coalition of tribes, meanwhile, is resisting in unprecedented ways.

The battle is emblematic of a vast cultural divide in the American west over public lands and how they should be managed. On one side are mostly financially well-off white people who recreate in national forests and parks; on the other are Indigenous Americans dispossessed from those lands who are struggling to protect their sacred sites.

"Nuva'tukya'ovi is our Mount Sinai. Why can't the forest service understand that?," asks Preston.

'A fight with no middle ground'

At the center of the Snowbowl controversy is the resort's snowmaking operations, an increasingly necessary tool as climate breakdown causes snowfall to be less predictable. Snowbowl manufactures its artificial snow with reclaimed water from Flagstaff's sewage system, a method approved by the forest service as part of an earlier resort expansion plan in 2005. It was the first resort in the country to use reclaimed water for snowmaking; since then a ski area in Montana and one in California have also adopted the practice.

Despite years of lawsuits brought by tribes and environmental groups, the use of reclaimed water has continued unencumbered. Over the last decade, Snowbowl has sprayed up to 1.5m gallons a year of treated sewage effluent on its groomed slopes.

Despite years of lawsuits brought by Indigenous nations and environmental groups, the use of reclaimed water for snowmaking has continued. Photograph: Tomás Karmelo Amaya/The Guardian

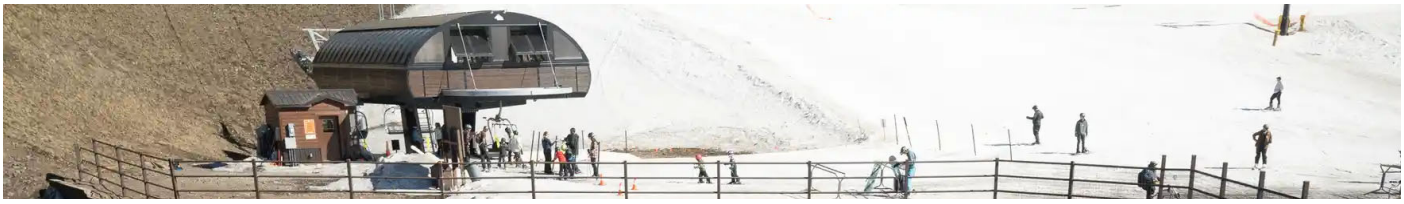
US regulators say the operation is safe and the resort views it as a way to outsmart the climate crisis. “We are using Grade A reclaimed water on the mountain for recreation and that is a positive thing,” says Rob Linde, Snowbowl’s general manager. “It is providing dependable snow for our guests and helps people enjoy the outdoors.”

