

# Backroads Bastion

## Grand Canyon-Parashant National Monument Administrative History



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## Introduction

Grand Canyon-Parashant National Monument lies along the edge of the Colorado Plateau and the Mojave Desert in northwest Arizona. Adjoining Grand Canyon National Park, the Monument takes in a large sweep of rugged plateau, cliffs, and canyon country. Its 1,048,321 acres make up 1.4 percent of the state of Arizona. It is an area the size of Delaware, yet in striking contrast to Delaware's dense population of one million, this piece of Arizona contains no cities or towns. One can stand on Black Rock Mountain at the north edge of the Monument and scan the whole country to the south as far as the Grand Canyon – fifty miles – and there is not a single highway, building, parking lot, smokestack, powerline, or windmill to be seen.

Grand Canyon-Parashant National Monument was established by proclamation of President William J. Clinton on January 11, 2000. In the words of the presidential proclamation, the Monument “is a vast, biologically diverse, impressive landscape encompassing an array of scientific, and historic objects.” It contains rich archeological resources that testify to a long history of human use and cultural adaptation to a harsh environment. The area held a much greater human population in prehistoric times than it did at any time in the historic period. The Monument's historic objects include mining sites dating from the 1870s and the remains of a sawmill that once provided lumber for construction of a temple, built by the members of the Church of Jesus Christ of Latter-day Saints (Latter-day Saints), some seventy miles north in St. George, Utah. The Monument's many stark buttes, escarpments, and deep canyons feeding into the Grand Canyon reveal a colorful layering of rock formations that go back nearly two billion years in Earth's history. The Monument lies along the transition zone between two physiographic ecoregions, combining the western edge of the Colorado Plateau with the eastern edge of the Mojave Desert. As highlighted in the proclamation, “the intersection of these biomes is a distinctive and remarkable feature” where riparian corridors descending from the Colorado Plateau form pathways for wildlife movement and plant dispersal.<sup>1</sup>

Grand Canyon-Parashant National Monument lies within a geographic region known as the Arizona Strip. The Arizona Strip is that part of Arizona lying north and west of the Grand Canyon. It is about 3.5 million acres in extent, very sparsely

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<sup>1</sup> William J. Clinton, “Establishment of the Grand Canyon-Parashant National Monument,” Proclamation 7265, reproduced as Appendix A in U.S. Department of the Interior, Arizona Strip District, Bureau of Land Management and Lake Mead National Recreation Area, National Park Service, *Grand Canyon-Parashant National Monument: Record of Decision and Resource Management Plan/General Management Plan* (St. George, Utah: Bureau of Land Management, 2008), pp. A-1 to A-4.

populated, and relatively inaccessible from the rest of the state due to the physical barrier of the Grand Canyon.

The Arizona Strip's few towns include Colorado City (population 4,821) and Fredonia (population 1,314). Between the towns of Colorado City and Fredonia lies the Kaibab Indian Reservation, which recorded a population of 196 in the 2000 census. Hildale, Utah (population 2,726) lies just across the state line from Colorado City. Just over the Arizona-Nevada state line is the town of Mesquite, Nevada, population 15,276. Just over the Arizona-Utah state line due north of the Monument is the burgeoning city of St. George, Utah, with a population of around 150,000 in the city limits and adjacent communities to the north.

Because the Grand Canyon creates such an obstacle to routes of travel, the Arizona Strip is culturally and economically tied to southern Utah. St. George, Utah, is the service center for most of the Arizona Strip's rural residents, and the administrative center for virtually all federal lands in the Arizona Strip.

Few paved roads traverse the desolate Arizona Strip. A two-lane U.S. highway (US Alt Highway 89) winds through the northeast corner of the Arizona Strip and crosses the Colorado River at Marble Canyon. Interstate 15 slices across the northwest corner of the Arizona Strip about ten miles north of Grand Canyon-Parashant National Monument. The four-lane freeway follows the Virgin River where it has cut a narrow gorge through the Virgin Mountains. Altogether the Arizona Strip has just 148 miles of paved highway.

While paved highways are limited, the Arizona Strip has approximately 5,000 miles of unpaved roads. About one-fifth of the road mileage lies within the Monument. The shortest of several unpaved roads leading into the Monument (CR242) connects Mesquite to the Monument through Lime Kiln Canyon.

Driving times from St. George, Utah, to nearest big cities are another indication of the Arizona Strip's relative isolation from the rest of Arizona today. Las Vegas, Nevada is the nearest metropolitan area and is two hours away from St. George via the interstate. Flagstaff, in north central Arizona, is a long five-hour drive around the Grand Canyon. To get from the Grand Canyon National Park headquarters at South Rim to the Monument headquarters in St. George, one must drive east for 78 miles, then north for 72 miles, then west for 162 miles for a total of 312 miles – to cover a straight-line distance of about 100 miles. To drive the roads forming a complete loop around the Grand Canyon, crossing the Colorado River at Marble Canyon on the upper end and crossing the river below the Hoover Dam on the lower end, takes nearly twelve hours – all on fast, open road.

Modern transportation has collapsed distances. In pioneer days, the yawning expanse of the Grand Canyon made the Arizona Strip even more “a land apart.” In the late eighteenth and early nineteenth centuries, pathfinders gave the Grand Canyon a wide berth. The Old Spanish Trail made a wide detour northward around the Grand Canyon. Transcontinental railroad surveys went either north or south of it.

As Latter-day Saints colonized the northern edge of the Arizona Strip, resident Southern Paiutes adapted to changing circumstances by taking jobs on Latter-day

Saint farms and in related industries. Stock growers moved into the area in the late nineteenth century. Finally, around 1916, homesteaders attempted to establish dry farming in the Wolf Hole, Mainstreet and Upper Hurricane valleys, which lie between St. George and the present north boundary of the Monument. In the period between the world wars, the rugged country abutting the north rim of the Grand Canyon became one of the last homesteading frontiers in the United States. By then, the area had become connected by primitive roads to the world beyond, but a trip into town was still an all-day or overnight affair. Most of the homesteads were abandoned after a few decades.

Most of the Arizona Strip is now comprised of federally managed lands administered by four federal agencies: the National Park Service (NPS), the Bureau of Land Management (BLM), the Bureau of Reclamation (BOR), and the U.S. Forest Service (USFS). The Monument shares the area with Grand Canyon National Park (NPS), Lake Mead National Recreation Area (NPS/BOR), Pipe Spring National Monument (NPS), Vermilion Cliffs National Monument (BLM), the Kaibab National Forest (USFS), and the Arizona Strip Field Office (BLM). Additional federal units in neighboring southern Utah include Zion National Park, Glen Canyon National Recreation Area, Grand Staircase-Escalante National Monument, the Dixie National Forest, and the BLM Cedar City District. Other federal partners in the area include the Bureau of Indian Affairs (BIA), U.S. Fish and Wildlife Service (USFWS), and Natural Resources Conservation Service (NRCS).

Grand Canyon National Park is the heavyweight in this circle of federal entities. As one of the most visited national parks in the nation and an acknowledged crown jewel in the National Park System, it has the largest budget and staff of all federal areas within the state of Arizona and receives the most attention from the Arizona state governor and congressional delegation. It is also the oldest federally protected area in the region. Federal efforts to preserve the natural and cultural resources of the Grand Canyon began with the scientific expedition of Major John Wesley Powell in 1871 and continued through the establishment of the Grand Canyon Forest Reserve in 1893, the establishment of Grand Canyon National Game Preserve in 1906, and the establishment of Grand Canyon National Monument in 1908. The national monument was converted to a national park in 1919; and additions to the park were made in 1932 and 1975. Grand Canyon National Park became a UNESCO World Heritage Site in 1979. Grand Canyon National Park's remote Tuweep Ranger District abuts the east edge of Grand Canyon-Parashant National Monument, and park visitors driving the primitive road out to Toroweap Overlook inside the national park go through the east edge of the Monument to get there. Grand Canyon National Park and the Monument share a long, meandering boundary along the north rim of the canyon from a point east of Toroweap Overlook to Lake Mead.

