



# Nine Mile Canyon Coalition News

Summer 2007

ninemilecanyoncoalition.org

“Knowledge,  
if it  
does not  
determine  
action,



is dead to  
us.”

*Plotinus*  
204 A.D.  
*Egyptian*  
*Philosopher*

## Board Chair’s Message, by Pam Miller

Dear Coalition Membership:

The annual Fall Gathering will soon be upon us. Our board members and committees have been busily engaged in planning a nice weekend for us. Board members have also been busy meeting with agency officials and industry representatives, conducting research and presenting papers since our last gathering. We hope to have good news at this Fall Gathering.

One piece of news we are happy to announce now is the publication of “Treasures of the Tavaputs”, a new work by Jerry and Donna Spangler. Finally there is a full color illustrated work describing the archaeology of Desolation Canyon, Nine Mile Canyon, and Range Creek. Even nicer is the partnership between Questar Pipeline, Utah State History, and Colorado Plateau Archaeological Alliance sponsoring the publication. It will be a very attractive addition to your library or a gift idea for the upcoming holidays. Jerry will be our speaker at the Fall Gathering and will sign books available for purchase then. We are also excited to have Questar participating with us in the Fall Gathering. We look forward to their tour and participation.

As a reminder, the Fall Gathering includes a silent auction and a short live auction. Please consider making a donation of items for the auction. You can leave them at the information center in the Prehistoric Museum in Price, at the Welcome Center in Duchesne, or contact Steve Hansen if you are in the Salt Lake City area. You may bring them with you if you would like, but please call one of us and tell us what you are going to contribute. It will make it easier for our committee to set up for the auction.

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By the time you receive this newsletter Questar should be finished with the major work of the Nine Mile Canyon portion of their natural gas transmission line. Road construction took place in the canyon over the winter, and recently rotomil was applied to the surface in the area of Mead’s Bunk and Breakfast. Some of our tours will give you a chance to see what has been done.

Progress has been made toward the nomination of Nine Mile Canyon to the National Register of Historic Places. There are just a few small details left before the nomination can be submitted. Thank you for your patience.

We understand the Tavaputs EIS draft will be released soon. We will send out an action alert when we see it. The Price Field Office RMP additions will be going out for public comment. In this era of gas industry growth on the Tavaputs, it is very important that those of us who care about Nine Mile Canyon be constantly aware of the actions concerning and impacting the canyon. If you become aware of something you feel the membership should know about, please contact me.

I am looking forward to seeing all of you at the Fall Gathering. Come prepared for a great time!

Pam Miller, Chair

# Canyon Stakeholders Promote National Register Nomination to Resource Advisory Council

*by Pam Miller*

Coalition board and members attended the BLM's Resource Advisory Council (RAC) meeting in Castle Dale on the 2<sup>nd</sup> of May. Many of us participated in the public comment portion of the agenda in the early afternoon. I presented comments for the Coalition, including our partnership with the BLM in preparing the National Register of Historic Places nomination. Steve Tanner introduced Native American concerns; Steve Hansen addressed land owner concerns; Bill Walsh talked about the Coalition's history in the project and Duchesne County support; Ivan White (Coalition member) talked about dust and air quality issues. Ivan also passed around photos of some of the fine examples of Nine Mile Canyon rock art. All of our comments were limited to two minutes so there wasn't really much we could say. We were supported by Coalition board members Chanel Atwood and Diane Gorman Jenkins (and husband Fred, who are also members of USAS and URARA) and members Margene Hackney, Kresha and Blair Eastman (for Hunt Oil), and some USAS folks (I hope I haven't forgotten anyone). There were some negative comments but they didn't come from us.

Earlier in the meeting Wilson Martin, the State Historic Preservation Officer for Utah, educated the RAC about what the National Register was and how a district went through the nomination process. The presentation was excellent and should have allayed any fears.