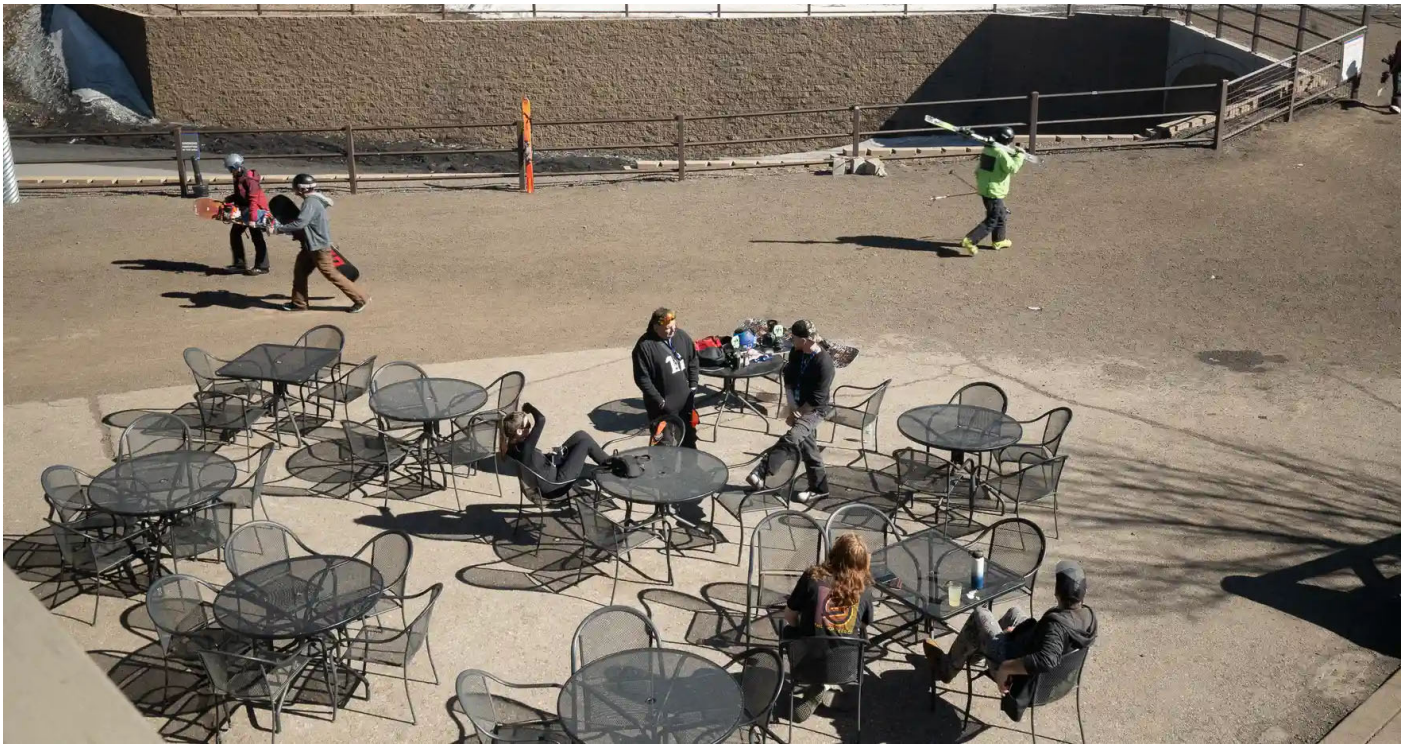
But tribes say the practice is contaminating sacred ground. The San Francisco Peaks, as *Nuva’tukya’ovi* is more commonly known, is a lone, extinct volcano with a collapsed caldera surrounded by six summits. The mountain is the site of Indigenous origin stories, ancient shrines and a place where ceremonial and medicinal plants are gathered. It’s considered so holy that, before the arrival of colonizers, Indigenous Americans avoided living there.

There is no middle ground in this fight. Snowbowl executives insist the resort is not a sustainable business without the use of reclaimed water. The tribes say the existence of the ski area and use of treated sewage effluent is threatening their spiritual survival.

“Our whole way of life depends on the mountain and praying for moisture,” says Preston, adding that many Hopi feel they can no longer be “sincere” in their prayers because they know humans have taken over the sacred act of creating snow, making the Hopi’s ancient rituals seem pointless.

Snowfall on the San Francisco Peaks is highly erratic and, before snowmaking, Snowbowl struggled to stay afloat financially. But the 2005 decision opened a new era of profitability.





Snowfall on the San Francisco Peaks is erratic, increasing the need for snowmaking, according to ski area managers. Photograph: Tomás Karmelo Amaya/The Guardian

The resort is owned by James Coleman, an investor called "the ski king of the south-west" who bought it in 2014 for Mountain Capital Partners, a private equity and development firm that owns a growing portfolio of small south-west ski areas in New Mexico, Colorado and Utah. According to the company's website, Snowbowl contributed $53m to the Flagstaff economy in 2019 and employed 700 people. During the 2021/2022 season, Snowbowl opened in time for Thanksgiving and kept the slopes running until early May, despite below average precipitation. (Guardian requests for an interview with Coleman were redirected to Linde.)

"We are using Grade A reclaimed water on the mountain for recreation and that is a positive thing
Rob Linde, Snowbowl manager

The use of reclaimed water has also raised environmental concerns. While the water meets Arizona Department of Environmental Quality's highest standards, testing as part of the environmental review process for the 2005 expansion showed it contained trace amounts of hormones, antibiotics, antidepressants and other pharmaceuticals. The forest service still approved its use on the basis that these substances are not regulated and their presence did not violate any existing federal guidelines, and no further tests have been conducted since.

For Navajo tribal member Cora Maxx-Phillips, who serves on the Navajo Nation's

human rights commission, the snowmaking is a continuation of cultural genocide against Indigenous Americans. “So they get to have their fun,” she says of the skiers, “but it comes at the expense of our spirituality and the environment.”

