

WRITTEN TESTIMONY TO THE SUBCOMMITTEE ON
PUBLIC LANDS, FORESTS, & MINING
OF THE SENATE ENERGY AND NATURAL RESOURCES COMMITTEE
Legislative hearing on: “Grand Canyon Protection Act”

S. 387 (Sen. Sinema and Sen. Kelly):

“To protect, for current and future generations, the watershed, ecosystem, and cultural heritage of the Grand Canyon region in the State of Arizona, to provide for a study relating to the uranium stockpile in the United States, and for other purposes.”

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Chairwoman Cortez Masto, Ranking Member Lee, and esteemed members of the subcommittee, thank you for the opportunity to provide written testimony in support of S. 387, the Grand Canyon Protection Act. We are grateful to Arizona’s Senator Sinema and Senator Kelly for introducing this important piece of legislation. The Grand Canyon Trust is part of a broad coalition that supports a permanent ban on new uranium mining on federally managed lands in Arizona adjacent and hydrologically connected to Grand Canyon National Park. The Grand Canyon region is the homeland of at least eleven Indigenous tribes and nations, which include the Havasupai, Hualapai, Hopi, Kaibab Paiute, Las Vegas Band of Paiute, Moapa Band of Paiute, San Juan Southern Paiute, and Zuni Tribes, the Paiute Indian Tribe of Utah, and the Yavapai-Apache and Navajo Nations.

The Grand Canyon Trust was founded in 1985. Based in Flagstaff, Arizona with offices in Winslow, Arizona; Denver, Durango, and Grand Junction, Colorado; Salt Lake City, Bluff, Heber City, Moab, and Torrey, Utah; and Tohatchi, New Mexico. Our mission is to safeguard the wonders of the Grand Canyon and the Colorado Plateau, while supporting the rights of its Native peoples.

The dire future of water in the Southwest is clear, and decision makers have a paramount obligation to protect our increasingly limited water resources. Climate change is bringing hotter and drier conditions, Lake Powell is at unprecedented lows, and the reservoir’s long-term future, along with that of Glen Canyon Dam, is in serious question. The Colorado River, from where it flows through the Grand Canyon, provides water for tens of millions downstream. Last year, lower Colorado River Basin states like Arizona entered the first of historic water cuts,¹ and as surface water becomes less available, demand will turn to groundwater in an attempt to fill the

¹ Fountain, Henry. “In a First, U.S. Declares Shortage on Colorado River, Forcing Water Cuts: Arizona farmers will take the initial brunt, but wider reductions loom as climate change continues to affect flows into the river.” *The New York Times*. <https://www.nytimes.com/2021/08/16/climate/colorado-river-water-cuts.html>. Accessed 16 June, 2022.

gap. But ground and surface water, including in the Grand Canyon, are inextricably connected.² To protect surface water, we must protect groundwater and vice versa. The Grand Canyon Protection Act will protect critical water resources from the unnecessary and dangerous activity of uranium mining in a major watershed and in a region where geology and groundwater connectivity are especially complex.

Uranium mining and milling have left a devastating legacy of water and land contamination in the Southwest, especially for Indigenous communities on the Colorado Plateau, which continue to carry the majority of the burden of America's uranium industry. On the Navajo Nation alone, there are over 500 abandoned uranium mines from the last era of U.S. government-supported uranium mining still in need of cleanup. Many of these sites are still poisoning Navajo families today. For seven decades, uranium mining has left a deadly legacy of contamination across Utah, Colorado, New Mexico, and Arizona. In 2005, the Navajo Nation banned uranium mining on its land,³ encompassing nearly 18 million acres located in three of the Four Corners states. The Havasupai, Hualapai, Hopi, and other Grand Canyon-affiliated tribes have also banned uranium mining. And still more Indigenous tribes and nations from the Grand Canyon region and beyond are unified in supporting a permanent ban on new uranium mining claims on these approximately one million acres of public lands surrounding Grand Canyon National Park.⁴

Today, especially amid the atrocities of Russia's invasion of Ukraine, the importance of caution in law and policy-making is as important as ever. We clearly must not purchase uranium from Russia. But the solution to filling the 16 percent gap⁵ that Russian uranium has supplied for America's nuclear fuel demand is obviously not to place a further toxic mining burden upon Indigenous communities. These communities have shouldered enough, and they have made their opposition to uranium mining near the Grand Canyon abundantly clear.