Lake Mead National Recreation Area is another high-profile NPS site with a large operating budget and staff. The impressive, historic Hoover Dam and placid waters of Lake Mead attract about as many visitors as Grand Canyon National Park. The BOR completed the Boulder Dam (as it was then called) in 1935, and one year later the NPS assumed responsibility over the Boulder Dam National Recreation Area. (The name was changed to Lake Mead National Recreation Area in 1947.) The NPS

and the BOR cooperatively manage the area and facilities, with the latter maintaining control of the dam and reservoir while the NPS manages the land area around the dam and reservoir as well as recreational use on the artificial lake. The arrangement became the template for other national recreation areas established in conjunction with federal dam projects. Glen Canyon National Recreation Area was established upstream on the Colorado River in 1958 following the completion of the Glen Canyon Dam and the creation of Lake Powell.

A third unit of the National Park System, Pipe Spring National Monument, contains just forty acres of land within the boundaries of the Kaibab Indian Reservation. Established in 1923, the site preserves the remains of a historic Latter-day Saint ranch that held a central place in the development of Latter-day Saint-Paiute relations in the late nineteenth century.

The Forest Service presence in the Arizona Strip is diminished compared to what it was historically. The Forest Service played an important role in managing natural resources on the Arizona Strip in the early period of industrial use of the area by timber and grazing interests. The Forest Service imposed regulations on timber cutting, and it inaugurated a program of fire suppression. Forest Service rangers worked with local ranchers in implementing early efforts to regulate grazing use. To abet the livestock industry, the Forest Service supported efforts to eliminate livestock predators. The destruction of wolves and mountain lions in the area contributed to an overpopulation of deer on the Kaibab Plateau that culminated in a dramatic die-off in the 1920s. Scientific studies and legal briefs surrounding the collapse of the Kaibab deer herd made that event into an important milestone in wildlife management. Today, the Kaibab National Forest takes in lands on the Kaibab Plateau along with other lands south of the Grand Canyon. However, Forest Service administration of lands now within the Monument ended in 1916, when President Woodrow Wilson signed an order that turned portions of the Dixie National Forest within the Arizona Strip back to the public domain. Today, the Dixie National Forest is limited to southeast Utah.

The Bureau of Land Management is the other federal agency with a large presence in the Arizona Strip. The BLM's history in the region is in some ways the inverse of the Forest Service's; while national forest lands in the area have diminished, public lands receive as much attention as ever and the BLM has taken a more conspicuous role within the federal family of land management agencies. The Bureau of Land Management was formed in 1946 when President Harry S Truman combined the U.S. Grazing Service and the U.S. General Land Office (GLO). From 1946 to 1976, the BLM was oriented to managing lands for grazing and mining use, and to continuing the legacy of the GLO as the real estate broker for public lands. With the Federal Land Policy and Management Act of 1976 (FLPMA), the BLM acquired a multiple-use mission including recreation management and conservation of protected lands. As an official history of the agency said of FLPMA's significance for the BLM, "The Bureau was now in the big leagues." The BLM's management of conservation lands began modestly with two national conservation areas in California, and it soon came to include more national conservation areas as well as designated wilderness areas in the National Wilderness Preservation System, and later, national monuments. The BLM's first national monument was Grand Staircase-Escalante in southern Utah,

established in 1996. Both Grand Canyon-Parashant National Monument and Vermilion Cliffs National Monument were proclaimed in 2000.<sup>2</sup>

Bruce Babbitt, Democratic governor of Arizona from 1978 to 1987, and secretary of the interior in the Clinton administration from 1993 to 2000, is a central figure in the story of Grand Canyon-Parashant National Monument. As governor, he worked closely with the BLM when it was first rising to the challenge of its new mission under FLPMA. As secretary of the interior, Babbitt sought to transform the BLM into a leading conservation agency. On Babbitt's initiative, President Clinton used his executive authority under the Antiquities Act of 1906 to proclaim Grand Staircase-Escalante National Monument in 1996. Controversial for its large size and the way it was proclaimed by executive fiat, Grand Staircase-Escalante was BLM's first test of managing a national monument. The negative public reaction to Grand Staircase-Escalante notwithstanding, Babbitt saw national monuments as an effective way to change BLM's culture and integrate the bureau into his broader vision of protecting whole landscapes and managing whole ecosystems. Rather than shrink from making further controversial use of the Antiquities Act, Babbitt worked with President Clinton to prepare a further eighteen national monument proclamations – more than any other previous president – which were all issued during the last year of the Clinton administration. Eleven of the eighteen were BLM national monuments and two, Craters of the Moon in southern Idaho and Grand Canyon-Parashant, were joint BLM and NPS national monuments.

Consistent with these measures, Babbitt announced in March 2000 that he was creating the National Landscape Conservation System for BLM. Like the BLM monuments, the conservation system would be a catalyst for transforming the agency, in Babbitt's view. He believed the BLM was uniquely positioned to emerge as a new leader in federal conservation efforts because it administered so much land – nearly a quarter of all land in the West. “In the twenty-first century,” Babbitt stated, “BLM...can become the greatest modern American land management agency, the one that sets the standard for protecting landscapes, applying evolving knowledge and social standards, and bringing people together to live in harmony with the land.”<sup>3</sup> It was against this backdrop of new expectations for the BLM that Babbitt conceived of Grand Canyon-Parashant National Monument as an area that would combine BLM lands in the Arizona Strip with lands in Lake Mead National Recreation Area, bringing the two sister agencies together to cooperatively manage the area.

Grand Canyon-Parashant National Monument takes in 208,447 acres of land administered by the NPS and 808,744 acres of land administered by the BLM. Babbitt's objective in combining lands administered by two agencies into one designated national monument was to drive home the idea of Grand Canyon-Parashant

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<sup>2</sup> Elena Daly and Geoffrey B. Middaugh, “The Antiquities Act Meets the Federal Land Policy and Management Act,” in *The Antiquities Act: A Century of American Archaeology, Historic Preservation, and Nature Conservation*, edited by David Harmon, Francis P. McManamon, and Dwight T. Pitcaithley (Tucson: University of Arizona Press, 2006), 222-27; James Muhn and Hanson R. Stuart, *Opportunity and Challenge: The Story of BLM* (Washington: U.S. Department of the Interior, Bureau of Land Management, 1988), 158.

<sup>3</sup> Daly and Middaugh, “The Antiquities Act Meets the Federal Land Policy and Management Act,” 228.

as an entity or whole unit for preservation. However, rather than transfer lands from one agency to the other and assign administration to a single agency, the presidential proclamation established joint management. The idea was to have the NPS and the BLM cooperatively manage the area so that each agency “could learn from the other’s strengths.”<sup>4</sup> The vision for how the Monument would be managed embraced both the preservationist mission of the NPS and the multiple-use orientation of the BLM. Monument management would protect the Colorado River and Grand Canyon watershed, and it would also allow for continuation of grazing use by ranchers and recreational use of the area’s extensive network of primitive roads. While each agency would emphasize its own way of doing things where appropriate, there was an expectation that Monument management would be “seamless” as far as the public was concerned.