The forest service is not monitoring the long-term effects at Snowbowl, but separate USGS studies of agricultural fields irrigated with reclaimed water have shown hormones and pharmaceuticals remain in the soils, although their impact is unknown.

Cora Maxx-Phillips, a Navajo tribal member who serves on the nation's human rights commission, says snowmaking is a continuation of cultural genocide. Photograph: Tomás Karmelo Amaya/The Guardian

Maxx-Phillips, 66, and other tribal members are worried about how the ski area is

changing the ecosystem. “In our culture, upsetting the balance of the natural world is the greatest crime a human can commit.”

A new finding halts development

During the week of spring break, Snowbowl’s slopes were bustling with skiers and snowboarders.

Rainy Oliver and her daughter Missy, who recently re-located from Colorado to Williams, Arizona, were among those enjoying their vacation. “We were leery when we moved to Arizona because we were worried we wouldn’t be able to ski,” Oliver said as she and her daughter waited at the bottom of a busy run. “We are thankful for Snowbowl.” Oliver had heard that the San Francisco Peaks were sacred to Indigenous Americans but wasn’t familiar with details about the controversy.

Chad and Ron, two firefighters from western Arizona, sat at a picnic table drinking a beer and enjoying the cool alpine climate of the Peaks.

The pair, who asked to withhold their last names for privacy reasons, were not aware that snow was being made from reclaimed water, nor that the area was sacred to Indigenous nations.

“I don’t have an emotional attachment to this land like Native Americans do,” said Ron. “But just to play devil’s advocate, we are in a drought and putting moisture back into the ground seems like a good use of reclaimed water.”

Snowbowl’s popularity is only rising, and many of its facilities were built in the 1980s and are ill equipped to handle the growing demand. Visitation has increased 12% annually and resort managers say the proposed developments will help ease overcrowding and improve customer care.

Snowbowl’s growth seemed all but certain until spring 2021, when a misstep by the forest service stopped development in its tracks - and offered hope that Indigenous people’s input might be taken more seriously.

Martina Dawley is the historic preservation officer for the Hualapai Nation. Photograph: Tomás Karmelo Amaya/The Guardian

The historic preservation staff for the Hualapai Nation, discovered that a memorandum of agreement that the forest service signed with the Hualapai and other nations as a stipulation of Snowbowl's 2005 development plan had expired six years earlier, and the nations were never notified. This put the forest service out of compliance with section 106 of the federal National Historic Preservation Act, a provision of the law that deals with sites of cultural or religious significance to Indigenous peoples. Section 106 requires the federal government to consult tribes before carrying out any development in these places and, if there are negative impacts, to develop a memorandum of agreement with tribes outlining mitigations.

To the dismay of Mountain Capital Partners, that discovery prompted Laura Jo West, the forest supervisor for Coconino national forest, which contains Snowbowl, to halt ski area development projects until a new memorandum of agreement could be reached. Construction slated for summer 2021 to build out snowmaking infrastructure - a project approved with the 2005 expansion plan - was cancelled. West's decision also put the brakes on the environmental review process for the new master development plan.

“It’s important that we move beyond what’s minimally required by law
Laura Jo West, supervisor for Coconino National Forest

Environmental groups and tribal governments question the validity of Snowbowl developments that occurred after the memorandum had expired and were allowed to proceed without proper tribal consultation. The Sierra Club, an environmental non-profit that advocates for the tribes, claims the forest service has frequently bent policy rules to accommodate the business interests of the ski area. The group submitted a detailed complaint to the agency in 2020 listing various violations of the National Environmental Policy Act (Nepa) that included allowing the number of daily Snowbowl visitors to grow beyond what was approved in the ski area’s 2005 master plan. The agency also failed to conduct an environmental review when the resort changed ownership, as stipulated under the terms of Snowbowl’s special use permit for operating on forest service land. The forest service disputes allegations that policies were violated.

“The forest service does not care what the tribes need or want, nor does it care what the rules are,” says Alicyn Gitlin, program manager for the Sierra Club’s Grand Canyon chapter.

