



**Proposal Brief:
The Greater Grand Canyon
Heritage National Monument
February, 2016**

Every 15 or 20 years, it seems, the canyon forces us to undergo a kind of national character exam. If we cannot muster the resources and the resolve to preserve this, perhaps our greatest natural treasure, what, if anything, are we willing to protect?'

Introduction

Arizona is the Grand Canyon State. In 1908, four years before Arizona was admitted to statehood, President Theodore Roosevelt proclaimed about a third of the Grand Canyon as a national monument. This status prohibited future mining or other claims for private development on more than 800,000 acres of federal land that the U.S. Forest Service managed until 1919, when Grand Canyon became a national park.

Within the newly created Grand Canyon National Monument and under Forest Service management, cattle grazing, logging, and other multiple uses were allowed. Hotels, tourist shops, existing mines, and the railroad continued to operate as private enterprises. Designation as a national monument meant that no new mining claims could be filed under the 1872 Mining Law, but all other uses and businesses continued as before.²

The purpose of this briefing is to describe the most recent proposal to designate federal lands that surround the park as the **Greater Grand Canyon Heritage National Monument**.

To best understand the current proposal, it's important to know how it began.

¹ Kevin Fedarko, "Cathedral Under Siege," *New York Times* 8/10/14.
http://www.nytimes.com/2014/08/10/opinion/sunday/two-development-projects-threaten-the-grand-canyon.html?_r=0

² *Polishing the Jewell: An Administrative History of Grand Canyon National Park*, 2000. Michael F. Anderson. Grand Canyon Association, Monograph No. 11. <http://www.nps.gov/grca/learn/historyculture/upload/chapter1.pdf>

Grand Canyon Watershed Protection Act

In 2009, Congressman Raúl Grijalva introduced the Grand Canyon Watersheds Protection Act.³ The primary purpose of the Act was to stop new uranium claims on a million acres of public lands from moving forward. An upsurge in uranium prices in 2007 prompted four old mines on the Kaibab National Forest and Arizona Strip District of the Bureau of Land Management to reopen and thousands of new claims to be filed within watersheds that drain directly into Grand Canyon.

Contaminated water from an abandoned uranium mine on the canyon's South Rim is poisoning a spring-fed creek deep within the canyon. The U.S. Geological Survey has identified 15 springs and five wells within Grand Canyon's watershed that contain dissolved uranium concentrations ("related to mining processes") in excess of standards for safe drinking water.⁴ After attracting more than 50 co-sponsors and strong support in testimony before committee hearings, the Grand Canyon Watersheds Protection Act has stalled in Congress.

Twenty-Year Ban on New Uranium Claims

In early 2012, Secretary of the Interior Ken Salazar ordered a 20-year ban on all new uranium claims on the same public lands that the Watershed Protection Act would have permanently protected. His decision to halt new claims followed a two-year environmental assessment that spelled out risks to water, wildlife, cultural areas, recreation, and other uses. More than 300,000 citizens wrote in favor of the withdrawal. The City of Flagstaff, businesses, Havasupai and other tribal councils, chambers of commerce, ranchers, hunters, Coconino County, and the gateway town of Tusayan supported it. The National Mining Association and other opponents immediately filed suit against the temporary ban. They are currently appealing their loss in a lower court. If this challenge to the Secretary of Interior's authority is upheld or if an unfavorable administration takes office, the 20-year ban on uranium claims on more than a million acres of public land could end with the stroke of a pen.

Grand Canyon Watershed National Monument

Recognizing the need to make the temporary ban permanent and to add further protections, Grand Canyon Wildlands Council and other conservation groups

³ The purpose of the Act is "To withdraw the Tusayan Ranger District and Federal land managed by the Bureau of Land Management in the vicinity of Kanab Creek and in House Rock Valley from location, entry, and patent under the mining laws, and for other purposes."

⁴ U.S.G.S. Report: *Hydrological, Geological, and Biological Site Characterization of Breccia Pipe Uranium Deposits in Northern Arizona* (February 2010) <http://pubs.usgs.gov/sir/2010/5025/>

proposed a presidential proclamation—under the Antiquities Act—of the Grand Canyon Watershed National Monument. Their proposal added 700,000 acres of the Kaibab National Forest to the mining withdrawal area. The North Kaibab watershed is the source for Roaring Springs and the all of Grand Canyon Village’s water, pumped to the South Rim via the trans-canyon waterline. The North Kaibab also includes significant archaeological sites, places for hunting game and traditional medicines, and springs and other areas that are sacred to native people of the region.