During the public comment period, Rex Sacco, representing Carbon County Planning and Zoning Department handed a letter signed by the three Carbon County commissioners to a few RAC members. The letter expressed their opposition to the NRHP nomination,

confused the national Register of Historic Places with the National Trust for Historic Preservation, and stated that industry was doing their share to care for roads in the canyon but tourists and recreationists were not.

The RAC wasn't asked to formally consider the nomination so there was not a vote. They won't be involved again until the nomination has been officially submitted. The procedure the BLM and the State Historic Preservation Office have to follow on this complicated process can be found on page 6 of this newsletter.

Bill and I introduced ourselves to our new State BLM Director, Selma Sierra and offered to meet with her anytime to answer questions about the Coalition and the issues at hand. Several of us were also able to attend the RAC Nine Mile Canyon tour the previous day. It was a beautiful day in the canyon but the RAC folks didn't get to see or hear much about the cultural resources. The BLM and the Bill Barrett Corporation (BBC) spent much of the day promoting energy development in the region. Members of the public in attendance, including Coalition representatives were advised by BLM representatives to only observe.

The Duchesne County Commission has since sent a letter to RAC Chair, Gordon Topham, that withdraws their support for the nomination and announces a study process through the county's Public Lands Committee.

At the time this newsletter goes to press, the Coalition is ready to submit the Nomination of Nine Mile Canyon to the National Register of Historic Places to the State BLM. Details will be forthcoming at the Fall Gathering.

## Mission Statement

The Nine Mile Canyon Coalition exists to preserve and protect Nine Mile Canyon, in partnership with land holders, user groups, federal, state and local agencies, and Native American organizations. To that end, the Nine Mile Canyon Coalition will foster educational and interpretive programs which include but are not limited to: assisting in the coordination of canyon interests; promoting programs of scientific research in the canyon; helping with inventory of cultural and natural resources; raising funds, from earnings or gifts, for research, education, interpretive or preservation programs, as such funds become available.

*Nine Mile Canyon and those dedicated to its preservation recently lost a valued friend and devoted advocate when Robert “Utah Bob” Hackney passed away early this summer. The Coalition would like to extend our heart-felt condolences to his wife Margene and their family, and express our sincere gratitude for the many years of hard work Bob and Margene have contributed on behalf of Nine Mile Canyon’s preservation. We appreciate Margene sharing the following biography with us.*



## Utah Bob and Nine Mile Canyon

Bob Hackney was born in Clarksville Arkansas and came to Utah when he was three years old. His family moved to Dragerton, which is now East Carbon City. He got the name “Utah Bob” from his friend Barbara Warren. She called him that because there were several men named Bob that were members of the Castle Valley Archaeological Society (USAS) and the Raptor Chapter who all answered when she called his name, so then almost everyone all just began to call him Utah Bob. He liked it.

He was among the survey group that started to document the rock art and habitation sites in Nine Mile Canyon by the Castle Valley Chapter of USAS in 1989. He really loved the canyon. He originally was one of the high climbers and only confided to me that he was afraid of heights but he stoically climbed the high cliffs and tried not to look down. Then he patiently began to draw the petroglyphs and make wonderful site sketches showing the specific areas that were being documented and he loved doing the work.

Bob had several favorite rock art sites that he helped work on. One such site was Stick Figure site. He often volunteered to guide tours on Pre-history Week and at the Fall Gatherings to that particular area. He was also fascinated by the Ute panel at Daddy’s Canyon and was excited every time the group found signs of the small red “back packer” pictographs that had been discovered in

several places in the canyon.

When the Nine Mile Canyon Coalition was formed, Utah Bob became as immersed in the formation of the Coalition Board as I was and gave me so much support over the years, as I assumed at different times, the jobs of secretary, newsletter editor, Vice Chair and finally Chair of the Board.

We were partners in every event that the Nine Mile Canyon Coalition carried out in the canyon. The only recognition that he wanted was to be acknowledged as my chauffeur. He drove because he knew that I hated to drive and if there was a meeting in Duchesne County and it was my turn to take a vehicle, he volunteered to drive. At several meetings he and George Marett would have a grand old time visiting with each other as the rest of us would attend to business. He enjoyed being a member of the Coalition and respected all past and present members of the board.