The experiment in cooperative management of an area by the NPS and the BLM was unprecedented when it was inaugurated in January 2000, and it remains virtually one of a kind at this writing, notwithstanding the one other NPS-BLM joint national monument: Craters of the Moon National Monument in Idaho.<sup>5</sup> At the newly created Grand Canyon-Parashant National Monument, co-management started with joint planning and expanded into combined staffing and complementary budgeting. Four years on, there was a realignment of the Monument’s organizational structure. Instead of a BLM monument manager who was nominally at the head of a combined BLM and NPS staff, each agency appointed a co-equal monument manager or superintendent to share executive authority over an integrated BLM and NPS staff. The total number of staff has remained at around twenty, but as the two agencies’ priorities changed the NPS staff came to outnumber the BLM staff. Currently, sixty percent of the staff are employed by NPS.

The NPS commissioned this administrative history of Grand Canyon-Parashant National Monument in part to provide a timely historical analysis of the Monument’s ongoing experiment in co-management. While the organizational culture around co-management continues to evolve, enough experience has been gained by now to permit a preliminary historical assessment. This administrative history also fits into the NPS administrative history program, which falls under NPS-28 Cultural Resource Management Guideline. The program seeks to complete an administrative history of each unit in the National Park System. The standard administrative history addresses how a national park or equivalent unit was conceived and established and how it has been managed to the present day. The primarily internal audience for an administrative history consists of the unit’s managers, planners, and interpreters. The external audience includes researchers and partners and members of the public who would like

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<sup>4</sup> Darla Sidles and Dennis Curtis, “Co-Managed Monuments: A Field Report on the First Years of Grand Canyon-Parashant National Monument,” in *The Antiquities Act: A Century of American Archaeology, Historic Preservation, and Nature Conservation*, edited by David Harmon, Francis P. McManamon, and Dwight T. Pitcaithley (Tucson: University of Arizona Press, 2006)2, 235.

<sup>5</sup> Cooperative management at the other BLM-NPS joint national monument has a different cast. There, a 754,863-acre Craters of the Moon National Monument was established on BLM lands adjacent to the existing Craters of the Moon National Monument administered by the NPS. The fact that the NPS unit was already well established – dating from 1924 – caused co-management to develop differently in that setting, with NPS and BLM management being more aligned than integrated.

to know more about their nearby public lands. Typically, the history delves into significant issues in planning, land acquisition, development, public relations, and natural and cultural resources management.

The authors stress that this administrative history seeks to provide a balanced, analytical narrative of NPS and BLM involvement in Grand Canyon-Parashant National Monument. This administrative history has three major goals: (1) to place the story of the Monument's origins in the context of its unique geographic and historical setting; (2) to provide a historical analysis of the Monument's unusual feature of co-management, and (3) to highlight issues of ongoing management concern.

The authors conducted most of the research for this study in April and May 2016. During that time, they reviewed administrative records held at the Monument office, the BLM Arizona Strip District Office, and Lake Mead National Recreation Area, and conducted oral history interviews with current and retired NPS and BLM employees and people in partnering organizations. They acquired some firsthand exposure to Monument lands in three guided field trips to the Mount Trumbull area, Mount Dellenbaugh area, and Black Rock Mountain Lookout/Lime Kiln Canyon areas.

The authors made a second research trip to Arizona in February 2017, at which time they conducted research at the NPS Western Archeological and Conservation Center and met and interviewed former Grand Canyon National Park Superintendent Rob Arnberger. They interviewed former Secretary of the Interior Bruce Babbitt by telephone.

The most important sources for this study were as follows:

- Oral history interviews with 30 individuals, whose names are listed in the bibliography.
- The Grand Canyon-Parashant National Monument (PARA) administrative files. Held at the Monument, the files are in two chronological series spanning the early twentieth century to December 1999 and 2000 to 2010 and consist of official correspondence, memoranda, reports, and emails mostly covering the years 1998-2008. While weighted toward the NPS role and perspective, the collection includes abundant records of the BLM role and perspective, too.
- Arizona Strip RMP BLM Administrative Record. Held at the Arizona Strip District Office, it consists of official records generated during the Monument planning effort and compiled in response to litigation over the Monument plan. The record is weighted toward the BLM role and perspective, but also includes abundant records of the NPS role and perspective.
- Due to the co-management structure of the Monument organization, the Monument as yet has no complete central administrative files other than what are contained in the library. Consequently, several staff made their office files available for this study. Those individuals' files are listed in the bibliography.

The administrative history of Grand Canyon-Parashant National Monument mainly spans the years 1998 to 2018. In November 1998, Secretary of the Interior Bruce Babbitt announced his desire to establish a national monument centering on the Shivwits Plateau. Fourteen months later, on January 11, 2000, President Clinton proclaimed the Monument. The history of the Monument's origins in the short period from November 1998 to January 2000 and its management since 2000 flows from the long history of human occupation and use of the area prior to 1998, so the study begins with a broad sketch of that pre-Monument history.

# 1

## Pre-National Monument

### American Indian Occupation and Use

Humans have occupied the area of Grand Canyon-Parashant National Monument for thousands of years. There is archeological evidence of human occupation on the Arizona Strip dating from as long as 8,000 years ago, and there is a strong possibility that hunting groups moved through the area of the Monument perhaps 12,000 years ago. Despite the scarcity of water, early peoples adapted to life in this dry land and thrived. Across the millennia, resident peoples developed a variety of subsistence strategies for hunting and gathering and growing plant food. They practiced horticulture, developed basketry and pottery, built permanent dwellings and food storage facilities, and altered their social organization and settlement patterns to adapt to changing climate and environmental conditions. For many hundreds of years before the arrival of Europeans in North America, a much larger human population lived in the Monument area than the resident population of the post-contact period or of recent times. This is known from the many archeological sites recorded in the area.<sup>1</sup>

The Monument area lies near the westernmost reach of an ancient culture sometimes called Anasazi, ancestral Puebloan, or Hisatsinom.<sup>2</sup> Important components of this culture included an emphasis on maize agriculture, development of pottery, construction of pit houses and kivas, and support of vigorous trade networks across a wide section of the American Southwest. In its later phase, the culture developed the distinctive pueblo style of architecture so renowned from sites at Mesa Verde, Canyon de Chelly, Chaco Canyon, and elsewhere, though on a much smaller scale. The people of this culture who occupied the Arizona Strip region, traditionally called the Virgin Anasazi after the Virgin River, were a Hisatsinom people. Their territory was bounded

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<sup>1</sup> Jeffrey H. Altschul and Helen C. Fairley, *Man, Models and Management: An Overview of the Archaeology of the Arizona Strip and the Management of its Cultural Resources*, report prepared for USDA Forest Service and USDI Bureau of Land Management by Statistical Research, Plateau Archaeology, and Dames & Moore, Inc. (Washington, D.C., Bureau of Land Management, 1989), 85; David Van Alfen, interview by Diane L. Krahe, April 14, 2016.

<sup>2</sup> The term Anasazi, long in use, has mostly fallen out of favor. Invented by Navajos working in archeological field crews, some Puebloan speakers find the Navajo term offensive. Long translated into English as “Old Ones,” the Navajo root words are closer to “decayed” or “scattered” and “enemy” or “alien” or “non-Navajo.” The term Hisatsinom is preferred by some Puebloan speakers and will be used here. As it is a Hopi word and is not shared by all Pueblo dialects, it may not be the preferred term in all contexts. (Craig Childs, “Anasazi: What’s in a Name?” *High Country News*, October 3, 2005.)

by the Grand Canyon to the south, Basin and Range country to the west and north, and the Kayenta Plateau to the east. These westernmost Hisatsinom or ancestral Puebloans interfaced with Fremont peoples, who adopted maize agriculture and pottery from them and carried those cultural forms into the eastern Great Basin.<sup>3</sup>