Opposition to the Monument

As with the 20-year mineral withdrawal, the Grand Canyon Watershed National Monument proposal has met resistance from a small but vocal minority of opponents.⁵ The Arizona Game and Fish Commission is opposed to the monument.⁶ However in 2008, their own staff analysis regarding uranium mining prompted the Commission to write Senator McCain to request that the “Arizona Congressional Delegation initiate the permanent withdrawal of mining, mineral exploration, and mineral entry” on the same public lands that are now being proposed for permanent withdrawal by presidential proclamation of a national monument.⁷

A “Policy Brief”⁸ distributed at political events discredits the Grand Canyon Watershed National Monument and the Antiquities Act that President Theodore Roosevelt used to proclaim Grand Canyon as a National Monument in 1908. Its argument against the monument is anchored in a false claim that a presidential proclamation would “federalize” Arizona’s land. However, these public lands have been federal since acquisition (please see “Six Myths”, attached).

The 1.7 million acres proposed for the monument became federal land in 1848, when Mexico ceded it to the United States. Prior to Mexican rule, the Grand Canyon was claimed by the Spanish and other Europeans. It has been home to native people throughout history. Thus, the brief misrepresents the reality of federal lands and certain rights granted to state and private entities after the United States military wrested control of those lands from Native Americans and Mexicans.

⁵ Arizonans Support Ban on Uranium Mining <http://www.grandcanyontrust.org/blog/arizonans-support-ban-grand-canyon-uranium-mining>

⁶ Arizona Game and Fish Commission, Letter to President Barack Obama, January 15, 2016. http://www.grandcanyontrust.org/sites/default/files/GC_AZG%26F_Letter_Jan_2016.pdf

⁷ Arizona Game and Fish Commission, Letter to Senator John McCain, March 17, 2008. http://www.grandcanyontrust.org/sites/default/files/gc_agfUraniumUpdate.pdf

URANIUM MINING AND ACTIVITIES, PAST AND PRESENT Update for the Arizona Game and Fish Department and Commission, May 2007. http://www.grandcanyontrust.org/sites/default/files/gc_uranium_AZGFletter.pdf

⁸ “The Proposed Grand Canyon Watershed National Monument: A Monumental Mistake?” A “Policy Brief” prepared by the Arizona Chamber Foundation/Prosper Foundation.

GREATER GRAND CANYON HERITAGE NATIONAL MONUMENT

In early 2015, Arizona Congressman Raúl Grijalva began to meet with tribal leaders about their desire to emphasize the importance of Grand Canyon watersheds to their cultural heritage within a monument proposal.

On October 12, 2015, the Congressman and tribal leaders introduced the Greater Grand Canyon Heritage National Monument Act.⁹ The language was written in collaboration with Havasupai, Hualapai, and Hopi leaders. The Navajo Nation, which banned all uranium mining on its land in 2005, joined in support along with Zuni and other tribes. While presented as legislation, the intent of the proposal is to provide specific language for consideration by the president in a proclamation under the Antiquities Act¹⁰ to preserve the Grand Canyon's rich heritage of "biological, cultural, recreational, geological, educational, and scientific values."

The proposal aims to protect 1.7 million acres of historical tribal homeland, including water sources and sacred sites (please see map below). It would make permanent the 20-year ban on new mining claims but still would allow hunting, grazing, recreation and all other uses to continue under existing laws.¹¹

All of the lands proposed for the new monument are public lands, currently managed by two federal agencies: the U.S. Forest Service and Bureau of Land Management. These two agencies would continue to manage the federal lands after the monument is designated. Wood cutting, forest thinning, hunting, camping, and other public uses would also continue under existing management plans. However, mining under the 1872 Mining Law would be discontinued. The monument would ban all new uranium claims on these public lands that surround Grand Canyon National Park.

⁹ "Grand Canyon Waters at the Abyss", Mark Udall, *New York Times*, October 14, 2015.

