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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO**

NEZ PERCE TRIBE, and)	Case No. 3:13-cv-348-BLW
IDAHO RIVERS UNITED,)	
)	
Plaintiffs,)	DECLARATION OF
)	NAKIA WILLIAMSON
vs.)	
)	
UNITED STATES FOREST SERVICE,)	
)	
Defendant,)	
)	
and)	
)	
RESOURCES CONSERVATION)	
COMPANY INTERNATIONAL,)	
)	
Defendant-Intervenor.)	
_____)	

I, NAKIA WILLIAMSON, declare as follows:

1. I am an enrolled member of the Nez Perce Tribe and have lived and worked on the Nez Perce Reservation most of my life. I am very familiar with Nez Perce culture, tradition and language through my familial and community relationships and based on my own knowledge,

experience, and education. For these reasons, I am recognized in my Tribal community as an authority on Nez Perce culture.

2. I am currently employed as the Tribal Ethnographer for the Nez Perce Tribe's Cultural Resource Program. I have worked for the Nez Perce Tribe Cultural Resource Program for 16 years. In this position I am responsible for, among other duties, performing research and reporting work under Section 106 of the National Historic Preservation Act (NHPA). My work includes identifying and evaluating areas of historic and cultural significance to the Nez Perce Tribe that may be classified as Traditional Cultural Properties (TCP), as defined in the U.S. Department of Interior National Park Service's Bulletin 38, and therefore eligible for inclusion in the National Register of Historic Places. As part of this responsibility I work with various federal agencies, including the National Park Service, U.S Forest Service, Bureau of Land Management, Corps of Engineers, and Bonneville Power Administration in evaluating areas of historic and cultural significance on federally-managed land located within the Tribe's aboriginal territory. To date, I have worked on several Section 106 projects for the Nez Perce Tribe that include identifying and evaluating areas of historic and cultural significance as potential TCPs.

3. The Lochsa River corridor is an area of historic and contemporary importance to the Nez Perce Tribe. This landscape is located entirely within the Tribe's aboriginal territory that the Nez Perce Tribe has used and occupied since time immemorial. The Lochsa River corridor is important to the perpetuation of Nez Perce culture and identity. Historically, the Nez Perce Tribe travelled this area utilizing a vast trail system, which was later used by Lewis and Clark in 1805 and 1806. Within this corridor there are numerous culturally significant areas such as: occupation sites, aboriginal placenames, legend sites, fishing/hunting sites, plant gathering areas, burial sites and areas used for spiritual activities/ceremonial use. This trail system, now known

as the Nez Perce or 'Nimiipuu' Trail, is an ancient trail system that was used to access important areas and post 1877, is viewed as a memorial to the Nez Perce ancestors who travelled this trail and lost their lives during the Nez Perce War of 1877.

4. The Lochsa River corridor is also an important area for exercising Nez Perce Tribal treaty rights. There are numerous usual and accustomed fishing places located along the Lochsa River where Tribal members fish and camp. Tribal members also routinely hunt, gather roots, berries and culturally significant plants in the area, and also access springs and fountains for drinking water and for traditional purposes.

5. I am aware that the Forest Service has identified at least 56 historic properties within 100 meters of U.S. Highway 12 and 106 sites within one mile of the highway. Many of these are significant Nez Perce ancestral sites. In addition to these river-side sites, the Lochsa River is the center of a visual, auditory, and sensory landscape that extends from rim to rim. Tribal members value these aspects of the landscape because the continuation of specific elements of traditional Nez Perce culture/spirituality/identity depend upon this landscape not being overburdened by undue industrialization. Culturally significant gathering areas where medicinal plants are harvested by families are located here, as well as hunting and fishing sites. These areas are not merely 'places to hunt or fish,' that can easily be substituted with other areas that have similar resources, but tribal, family and even individual identities are connected to this specific landscape and with the loss or alteration of this functioning landscape, subsequent cultural loss is inevitable.

6. As the Tribal Ethnographer I have discussed the cultural significance of the Lochsa Corridor on numerous occasions with Forest Service technical staff. The Nez Perce Tribe

Cultural Resources Department has also raised concerns to Forest Service staff about the negative impacts of transporting mega-loads through the Lochsa River corridor.

7. Given the Tribe's longstanding recognition and treatment of the Lochsa River corridor as an area of cultural and historic significance, the Cultural Resource Program – based on my evaluation and full support – recommended that the Nez Perce Tribe request that the Forest Service evaluate the area as a Traditional Cultural Property eligible for inclusion in the National Register of Historic Places.

8. In June, 2013 Nez Perce-Clearwater National Forests' Supervisor Rick Brazell informed the Nez Perce Tribe that he was initiating a corridor impacts study and tribal consultation to identify and evaluate mega-loads' impacts on Nez Perce Tribal values associated with the U.S. Highway 12 corridor. As part of this Tribal consultation process and corridor impacts study that Supervisor Brazell announced, the Nez Perce Tribe petitioned the Forest Service to include in this effort a formal of the Lochsa River corridor as a Traditional Cultural Property under Section 106 of the National Historic Management Act. My understanding is that the agency has since responded that it will not consider any Section 106 issues until after the September 9 hearing with the Court.

9. In my professional opinion, the Forest Service cannot proceed with a proper evaluation of the impacts of authorizing mega-loads on U.S. Highway 12 through the Lochsa Corridor unless the agency proceeds with the Tribe's request and performs, under Section 106 of the National Historic Preservation Act, a full evaluation of the Lochsa Corridor as a Traditional Cultural Property eligible for inclusion in the National Register of Historic Places. The Forest Service also needs to properly evaluate, under Section 106 of the NHPA and in consultation with the Tribe, the impacts of the numerous other known historic properties along the Lochsa Corridor.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

DATED: September 6, 2013


Nakia Williamson

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 6th day of September, 2013, I electronically filed the foregoing with the Clerk of the United States District Court for the District of Idaho by using the CM/ECF system. All participants in the case are registered CM/ECF users, and will be served by the CM/ECF system:

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