The Hisatsinom culture on the Arizona Strip faded away sometime after about 1250 A.D., and ancestral Paiutes emerged as the dominant people in the area by about 1300 A.D. Various theories have been proposed to explain this transition. One theory holds that a prolonged drought in the region undermined the agricultural base of Puebloan culture and caused the population to move eastward to join similar Puebloan groups. When crops failed, and springs dried up, the many pueblos on the Colorado Plateau had to be abandoned. After a hiatus of around 50 years, the drought-stricken region was repopulated by ancestral Paiutes from the west.<sup>4</sup>

Another group of theories suggests that ancestral Paiutes forced the Puebloans out of the area. The ancestral Paiutes were a Numic-speaking people whose hunting and gathering mode of subsistence and elastic social organization made them proficient inhabitants of marginal environments. According to this group of theories, ancestral Paiutes invaded the area from the west/southwest and pushed out the Hisatsinom either through small-scale violent conflict or usurpation of the available wild resources. The theory perhaps finds support in a Southern Paiute oral tradition that implies that the Hisatsinom were forced to retreat across the Colorado River. It is also consistent with the long tradition of conflict, as well as trade, between the Southern Paiute and Hopi, a Puebloan people who came to reside in northeast Arizona. However, other scholars have maintained that there is no Southern Paiute oral tradition to suggest that people were created anywhere but in their present territory.<sup>5</sup>

Still a third theory supposes that the Hisatsinom never did abandon the area; rather, they underwent a cultural transformation and are the same people later identified in the area as Southern Paiutes. The cultural transformation was precipitated by drought, which destroyed the agricultural base and led to a resumption of hunting and gathering and associated forms of social organization. Many Southern Paiutes favor this interpretation and maintain that their people are descendants of people who lived in the area since time immemorial. A variant of this theory is that the Hisatsinom dispersed in several directions, some groups joining Puebloans to the south and east, and other groups merging with their Fremont neighbors to the north or Numic-speaking peoples to the west. The question of what became of the Hisatsinom or ancestral Pueblo on the Colorado Plateau has vexed archeologists for a long time, and the fate of the westernmost Puebloans remains a part of that larger unresolved issue.<sup>6</sup>

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<sup>3</sup> Margaret M. Lyneis, "The Virgin Anasazi, Far Western Puebloans," *Journal of World Prehistory* 9, no. 2 (June 1995), 199-201.

<sup>4</sup> Altschul and Fairley, *Man, Models and Management*, 139-44.

<sup>5</sup> Altschul and Fairley, *Man, Models and Management*, 143-44; Robert C. Euler, "Southern Paiute Archaeology," *American Antiquity* 29, no. 3 (January 1964), 379-81; Richard W. Stoffle and Maria Nieves Zedeño, "Historical Memory and Ethnographic Perspectives on the Southern Paiute Homeland," *Journal of California and Great Basin Anthropology* 23, no. 2 (2001), 229.

<sup>6</sup> Altschul and Fairley, *Man, Models and Management*, 144; Lyneis, "The Virgin Anasazi, Far Western Puebloans," 233-34; Van Alfen interview.

In contrast with the sedentary lifeways of the Hisatsinom, Numic-speaking peoples kept on the move to take advantage of seasonal availability of plant resources. Their mobile foraging strategies precluded them from maintaining fixed settlements or transporting significant amounts of pottery and stone tools from camp to camp. They did not build enduring architectural structures or develop an elaborate tradition of ceramics or stone tools. Numic-speaking peoples did develop a distinctive form of basketry, which involved techniques of coiling and twining that set it apart from Fremont and ancestral Puebloan basketry. Numic-speaking peoples' architecture was characterized by temporary conical shelters made of brush. Numic speakers' pottery, simpler in form than ancestral Puebloan pottery and diagnostic of Numic-speaking peoples' occupation, is not common in the archeological record. Numic-speaking peoples made opportunistic use of former ancestral Puebloan dwellings, stone tools, and pottery. Consequently, much of the archeological evidence for Numic-speaking peoples' occupation consists of an overlay on the older ancestral Puebloan sites. Archeologists Jeffrey H. Altschul and Helen C. Fairley commented on the dearth of recorded Paiute archeological sites in their 1989 overview of the archeology of the Arizona Strip: "The perishable nature of most Numic artifacts, the lack of stylistic development in nonportable goods, the opportunistic use of raw materials and existing Anasazi artifacts, and the transiency of most site occupations make the identification of Numic occupations in the archaeological record exceedingly difficult."<sup>7</sup>

The basic socioeconomic unit of Southern Paiutes was the family. Several related families would associate in a band. The importance of the band as a sociopolitical division among Southern Paiutes has been debated among scholars. Some argue that the band constituted a more significant entity prior to European contact, after which disruptive influences led to the disintegration of bands into smaller units. Other scholars contend that the band concept is mostly conjectural and not supported in the archeological record. Anthropologist Isabel T. Kelly conducted extensive interviews with Southern Paiutes from 1932 to 1934. Based on her informants' testimony as well as her mapping of various Southern Paiute dialects, Kelly identified fifteen historical Southern Paiute bands and delineated each band's territory. According to Kelly's scheme, four bands' territories overlapped with Grand Canyon-Parashant National Monument. From east to west they were the Kaibab, Uinkaret, Shivwits, and Moapa bands. The Kaibab band's territory centered on the Kaibab and Kanab plateaus east of the Monument but bordered on Monument lands around Mt. Logan and Mt. Trumbull. The Uinkaret band's territory extended from the Uinkaret Plateau in the north to the Mt. Trumbull area in the south. The Shivwits band's territory extended from the Hurricane Cliffs westward across the Shivwits Plateau to the Grand Wash. The Moapa band's territory mostly lay west of Monument lands but took in the Virgin Mountains. Sometime between the ethnographic studies of John Wesley Powell in the 1870s and those of Kelly in the 1930s, the Uinkaret band

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<sup>7</sup> Altschul and Fairley, *Man, Models and Management*, 151.

ceased to exist, its territory and surviving members being absorbed by adjacent bands. The Kaibab, Shivwits, and Moapa bands are all still extant.<sup>8</sup>

Southern Paiutes practiced horticulture to a limited extent. Powell, on his exploration of the Colorado River in 1869, reported on a small squash garden cultivated by Uinkaret Paiutes near the mouth of either Whitmore or Parashant Wash. According to information provided to Kelly, the Kaibab Paiutes began practicing horticulture only after the arrival of Latter-day Saint settlers; however, ethnographers Richard W. Stoffle and Michael J. Evans found evidence that Kaibab Paiutes were cultivators much earlier in the Spanish period. The emphasis on horticulture varied from band to band. The Moapa and St. George bands built irrigation works and tended extensive corn fields along the Santa Clara and Virgin rivers. The Kaibab and Uinkaret, by contrast, showed only a minor interest in cultigens. In general, within each band some families practiced horticulture, and some did not.<sup>9</sup>

The arrival of the Spanish in the American Southwest had disastrous consequences for Southern Paiutes. Even before the Spanish and Southern Paiutes were in direct contact, European diseases swept through the region with lethal results. Infectious diseases were carried across the Atlantic on Spanish ships, introduced into an American Indian population with no previous exposure or natural immunity to the diseases, and transmitted from tribe to tribe in so-called “virgin soil epidemics.” A smallpox epidemic is thought to have spread from Aztec Mexico to the American Southwest as early as the 1520s. Epidemics killed untold numbers of American Indians and sometimes wiped out entire groups. Deadly diseases also weakened indigenous peoples’ defenses against other onslaughts, including wars over territory, capture and enslavement, disruptions to their resource base, and challenges to their native religion and traditional way of life. These factors combined to cause a drastic reduction of population. Precise population estimates and mortality rates are impossible to come by, but scholars have tried in some way to measure the effects of European contact on American Indian peoples’ numbers. Stoffle and Evans estimated that European contact reduced the population of Kaibab Paiutes from around 5,500 to between 1,206 and 1,825 people, which would constitute a reduction of somewhere between 66 and 78 percent.<sup>10</sup>

Southern Paiutes also fell prey to slave raids by Navajos and Utes, who sought captives to enslave for their own household use or to sell as human chattel to the Spanish. The slave market put the highest value on girls. The slave trade flourished during the Spanish period and continued into the Mexican period, when Hispanic and Anglo traders joined in the assault. American traveler Thomas Farnham wrote in the 1840s that Paiutes were “hunted in the spring of the year, when weak and helpless, by

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<sup>8</sup> Isabel T. Kelly, “Southern Paiute Bands,” *American Anthropologist* New Series 36, no. 4 (October-December 1934), 548-55.

