

Printable version: Thursday, April 12, 2007

10. SACRED SITES: Native Americans defend Medicine Lake decision

Arthur O'Donnell, *Land Letter* editor

SAN FRANCISCO -- Standing in a prayer circle in the courtyard of the federal office building here Friday, a group of about 50 Native Americans and supporters urged the U.S. government to drop continued attempts to develop geothermal energy projects on land around Medicine Lake, in Shasta County.

On Nov. 6, 2006, the 9th U.S. Circuit Court of Appeals reversed a district court's determination that the Bureau of Land Management and U.S. Forest Service had properly extended leases for geothermal project exploration and development at Fourmile Hill in the Medicine Lake highlands near Mount Shasta ([Land Letter](#), Nov. 16, 2006). In February, the Department of Justice, on behalf of the agencies, filed for reconsideration of the ruling.



Protesters converged at the federal office building in San Francisco to demand that the Department of Justice drop an appeal of a court ruling that invalidated geothermal exploration permits at Medicine Lake, near Mount Shasta. Photo by Arthur O'Donnell.

"We demand that the Department of Justice cease and desist and bow out of pressuring the 9th Circuit to change its position," said Mark LeBeau, a co-chairman of the Advocates for the Protection of Sacred Sites. "The agencies, BLM and the Forest Service, already lost at the 9th Circuit. The court has already ruled that the administration has not followed the necessary steps," he said.

Calpine Corp., a San Jose-based developer of geothermal power, was exploring the potential to build a 49-megawatt power plant at the site, disturbing about 340 acres of land by the construction of the power plant, production well pads and associated transmission facilities.

The company's project elicited little notice or comment when submitted in 1995, but a lease extension two years later raised protests from the Pit River Tribe, and other

tribal and environmental groups, who said the area in question is part of a 10,000 acre "sacred site" at Medicine Lake.

Although U.S. District Court Judge David Levi in 2004 upheld the leases, the appellate court determined that "the agencies did not take a hard look at the environmental consequences of the 1998 lease extensions and never adequately considered the no-action alternatives," wrote Judge Clifford Wallace for the three-judge panel that heard the case.

According to Calpine spokeswoman Katherine Potter, there has not been any significant activity at Fourmile Hill for several years. Calpine is currently under Chapter 11 bankruptcy protection and has halted much of its development and is selling many of its assets.