Bob’s last trip to the canyon was last September when our family attended the Fall Gathering. He enjoyed it very much. He passed away on May 29. Somewhere in some file cabinets there are some IMACS forms that have copies of his drawings of rock art and maps. His work is done for now, but the rest of us still have to do what we can to preserve and protect Nine Mile Canyon for our future generations to enjoy. That’s what he would want.



# fall GATHERING

Nine Mile Ranch

September 7, 8 & 9, 2007

August means it's once again time to start planning for the Coalition's annual Fall Gathering. This year's activities will include 4 different guided tours. On Saturday, one tour will focus on Rock Art, one on Prehistoric Architecture, and for the very first time, Questar Pipeline will offer an informative Q&A tour of their nearly completed new pipeline. For those of you up to a bit of a challenge, Chanel will also conduct a tour of spectacular Red Man Village on Sunday morning. If, of course, you'd prefer to relax and spend your day socializing around camp, Bruce Burgess will be conducting a fun workshop on Fremont Figurines.

Throughout the day on Saturday we will also be conducting our annual fund-raising Silent Auction and Raffle. Winners will be announced shortly before dinner. At this time we will also start the entertaining Live Auction. (We sincerely appreciate any items you might consider donating to these activities. Remember—they're tax deductible! Please see the registration form for instructions)

Following this year's Coalition Board Meeting, guest-speakers Jerry and Donna Spangler will bring us up to date on the National Register Nomination progress and be available to answer any questions you might have.

For Saturday's meal—just to shake things up a bit!—we've made arrangements for Shirley and Joe Begay to make their famous homemade Navajo Tacos. We'll also provide plenty of refreshing melons.

This year's registration fee will be all inclusive and include Friday night's 's'mores around the campfire', Saturday and Sunday's tours and Saturday's evening meal. Prices will be \$25 for adults, \$15 for children 5 to 12 and free to children 4 and younger. (*See the attached registration form for a more detailed schedule of the weekend's activities*)

Please remember that the Fall Gathering is our major fund-raising activity for the year and that your generous participation is critical to our success. All of the funds raised will be used throughout the upcoming year to further our mission of preserving and protecting Nine Mile Canyon so that it may be enjoyed by the generations who will follow us. *Thank you for your continued support and we hope to see you there!*

## Thank you! - Fall Gatherings Are Successful Because of You *by Diane Jenkins*

It's that time of year again. Time to get together in Nine Mile Canyon. Time to catch up with old friends and what's new in the Canyon. Things are a changen'!

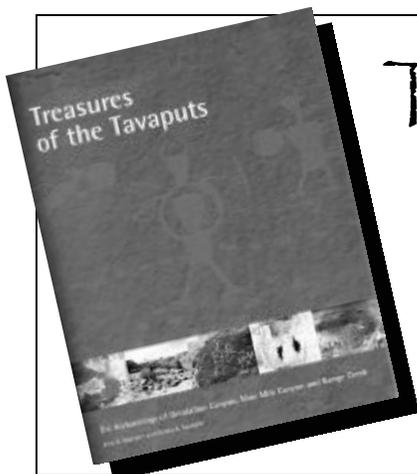
We want to thank all of our great supporters. We had a great time last year with the help of all of you that respect the past and are concerned about the future of the canyon. We had some wonderful and informative trips lead by Burt Jensen, Blaine Miller, Chanel Atwood and Steve Hansen—and as always the weather kept it interesting! The raffle and auction were well attended and fun was had by all.

Special thanks go out to all that brought items to be raffled and auctioned and then turned around and donated your dollars for the opportunity of taking home something new. Here is a list of these much appreciated people. Jane Stone, Bob and Margene Hackney, Christy Noyes, Ashley Noyes, Bodie Barker, DaJene Barker,

Craig and Dawna Houskeeper, Camrey Johnson, Hayden Johnson, Keith and Barbara Rowley, Cinda Houston, Fred and Diane Jenkins, Steve Hansen, Jerry Vaculin, Jessy and Judy Warner, Bill Walsh and Shirley Weathers, Ben and Myrna Mead, Joe Venus, Janet Patterick, Tonya Bruno, Chanel Atwood, Flint, Ray and Pattie Thompson, Ivan White, Celia Partridge and Mike LeRoy, David and Beth Finch, Edythe Marett, Pam and Blain Miller, and Norma and Jerrold Dalton And a special thanks to the high rollers at the live auction!