<sup>9</sup> Richard W. Stoffle and Michael J. Evans, “Resource Competition and Population Change: A Kaibab Paiute Ethnohistorical Case,” *Ethnohistory* 23, no. 2 (Spring 1976), 175-76; Altschul and Fairley, *Man, Models and Management*, 150.

<sup>10</sup> Stoffle and Evans, “Resource Competition and Population Change: A Kaibab Paiute Ethnohistorical Case,” 173-80.

a certain class of men, and when taken, are fattened, carried to Santa Fe and sold as slaves during their minority.”<sup>11</sup>

Southern Paiutes suffered further calamities during the period of American settlement in the mid to late nineteenth century. Latter-day Saint colonists encroached on Southern Paiute lands, claiming the most well-watered lands for their agriculturally based colonies. As Southern Paiutes retreated into the more arid spaces to avoid conflict with the white settlers, they were deprived of key resources and confronted by starvation. The newcomers grazed livestock on the open range and allowed the cattle to concentrate around natural springs, which degraded the environment and further impinged on the Paiute resource base. Paiute child mortality soared, while the overall population plummeted. Among the Kaibab Paiutes, the population declined from about 1,175 to 207, according to a census in 1873.<sup>12</sup>

The Latter-day Saint settlements in southern Utah and on the Arizona Strip became targets of Navajo and Ute raids during the 1860s. Southern Paiutes, being in desperate straits, occasionally joined with Navajos and Utes on their raids of Latter-day Saint settlements, plundering livestock and crops to make up for deficits in their traditional resource base. As time went on, more and more Southern Paiutes cast their lot with the Latter-day Saint colonists against the Navajo and Ute, joining in the defense of Latter-day Saint communities. Pioneer Jacob Hamblin actively pursued friendly relations between the Latter-day Saints and the Paiutes. He was more successful in cultivating an alliance with the Kaibab Paiutes than the Shivwits Paiutes. In exchange for their friendship, the Paiutes received food and shared in the mutual protection from Navajo and Ute raiders. Many Paiutes became nominal converts to the Latter-day Saint church to reinforce their alliance and obtain more aid.<sup>13</sup>

Once the Navajos and Utes were subjugated by the U.S. military and the Paiutes were no longer important to the defense of the Latter-day Saint settlements, the Paiutes faced mounting resentment from Latter-day Saint settlers who came to regard them as paupers, beggars, and thieves. The whites' hostility toward natives intensified when sheepherders moved into the region in the 1880s. The sheepherders did not feel any obligation to the Paiutes for their past protection of the white settlements, and they were quick to attribute loss of an animal to Paiute poaching. By the late 1880s, Latter-day Saint church leaders sided with settlers' demands that the federal government act to remove the Paiutes from around the white settlements and put them on reservations.<sup>14</sup>

The federal government established a large reservation for Southern Paiutes on the Moapa River in southern Nevada in 1873. The Moapa band moved to the reservation, and other Paiutes tentatively followed them there. But as some bands

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<sup>11</sup> Carling and A. Arline Malouf, “The Effects of Spanish Slavery on the Indians of the Intermountain West,” *Southwestern Journal of Anthropology* 1, no. 3 (Autumn 1945), 381-82; Farnham quoted in Altschul and Fairley, *Man, Models and Management*, 160.

<sup>12</sup> Stoffle and Evans, “Resource Competition and Population Change: A Kaibab Paiute Ethnohistorical Case,” 181.

<sup>13</sup> Altschul and Fairley, *Man, Models and Management*, 166-68, 182-84.

<sup>14</sup> *Ibid.*, 182-85.

proved unwilling to settle on the Moapa Reservation, Congress drastically reduced the reservation from 3,900 square miles to a mere 1,000 acres in 1875. In the late 1880s, the Shivwits band relocated from the Arizona Strip to the Santa Clara River, across the state line in Utah, at the invitation of Latter-day Saint rancher Anthony W. Ivins, who was then mayor of St. George. In 1891, the federal government established a small reservation in that location and granted funds to purchase farm implements and build a school for the Shivwits band. The reservation lacked water rights, so the community was slow to develop farming. Meanwhile, the Kaibab band came to reside around Moccasin Spring and Pipe Spring. In the early 1900s, rancher Jonathan Heaton and his seven sons acceded to a request by the Latter-day Saint church that they share the water right attached to their Moccasin Spring ranch with about 100 struggling Kaibab farmers. In 1906, the Heaton family bought the Pipe Spring ranch and provided water for the Kaibab at that location, too. In 1907, the federal government established a small reservation for the Kaibab band at the latter location. Both the Shivwits and Kaibab reservations were subsequently expanded.<sup>15</sup>

Some Paiutes continued living in remote areas of the Arizona Strip and pursuing their traditional subsistence rounds, or they supplemented those activities with intermittent wage work on ranches. Whites moving into the area recorded the presence of Paiute camps of two or three families through the 1870s and 80s. The Paiute camps gradually disappeared during the closing decades of the nineteenth century as whites increasingly took control of the area for livestock range.<sup>16</sup>

### **Euro-American Exploration and Settlement**

The Dominguez-Escalante expedition skirted the edge of Grand Canyon-Parashant National Monument in 1776. The twelve-member expedition was led by Fray Atansio Dominguez, chief inspector of the Franciscan missions in New Mexico, and Fray Silvestre Velez de Escalante, former head of the Spanish mission to the Zuni Pueblo. The expedition aimed to establish an overland route from Santa Fe to Monterey, capital of Alta California. The expedition departed Santa Fe on July 29, 1776 and turned back short of its objective in northwest Utah. On the return trip, the expedition journeyed up the Hurricane Valley and turned east about ten miles north of the present Monument. Fairley wrote in *Man, Models and Management*:

On October 17, they proceeded through Black Rock Canyon and emerged into Lower Hurricane Valley. Diamond Butte, Solitaire Butte, and Mt. Dellenbaugh were in their view. The expedition continued about 8.5 leagues (41 km) along the base of the cliffs, and veered eastward up an arroyo bed and swung south up a branch for approximately 100 m to the first landing on the

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<sup>15</sup> W. Paul Reeve, *Making Space on the Western Frontier: Mormons, Miners, and Southern Paiutes* (Urbana: University of Illinois Press, 2006), 55-57; Washington County Historical Society, "The Shivwits Band of Paiute Indians of Utah," at [wchsutah.org/people/shivwits-band.php](http://wchsutah.org/people/shivwits-band.php) <May 30, 2017>; David Lavender, *Pipe Spring and the Arizona Strip* (Springdale, Utah: Zion Natural History Association, 1984), 42.

<sup>16</sup> Martha C. Knack, *Boundaries Between: The Southern Paiutes, 1775-1995* (Lincoln: University of Nebraska Press, 2001), 127.

mesa, where they continued upslope to a second landing. Camp was made at a dry arroyo running west from the mesa top. This camp on top of Hurricane Cliff was named San Angel.