Uranium mining is also entirely unnecessary in the area of the proposed permanent ban. According to the Energy Information Administration, the proposed permanent withdrawal area contains just 0.2% of known uranium resource areas in the country.⁶ Mining uranium on the rims

² Pool, D.R., Blasch, K.W., Callegary, J.B., Leake, S.A., and Graser, L.F., 2011, Regional groundwater-flow model of the Redwall-Muav, Coconino, and alluvial basin aquifer systems of northern and central Arizona: U.S. Geological Survey Scientific Investigations Report 2010-5180, v. 1.1, 101 p. <https://pubs.usgs.gov/sir/2010/5180/>. Accessed 16 June, 2022.

³ The Navajo Nation. "Navajo Nation President Joe Shirley, Jr. signs Dine Natural Resources Protection Act of 2005 New law bans uranium mining, processing throughout Navajo Nation." <https://www.nrc.gov/docs/ML0721/ML072150169.pdf>. Accessed 16 June, 2022.

⁴ Inter Tribal Association of Arizona. Support for S. 387 (The Grand Canyon Protection Act). <https://www.grandcanyontrust.org/inter-tribal-association-arizona-letter-re-grand-canyon-protection-act> Accessed 16 June, 2022; Havasupai Tribal Council. Testimony for the Hearing Record in support of S. 387. <https://www.grandcanyontrust.org/havasupai-tribe-senate-testimony-grand-canyon-protection-act>. Accessed 16 June, 2022; National Congress of American Indians. Resolution #REN-19-001 "Opposing Mining on Public Lands and Around the Grand Canyon without Tribal Nations' Free Prior and Informed Consent." https://www.ncai.org/attachments/Resolution_INNtURqMEiytKjvxeOmdtHNMIaPWyaEvGWBmCyxSOuWMuiFLXvQ_REN-19-001%20FINAL.pdf. Accessed 16 June, 2022.

⁵ Energy Information Administration. "Nuclear Explained: Where our uranium comes from." <https://www.eia.gov/energyexplained/nuclear/where-our-uranium-comes-from.php>. Accessed 16 June, 2022.

⁶ Smith, Stephanie. Grand Canyon Trust. "Identified Uranium Resources in the United States Map." Feb. 2021. <https://www.grandcanyontrust.org/identified-uranium-resources-united-states-map>. Accessed 16 June, 2022. This map uses EIA spatial data to show where known uranium resources areas are found throughout the United States.

of America's crown jewel national park, the homeland of so many Indigenous tribes, including the Havasupai (whose sole water source stems from beneath the area where mining would take place), is wrong and unnecessary. The U.S. government has a duty to ensure it does not repeat the mistakes of the past. Certainly, allowing and supporting uranium mining near the Grand Canyon would amount to precisely that type of repeated mistake. We must do better and passing the Grand Canyon Protection Act is a good start.

Uranium mining in the Grand Canyon region is also an unnecessary threat to Northern Arizona's tourism-based economy. The Grand Canyon Trust supports communities and businesses that are sustained by the Grand Canyon's enduring assets of clean air and water and by its natural and human heritage.

In recent years, Grand Canyon National Park has drawn between 4 and 6 million visitors to Northern Arizona annually. In 2018 and 2019,⁷ visitors spent \$947 million and \$891 million respectively in communities near the park. During each of those years, Grand Canyon National Park tourism supported approximately 12,000 jobs and had a cumulative benefit to the regional economy of more than \$1 billion.⁸

By contrast, breccia pipe uranium mining has the ability to support only a small number of temporary jobs⁹ and risks the permanent contamination of water resources in a region stressed by climate change and severe drought. And unlike other forms of mineral extraction, uranium mining companies are also not required to pay federal royalties on any minerals they extract,¹⁰ further minimizing the industry's capacity to benefit the American public and tax base. The risk of permanent contamination of the water in the Grand Canyon region threatens the loss of billions of dollars to the backbone of our regional economy.

Through the Grand Canyon Protection Act, we have an opportunity to protect vital water resources, respect the wishes of sovereign Indigenous tribes and nations, safeguard human and ecological health, and insulate a major driver of Arizona's economy at no actual cost to America's national security. We ask for your support of the Grand Canyon Protection Act.

⁷ Excluding 2020, when the country was mostly in COVID-19 lockdown, these are the latest figures available from the National Park Service as of June 2022.

⁸ National Park Service. "Visitor Spending Effects – Economic Contributions of National Park Visitor Spending." Grand Canyon National Park. <https://www.nps.gov/subjects/socialscience/vse.htm>. Accessed June 16, 2022.

⁹ Reimondo, Amber. Grand Canyon Trust. "Uranium Mining in the Grand Canyon Region." January 2019. p14. <https://www.grandcanyontrust.org/uranium-mining-grand-canyon-region>. Accessed 16 June 2022.

¹⁰ Under the Mining Law of 1872, federal royalties are not owed on hardrock minerals, which include uranium.