And an extra, extra special thanks for the \$\$\$ donations from Tod and Mary Young, Lloyd B. Anderson and Hunt Oil, a Corporate Member.

Thanks to all of the behind the scenes people who worked long and hard to put the weekend together. And to Ben and Myrna Mead for the great food and the use of the ranch. Thanks again—See you all in September!



## Treasures of the Tavaputs

Jerry and Donna Spangler have just released their latest book, *Treasures of the Tavaputs*. The product of a unique collaboration between the Colorado Plateau Archaeological Alliance, Questar Pipeline and the Utah Division of State History, this wonderful new full-color publication spotlights the incredible archaeology of Nine Mile Canyon, Range Creek and Desolation Canyon. Beautifully written and illustrated, this is a must-have for any Nine Mile enthusiast. A generous number of copies have been donated to the Coalition and will be available at the Fall Gathering for a donation of \$10.

# Nominating a Concurrent National Register District

The following information has been written by **Wilson Martin, *Utah State History Associate Director and State Historic Preservation Officer*** and **Cory Jensen, *Utah State History Architectural Historian and National Register Officer*** to provide a simple understanding of the National Register Nomination process. More detailed information can be found online at: [www.nationalregisterofhistoricplaces.com](http://www.nationalregisterofhistoricplaces.com)

## The National Register of Historic Places

**(NRHP)** is the official federal list of properties that are significant in American history, architecture, archaeology, or engineering. Places may be listed individually, as part of a Historic District, or as part of a statewide multiple property or thematic category. There are approximately 15,500 properties listed in the National Register in Utah, either individually or as part of a district.

To be eligible for the National Register, a property must: (1) be at least 50 years old, (2) retain its architectural integrity and (3) be significant. This significance can be national, statewide, or local, but must fall in one or more of the following categories: (A) association with important events, (B) association with significant persons, (C) architectural significance, or (D) archaeological significance.

The primary benefit of listing in the National Register is to honor and encourage preservation of historic resources. There may also be some financial benefits in the form of tax credits for rehabilitation and possible grants.

There are no restrictions associated with listing in the National Register as listing does not interfere with a property owner's right to alter, manage or dispose of the listed property. The owner is not required to restore or maintain the property or open it to the public.

For nominations of historic districts or individual properties on lands under jurisdiction of a federal agency and located within areas of critical environmental concern (ACEC) National Register listing will have no effect on the ACEC as the ACEC is a separate and independent process for land management.

**Question (Q): What is a concurrent nomination?**

Answer (A): A concurrent nomination may occur any time that a Federal Agency wishes to nominate resources to the National Register that includes properties both under and not under the control of the Federal agency, such as state and/or private lands (36CFR 60.10(b)). A nomination involving federal, state, and private lands would then be a "concurrent nomination."

**Q: Who submits a concurrent nomination to the Keeper of the National Register?**

A: Because a concurrent nomination involves Federal lands and also includes state and private lands the Federal agency Preservation Officer (FPO) is the nominating authority (36CFR 60.9(b), 36CFR 60.10(a)). The State Historic Preservation Officer (SHPO) and the FPO "should cooperate" in the nomination process. This phrase encourages federal agencies and SHPOs to work together in the nomination but does not impose requirements on either agency (36CFR 60.10(a)).