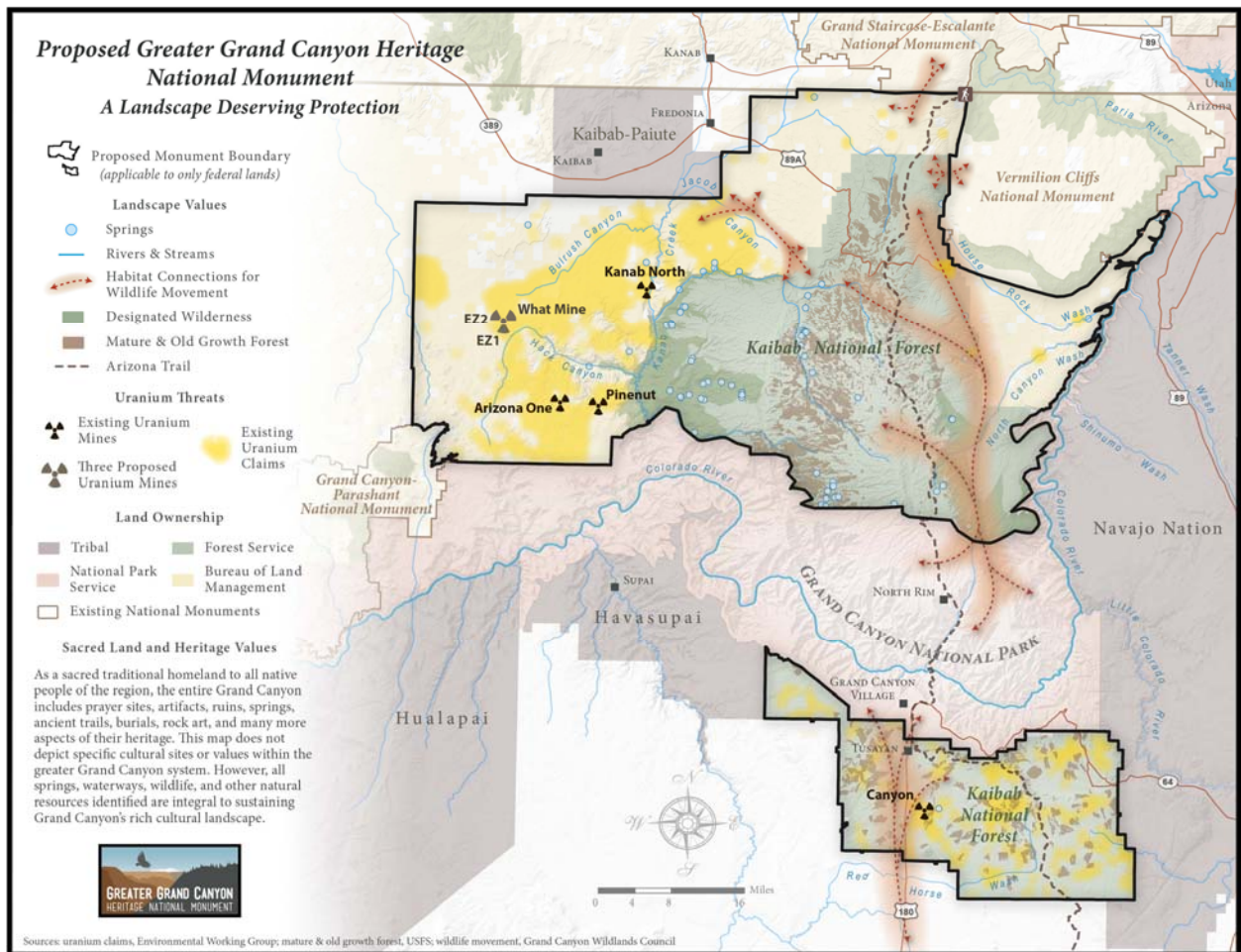
<http://www.nytimes.com/2015/10/14/opinion/grand-canyon-waters-at-the-abyss.html? r=1>

¹⁰ "Thieves of Antiquity", Roger Clark, *High Country News*, October 15, 2015.

<http://www.summitdaily.com/news/18551901-113/writers-on-the-range-thieves-of-antiquity-column>

¹¹ "Three Things You Should Know about the Greater Grand Canyon Heritage National Monument"

<http://www.grandcanyontrust.org/blog/3-things-about-new-grand-canyon-national-monument>



SUMMARY

When proclaimed, the Greater Grand Canyon Heritage National Monument **would:**

- Make permanent the 20-year ban on new mining claims that the Secretary of the Interior ordered in 2012 to protect the Grand Canyon's unique ecological, cultural, and recreational values.
- Require federal land managers to complete the new monument's management plan within three years. This would be an open, public process as set forth in the National Environmental Policy Act. It would include a more collaborative working relationship with tribes and consultation other governmental agencies and the general public.
- Direct the Interior and Agriculture secretaries to establish an Advisory Council "to oversee and collaborate on the management of tribal sites, artifacts, ancient trails, burial sites, and resources."

The Greater Grand Canyon Heritage National Monument would continue to be managed under existing laws, consistent with the monument's purposes. The monument proclamation **would not**:

- Affect existing and historical uses, including water rights;
- Close mines or claims with valid existing rights; or
- Change rules on hunting, grazing, recreation, private and state inholdings, leases, or commercial uses.

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Grand Canyon Trust supports the Greater Grand Canyon Heritage National Monument and protection of the rich cultural and natural heritage of Grand Canyon affiliated tribes who helped develop this proposal. Grand Canyon Trust is the proposed monument's largest public land grazing permittee, with more than 800,000 acres in U.S. Forest Service and BLM allotments—including permits within the Vermilion Cliffs National Monument. We understand that the bill will not affect rules governing uses such as grazing, hunting, and recreation. This proposal offers a valuable opportunity for constructive public dialogue about the value of conservation across the Greater Grand Canyon region.