On October 18, the party traveled east southeast. As they were looking for water they observed “five Indians spying on us from a small but high mesa” and when Escalante could not convince the Indians to join them, the Franciscans climbed the little hill to talk with them. After promising to trade cloth to the Indians, they were guided about a league south to an arroyo “where deep holes held two large pools of water.” Camp San Samuel was made at the mouth of Bobcat Canyon.<sup>17</sup>

Efforts to establish communications between Santa Fe and Monterey were renewed after Mexico gained independence from Spain in 1821. On his expedition from northern Utah to California in 1826, American trapper Jediah Smith followed the course of the Virgin River from the mouth of the Santa Clara to its junction with the Colorado River. Passing through the Virgin River Gorge, Smith and his men had to walk several difficult miles in the riverbed. The next year, Smith pioneered a route over the Beaver Dam Mountains to bypass the Virgin River Gorge. Two years later, Mexican trader Antonio Armijo led a pack train from Santa Fe to California and back, traversing the Arizona Strip near the present Utah state line. As more traders followed in Armijo’s footsteps, the route became known as the Old Spanish Trail.<sup>18</sup>

In the middle decades of the nineteenth century, the U.S. government sponsored numerous explorations and surveys of the Trans-Mississippi West. Army explorer John C. Fremont picked up the Old Spanish Trail and followed the Virgin River in 1844. No other federally sponsored expeditions in this era approached Monument lands, for the region was known to be arid and inhospitable to settlement and inaccessible because of the Grand Canyon. After Fremont, no further official exploration was made of the region until John Wesley Powell’s topographic survey in 1872-73. In the meantime, the Latter-day Saints probed into the region from their base of settlements in southern Utah. From 1858 to 1862, pioneer and missionary Jacob Hamblin explored the Arizona Strip, locating water sources, wagon road routes, and suitable places for ferry crossings on the Colorado River.<sup>19</sup>

William B. Maxwell founded a ranch on Short Creek, near today’s Colorado City, in 1862. Dr. James Whitmore founded one at Pipe Spring the next year. Two brothers named Randall and Woodruff Alexander and a man named Rhodes established a ranch at Moccasin Spring the year after that. All three ranches were abandoned in the face of Navajo and Ute raiding soon thereafter. Whitmore and a relative, Robert McIntyre, were killed in a raid in January 1866. The killings precipitated a cycle of revenge murders between Latter-day Saints and Indians. Local Paiutes were soon drawn into the conflict, but Hamblin intervened to restore peace and trust between the white settlers and the Paiutes. Meanwhile, Erastus Snow, a Latter-

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<sup>17</sup> Altschul and Fairley, *Man, Models and Management*, 155-56.

<sup>18</sup> Altschul and Fairley, *Man, Models and Management*, 157; Dale L. Morgan, *Jedediah Smith and the Opening of the West* (Lincoln: University of Nebraska Press, 1953), 198, 237-38.

<sup>19</sup> Altschul and Fairley, *Man, Models and Management*, 161-64.

day Saint church leader in St. George, ordered ranchers to round up their cattle and move them nearer to settlements around St. George, which were shielded by militia. Over the next three years, as militia went in pursuit of Navajo and Ute raiders, the Latter-day Saints acquired a much more detailed knowledge of horse trails and water holes on the Arizona Strip. After the danger from Navajo and Ute raids passed, the Latter-day Saints moved expeditiously to settle the area with more ranches.<sup>20</sup>

In 1869, John Wesley Powell made his first adventurous trip down the Colorado River. The privately funded expedition consisted of ten men in four boats with Powell commanding. By the time the expedition reached the area of the Monument, one boat had been dashed to pieces in a rapid and one man had quit the party. Near Surprise Canyon, three more members of the expedition deserted. William Dunn and two brothers, Seneca and O. G. Howland, hiked out of the Grand Canyon, never to be seen again. Later, the missing men were reported to have been killed by Paiutes, victims of the still smoldering violence between Paiutes and Latter-day Saints. Powell later accepted that verdict, but historians believe that the circumstances around the case admit various possibilities including the possibility that Latter-day Saints killed them. The Latter-day Saints did not want U.S. officials surveying the land they hoped to make their own nation. Dunn's name, the word "water," and an arrow pointing north are scratched in a rock near the summit of Mt. Dellenbaugh, which some have assumed to be a hoax, and others have taken as evidence that the three men got that far, at least, before meeting their ultimate demise.<sup>21</sup>

Powell's second expedition down the Colorado River in 1871-72 featured congressional funding for a topographical survey of the river and surrounding country. The surveyors established a dozen triangulation stations on top of buttes and other eminences on the Arizona Strip. Ironically, Powell expedition's survey of the Shivwits Plateau overlapped with another government survey that was in progress at the same time. Lieutenant George M. Wheeler of the U.S. Army Corps of Engineers headed an ambitious effort to map everything west of the hundredth meridian at a scale of eight miles to the inch. In the fall of 1871, Wheeler sent a detachment under Lieutenant Daniel Lockwood into the area of the Monument. Lockwood's party entered the Monument lands from the west and passed by Pakoon Springs and the Grand Wash en route to St. George. Later, surveyors of the Powell expedition crossed paths with another party of the Wheeler survey at Pipe Spring.<sup>22</sup>

Powell promoted his Colorado River expeditions in the nation's newspapers and magazines. He brought the distinguished landscape painter Thomas Moran as well as photographer Jack Hillers to the Grand Canyon to create images of the majestic scenery to share with the American public. Moran had just returned from the Ferdinand Vandever Hayden geological expedition to Yellowstone in 1871, and his watercolor sketches were exhibited in the halls of Congress prior to the passage of the

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<sup>20</sup> Altschul and Fairley, *Man, Models and Management*, 164-69.

<sup>21</sup> Altschul and Fairley, *Man, Models and Management*, 176-78; Henry F. Dobyns and Robert C. Euler, "The Dunn-Howland Killings: Additional Insights," *Journal of Arizona History* 21, no. 1 (Spring 1980), 87-95; Donald Worster, *A River Running West: The Life of John Wesley Powell* (New York: Oxford University Press, 2001), 213-15.

<sup>22</sup> Altschul and Fairley, *Man, Models and Management*, 176.

Yellowstone Park Act of 1872. Moran's oil painting of the Grand Canyon of the Colorado stirred interest in making another national park around the Grand Canyon.<sup>23</sup>

Meanwhile, ranching enterprises spread across the Arizona Strip in the 1870s. On the initiative of Latter-day Saint leader Brigham Young and the Latter-day Saint-church-owned Canaan Cooperative Stock Company, Anson Winsor re-established a ranch at Pipe Spring in 1870. Other ranches were soon established on Monument lands. Among those, the Whitmore family ranch was developed on the southeast side of Mount Logan, and a dairy ranch was established at Oak Grove Spring about four miles northwest of Mount Dellenbaugh. The dairy operation supplied lumbering operations at Mount Trumbull and Twin Springs Canyon and a copper mine at Grand Gulch that started up in the same decade. In the mid to late 1870s, a Latter-day Saint cooperative ranching venture called the United Order acquired control of most of the ranching operations in the area. As each ranch centered on a spring, the Latter-day Saint cooperative held water to virtually all water sources. Toward the end of the decade there was a rapid shift from cattle to sheep, as California sheep growers found they had too many sheep and began making massive drives to fresh pastures located in other western states and territories. In 1881, the United Order had around 5,000 sheep and 500 cattle on the Arizona Strip.<sup>24</sup>

The livestock boom was short lived. Overstocking of the range, which was exacerbated by a few dry years in the mid to late 1870s, led to a sudden deterioration of range conditions at the end of the decade followed by a contraction of the industry in the mid 1880s. Clarence Dutton of the U.S. Geological Survey described the change in range conditions that he observed south of Pipe Spring, and its grim toll on the livestock:

Two years ago, the desert spaces outspreading to the southward were covered with abundant grasses, affording rich pasturage to horses and cattle. Today hardly a blade of grass is to be found within ten miles of the spring, unless upon the crags and mesas of the Vermilion Cliffs behind it. The horses and cattle have disappeared, and the bones of many of the latter are bleached upon the plains in front of it.