Alicyn Gitlin and her dog, Dalya, at the foothills of what the Navajo call Dook'o'oosłííd, also known as Humphreys Peak. Photograph: Tomás Karmelo Amaya/The Guardian

For her part, supervisor West saw the pause as an opportunity to reset how the agency consults Indigenous peoples. "We need to heal our relationship," says West. While she could not change the bad blood that developed as a result of the agency's approval of Snowbowl's 2005 expansion, West wanted to have "meaningful conversations with the tribes" before the agency began formal review of the ski area's new master development plan.

"It's important that we move beyond what's minimally required by law," says West of the forest service's obligation for tribal consultation. "Only from a position of respect for what sacred sites like the San Francisco Peaks represent to the tribes can we start the conversation about how we manage these places into the future."

This sentiment is echoed by the Biden administration, which issued a joint secretarial order last November requiring tribal consultation for decisions by agencies such as the

forest service and encouraging the use of traditional ecological knowledge in land management practices as well as co-management with tribes.

An unprecedented act of resistance

Based on past history, tribes are skeptical about whether Biden's lofty initiatives will actually trickle down to regional situations such as Snowbowl. They also wonder why West's supervisor removed her from Snowbowl-related activities this spring and replaced her with a supervisor in New Mexico, although she remains in charge of all other Coconino national forest matters.

While the future remains uncertain, the stakes are high.

If a fight over Snowbowl's new master plan was to go to court, there is no law to protect Indigenous sacred sites such as the San Francisco Peaks. Past lawsuits arguing that a nation's religious rights were being infringed upon by the resort have always, ultimately, been unsuccessful because judges disagreed with the basic premise of their argument: all living things are intrinsically interconnected.

Many Indigenous Americans insist that even though Snowbowl occupies just 1% of the mountain, the resort is spiritually and environmentally affecting the other 99% . But western laws and federal land management policies don't see it that way.

Maxx-Phillips is a survivor of Native American boarding schools, where she was taught to forsake Navajo culture. It took years to recover her traditions and heal from that

to forsake Navajo culture. It took years to recover her traditions and heal from that experience. “Having to fight against these laws that are designed to protect corporations and the federal government brings up a lot of generational trauma,” she says. “It is very triggering.”

The battle has had one hopeful outcome: encouraging tribes to band together for the first time, using their collective power to resist in ways that haven’t been tested before.

After learning earlier this year that Mountain Capital Partners was holding private meetings with higher level forest service officials, Martina Dawley, a preservation officer who helped discover the memorandum error, rallied the 13 nations to organize as a single unit.

Such a move is unprecedented in the south-west, where economically stressed reservations with poorly resourced tribal governments have not had the emotional or financial capacity to independently take on the US government. But acting as one

makes it hard for the forest service to “divide and conquer”, as Dawley puts it, by consulting each tribe separately.

So far this spring, the forest service has held two virtual meetings with the 13-tribe coalition, whose demands include an independent environmental review of Snowbowl’s operations - before they will agree to a new memorandum - as well as involvement in defining what constitutes “tribal consultation”. The coalition is also resisting pressure to meet the agency’s timeline to restart ski area projects until tribal governments feel assured that their concerns are truly considered.

Native American tribal members have demanded an independent environmental review of Snowbowl's operations. Photograph: Tomás Karmelo Amaya/The Guardian

Regional Forest Service officials declined a Guardian interview request but Shayne Martin, the agency's south-west region communication director, responded to questions via email.

"We are currently working with tribal members toward a new [memorandum of] agreement," said Martin. "We would like to emphasize that tribal consultation is our next needed step before any additional construction activities are authorized at Snowbowl."

When asked how the forest service would deal with the inherent conflict between Snowbowl's business demands and the Biden administration's mandates to honor Indigenous spiritual values, Martin responded: "While the forest service has legal obligations under many laws and executive orders which require balancing multiple uses, the forest service also has great respect for the tribes, their desired outcomes, the sacred nature of the San Francisco Peaks, and the government-to-government consultation process as a means to work together on these issues."

Meanwhile, undaunted by the failed harvest last year, Bucky Preston is working in his fields for the next few months to plant traditional Hopi corn, beans, squash and melons. He does it all by hand, kneeling on the ground and covering each seed with soil. "I put my whole body into it," he says. "I need to feel what the plants feel."

Preston says he is going to keep fighting in his own "Hopi way" to protect the peaks. "I am not familiar with how to fight with laws but I sure can depend on my prayer to stand up for the mountain," he says. "That is my weapon."

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