**Q: Who makes the final determination whether a concurrent nomination will be listed on the NRHP?**

A: The Keeper of the NRHP makes all final determinations regarding listing on the National Register. However, the Keeper can only respond to nominations submitted to their office. As the nominating authority, a federal agency may choose at any time to not submit a concurrent nomination. Under appeals procedures any person may appeal the failure of a nominating authority to submit a nomination. If the appeal is sustained, the Keeper can compel the FPO to submit the nomination. If required the Secretary of the Interior may make the final decision, whether it be listing, not listing, or making a determination of eligibility. The final decision will be with the Keeper of the National Register, or when required, the Secretary (36CFR 60.12).

**Q: What is the review process for concurrent nominations?**

A: The FPO should submit a completed nomination to the SHPO for notification of property owners to give property owners an opportunity to concur or object to the nomination and to provide a period for written comments, and for the state review board to review the nomination (36CFR 60.10(b)). The nomination should include a NRHP registration form with all supporting documentation (photos, maps, owner addresses etc.)

If the SHPO and Review Board agree that the nomination is adequately documented and meets all the NRHP eligibility criteria then the SHPO returns it to the FPO with their signed opinions along with all other landowner comments (36CFR 60.10(c)). If the SHPO and Review Board do not agree that the nomination meets all requirements and/or eligibility criteria, the nomination should be returned to the FPO with the SHPO's and Review Board's signed opinion as to why it doesn't meet the requirements. If either the SHPO or Review Board do not agree that the nomination meets all requirements and/or eligibility criteria, the nomination should be returned to the FPO with the SHPO's and Review Board's opinions regarding the requirements and/or eligibility criteria. In other words, the SHPO and Review Board may provide differing professional opinions regarding the adequacy of the nomination and whether or not it meets the criteria for listing on the NRHP. In any case, the SHPO's signed opinion along with the board comments, comments from the non-federal land owners, and comments from the public shall confirm to the Federal agency that the state procedures have been fulfilled including notification requirements. Comments shall be included with the letter as shall any notarized statements objecting to the listing of property (36CFR 60.10c). Therefore, the role of the SHPO and the board is not recommending for nomination, but rather providing separate, independent

comments regarding adequacy of the nomination and whether it meets the criteria for evaluation and nomination by the FPO to the Keeper. Once the FPO receives the nomination with accompanying comments, these are then forwarded to the Keeper of the National Register for review. If the majority of the landowners object to the nomination then it will be forwarded to the Keeper for a determination of eligibility (36CFR 60.10(d)). It is important to note that the FPO can submit a nomination to the Keeper over the objection of any or all parties. They must simply attach the objections and comments to the nomination form. However, if the majority of the landowners object, the FPO can only seek a determination of eligibility and not a formal listing on the National Register. Property owners should be notified at least 30 days, but no more than 75 days before the review board meeting. This period provides opportunity for owners to comment and concur or object in writing to the nomination (36CFR 60.6(c & d)).

State agency lands are not explicitly mentioned in the regulation. They are however, implicitly given the same rights and abilities to comment and/or object as are private property owners. The SHPO will ensure that they are notified in the same way as private property owners and to ensure that their comments and/or objections are forwarded to the FPO.

## Board Members

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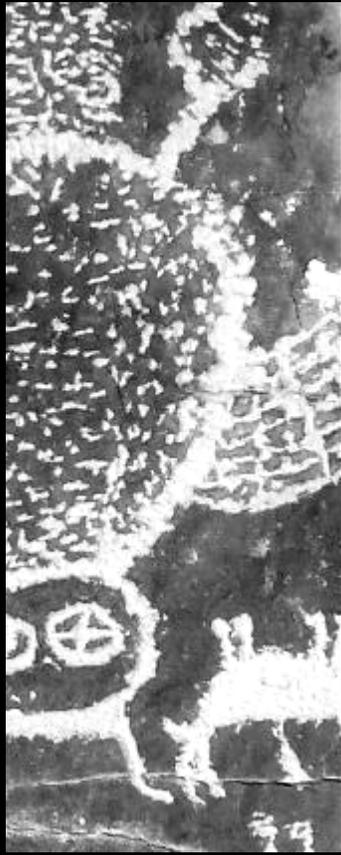
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# Fall GATHERING

September 7, 8 & 9, 2007



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