As the United Order sold off many of its holdings, others gained control of the livestock industry on the Arizona Strip in succession. The first was Benjamin F. Saunders, a cattle grower based in Salt Lake City. The second was Preston Nutter, a Virginian with cattle ranches in central Utah. Nutter came into the area ten years after Saunders and soon displaced Saunders as the dominant stock grower on the Arizona Strip.<sup>25</sup>

Nutter went after water rights to the springs to achieve a virtual lock on all the grazing resources on the Arizona Strip. Besides purchasing a few ranches outright,

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<sup>23</sup> Alfred Runte, *National Parks: The American Experience* (2<sup>nd</sup> rev. edition, Lincoln: University of Nebraska Press, 1987), 46; Stephen J. Pyne, *How the Canyon Became Grand: A Short History* (New York: Penguin, 1999), xxx

<sup>24</sup> Altschul and Fairley, *Man, Models and Management*, 186-92.

<sup>25</sup> Michael Belshaw, "High, Dry and Lonesome: The Arizona Strip and Its People," *Journal of Arizona History* 19, no. 4 (Winter 1978), 368-70.

such as M. W. Andrus's ranch in Wolf Hole, Nutter acquired most of his holdings on the Arizona Strip through land exchanges. As he owned lands elsewhere that came within the boundaries of new forest reserves, Nutter was permitted under the law to swap those inholdings for lieu selections on the public domain. Nutter obtained a scattering of 40-acre tracts surrounding no fewer than 32 different springs and pockets. By the turn of the twentieth century, the cattleman had forced out nearly all competitors west of the Hurricane Cliffs.<sup>26</sup>

Nutter's attempt to rule the resources over such a large expanse inevitably generated some strife. A few displaced Latter-day Saint stock growers joined together in challenging Nutter's water rights in court, while others turned to rustling cattle from his massive holdings. Nutter employed a crew of Texas cowhands to protect him from cattle rustlers, but some of the cowhands did a little rustling of their own. Sheep men moved into the area again and poached his water. According to a family member, Nutter once found one of his water holes fenced, with his own cattle on the outside dying of thirst while someone else's sheep were grazing inside the enclosure. He was known to complain of being "plagued by rustlers, bootleggers and sheepmen."<sup>27</sup>

In the latter decades of the nineteenth century, limited lumbering and mining operations took place within the area now encompassed by Grand Canyon-Parashant National Monument. Sawmills started up in the pine forests around Mount Trumbull and Mount Logan. The United Order ran the Mount Trumbull sawmill commencing in 1873. It produced the lumber to build the Latter-day Saint temple at St. George. Another sawmill went into operation at Mount Logan in 1894, and other cutting and milling operations followed. Meanwhile, miners entered the area and found copper ore. Two mines saw limited production before 1900. The Grand Gulch Mine was opened around 1870, and the Copper Mountain Mine was started in 1875 and began producing copper and silver ore about five years later. The former was located near the Grand Wash Cliffs and the latter was located on the bench separating the Parashant and Andrus canyons. Both mining operations got off to a struggling start as their remoteness from markets and railroads inhibited capital investment and impeded development.<sup>28</sup>

The Grand Gulch Mine ceased operations through the 1890s and started up again after 1900 as the market for copper improved. Transportation remained a challenge. At first, copper ore was hauled by wagon to St. George, 80 miles north over rough, winding roads. Around 1906, ore shipments were made by way of a shorter haul road between the Grand Gulch Mine and St. Thomas, Nevada, where a railhead was secured. The latter road went over the Virgin Mountains through the St. Thomas Gap. A crew of 50 men boarded at the Grand Gulch Mine in 1913, and ore production peaked around the time of World War I. During this period other copper mines in the area went into production as well. Notably, the Savanic Mine was said to have had

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<sup>26</sup> Altschul and Fairley, *Man, Models and Management*, 194-95; Belshaw, "High, Dry and Lonesome," 369; Martin L. McAllister, "Report on Arizona Division of the Dixie National Forest," December 21, 1911, PARA general administrative files to Dec. 1999, Box 3, PARA.

<sup>27</sup> Belshaw, "High, Dry and Lonesome," 369-70.

<sup>28</sup> Frederick L. Brown, "Paiutes, Mormons, and Mericats: Grand Canyon-Parashant National Monument," draft report, July 2009, pp. 79-83, 102-08, Van Alfen files.

exceptionally high-grade ore and reportedly produced 25,000 tons before the price of copper dropped after World War I. The Copper Mountain Mine also went through a period of dormancy and then saw some production again in the early twentieth century, with its ore hauled by wagon across the Shivwits Plateau, then through Pigeon Canyon to the Grand Wash, and from there to St. Thomas.<sup>29</sup>

Homesteaders entered the Arizona Strip following passage of the Stock Raising Homestead Act of 1916. The law encouraged homesteading on arid lands by providing for a claim of 640 acres – four times the amount under the Homestead Act of 1862. The land had to be classified as grazing land (neither timbered nor susceptible to irrigation), and the U.S. government retained subsurface mineral rights. To prove up, the homesteader did not have to put any land in cultivation; he or she only had to make improvements for stock raising. The purpose of the law was to break up grazing monopolies such as the one Nutter had on the Arizona Strip and allow common folk access to those resources. Homesteaders took up claims on such arid lands in the expectation of digging a well or damming a dry wash to make their own water supply.<sup>30</sup>

One of the first homesteaders to take advantage of the new law was Abraham Bundy, patriarch of the Bundy clan, which would come to have a large, lasting presence in the area. Bundy surveyed the land for its farming and ranching potential while he was on a job to haul a load of copper ore from the Copper Mountain Mine to St. Thomas, Nevada. He returned with his sons Roy and James and a dozen other homesteaders to found a community in the upper Hurricane Valley. The settlement was officially named Mount Trumbull, though it soon became known as Bundyville. The settlement stood at a crossroads where a north-south road through Wolf Hole and Mainstreet Valley and the upper Hurricane Valley intersected an east-west road leading to the pine-covered saddle between Mount Logan and Mount Trumbull. In 1918, the predominantly Latter-day Saint community built a combination church and school at the crossroads. Apart from this building and a teacherage, no other buildings stood at the crossroads; the homesteads were widely scattered through the valley on their 640-acre allotments.<sup>31</sup>

Homesteading in that arid and remote place took great fortitude. The families began by building dugouts for shelter and hauling all their drinking water. When they turned to digging wells, they dug as much as 200 to 300 feet deep sometimes before giving up and looking elsewhere. Store supplies had to be obtained in St. George,

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<sup>29</sup> Michael Belshaw, *Historic Resources Study, Lake Mead National Recreation Area, Nevada* (Denver: National Park Service, Denver Service Center, 1980), 121-23; Altschul and Fairley, *Man, Models and Management*, 208-09. See also, James M. Hill, “The Grand Gulch Mining Region, Mohave County, Arizona,” in U.S. Department of the Interior, U.S. Geological Survey, *Bulletin 580, Contributions to Economic Geology, 1913* (Washington: Government Printing Office, 1915), 39-58.

<sup>30</sup> Belshaw, “High, Dry and Lonesome,” 371; Roy M. Robbins, *Our Landed Heritage: The Public Domain 1776-1936* (Lincoln: University of Nebraska Press, 1962), 387.

<sup>31</sup> Altschul and Fairley, *Man, Models and Management*, 201-02; Belshaw, “High, Dry and Lonesome,” 371-73; Lyman Hafen, *Far From Cactus Flat: The 20<sup>th</sup> Century Story of a Harsh Land, a Proud Family, and a Lost Son* (St. George, Utah: Arizona Strip Interpretive Association, 2006), 29-30; Nellie Iverson Cox, *Footprints on the Arizona Strip* (Las Vegas: Cox Printing Company, 1973), 88.

which was an arduous, all-day wagon ride each direction. Lumber for improving a home or timbering a well had to be brought into the valley from the sawmill on the side of Mount Trumbull, which was no easy trip either.<sup>32</sup>

Elaine Hallmark Francis was a young teenager when her family started a homestead in the upper Hurricane Valley in 1921. She later recalled that the Hallmark family's house was a partial dugout with three walls built into a hillside and faced with rock, and a fourth wall built with cedar logs and chinked with bark and mud. The roof was made of straight cedar logs laid close together and covered with three feet of earth. Her father purchased a thousand feet of lumber at the Mount Trumbull sawmill with which to build a floor and interior walls. The walls were mere partitions, barely standing higher than the door frames, which sectioned the interior living space into three small rooms. The house had a single window. A brush arbor built onto the front of the house gave the mother and daughter a shady space to work outside the house. The shaded area extended the living space of the home through much of the year, but in winter the house was cold, dark, and confining. "When it was too cold to keep the door open," Francis wrote, "we lived in half-darkness. Our only light was a cotton string, twisted and laid in a saucer of melted fat so that it burned like a candle."<sup>33</sup>

The Hallmark family tried to dig a well but gave up after they reached a layer of solid rock with no sign of water at a depth of 200 feet. The family built a thirty-foot dam across Big Wash instead. But when the summer rains came the deluge was too much for it and the dam gave way. The rampaging flood took the life of the family's adopted son, a young man by the name of Claude. He was buried in the small community cemetery.<sup>34</sup>

The teenage Elaine Hallmark attended the school at Bundyville for one year, then switched to a second school built nearer the family homestead in a place called Mainstreet. She still attended the monthly or bimonthly dances held at the school at Bundyville. Later, the school at Mainstreet held dances, too. Elaine was one of two pupils in her school's first graduating class in 1924. In her memoir, Elaine Hallmark Francis observed that the upper Hurricane Valley residents were mostly Latter-day Saint while the Mainstreet Valley residents were not, yet the two communities were neighborly. Numerous oral histories with former valley residents corroborate that view, offering many instances of mutual respect, help, and aid.<sup>35</sup>

The homesteading communities survived through the 1920s, but they began to wither during the Great Depression. Above-average rainfall through the 1920s produced relatively abundant grazing resources and watering holes. Dry farming was possible, and families grew small crops of squash, beans, and corn. When conditions became drier in the 1930s, the homesteaders' hardships mounted. A historic snowstorm struck the region in 1936. Snow commenced to fall on Christmas Day and

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<sup>32</sup> Elaine Hallmark Francis, "A Corner out of Time: Pioneering the Arizona Strip," *Journal of Arizona History* 30, no. 2 (Summer 1989), 120.

<sup>33</sup> *Ibid.*, 119-20.

<sup>34</sup> *Ibid.*, 123-28.

<sup>35</sup> Francis, "A Corner out of Time," 134-36; Milton Hokanson, "Grand Canyon Parashant National Monument Oral History Project Final Report," March 16, 2007, Van Alfen files.

it kept up for a week, blanketing the region and piling up to the top of the fence posts around Bundyville. The snowstorm killed thousands of livestock on the Arizona Strip and left the community of Bundyville snowed in and perilously isolated. Using heavy equipment, the Civilian Conservation Corps finally opened the road from St. George to the upper Hurricane Valley to bring relief to the homesteaders. They found the community getting by on its own resources of dried beef and canned fruit. Although the memorable “winter of the blue snow” did not take any human lives, it caused many to abandon their homesteads and try their luck somewhere else in the years to follow.<sup>36</sup>

Through the 1940s and 50s, as one family after another pulled up stakes and left, the Bundy clan demonstrated unusual tenacity. One of the last to leave was Beatrice Bundy. She later stated,

We kept our school at Bundyville until about 1968. Mrs. Rose Williams had been our teacher for several years and had been a very good one, and we wanted to keep her as long as we could. Finally, however, there were only our three youngest children left, as Orval and Sally Bundy had moved to St. George. Chester’s children had all graduated from eighth grade, which was all we had at Mt. Trumbull, and were going to school in Utah. So the Mohave County School Superintendent came from Kingman, Arizona, and asked if we would be willing to take our children to St. George to school.<sup>37</sup>

The closure of the school marked the end of a year-round community. Numerous former residents moved to St. George and continued to graze livestock in the area; some of them turned their former homes on the Arizona Strip into summertime residences.

## **Federal Management**

U.S. land policy in the nineteenth century centered upon the transfer of public lands to private ownership to foster economic development. The U.S. General Land Office, a predecessor agency to the Bureau of Land Management, was largely in the business of surveying the public domain according to a uniform grid pattern, cataloguing all parcels by their township and range coordinates, and administering land sales. The Homestead Act of 1862 established the 160-acre family farm as the basic building block of economic growth on the frontier. When homesteading did not proceed fast enough, Congress enacted other laws to dispose of public lands and promote economic growth through mining, lumbering, and stock raising in addition to farming. The Stock Raising Homestead Act of 1916, which was significant for Monument lands, was only one among many such laws enacted during the latter part of the nineteenth century and early twentieth century to hasten the transfer of public lands to private ownership. Other laws included the Mining Act of 1872, the Desert Land Act of 1877, and the Timber and Stone Act of 1878.

<sup>36</sup> Verl Aldredge, interview by Milton Hokanson, January 25, 2005; Hafen, *Far from Cactus Flat*, 96-97; Belshaw, “High, Dry and Lonesome,” 374-76.

<sup>37</sup> Quoted in Cox, *Footprints on the Arizona Strip*, 56.2

During the 1860s, 70s, and 80s, Congress also made enormous land grants to a handful of transcontinental railroads to subsidize transportation development and facilitate the transfer of public lands to private ownership by way of the railroad companies' land departments. The grants gave the railroads the option to claim alternating square-mile sections of public domain for a generous distance on either side of the railroad right-of-way. In 1866, Congress granted a right-of-way to the Atlantic and Pacific Railroad Company, predecessor in interest to the Santa Fe Pacific Railroad Company, to build a line across the Southwest. The land grant consisted of approximately 14,663 acres in New Mexico and Arizona. Although the line was built south of the Grand Canyon, the swath of alternating square-mile sections reached northward across the canyon to include Monument lands on the Shivwits Plateau. This railroad land grant, like all railroad land grants, set up a checkerboard pattern of land ownership that looked advantageous when the goal was to convert the public domain to private holdings as rapidly and completely as possible. Only later, when it was decided to retain much of the public domain in federal ownership, did the checkerboard pattern reveal itself to be a great nuisance for federal land management. Fortunately, the Santa Fe Railway relinquished its land holdings back to the federal government in 1940; however, the company retained the subsurface mineral rights.<sup>38</sup>

The disposal of public lands in the latter half of the nineteenth century gave rise to much fraud, speculation, and abuse of natural resources. A few farsighted government officials began to raise concerns about the government's western lands policy. John Wesley Powell, the explorer of the Colorado River, was one of those individuals. He argued that the 160-acre homestead, so basic to the government's plan for settlement of the West, was a poor fit for the arid conditions that prevailed across much of the nation's territory lying west of the hundredth meridian. In his *Report on*

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<sup>38</sup> U.S. Senate, *Arizona Wilderness Land Title Resolution Act of 1994*, 103<sup>rd</sup> Cong., 2nd sess., 1994, S. Rept. 103-274, 1. The railroad company's land department gave little attention to its lands on the Shivwits Plateau until the 1920s, because the area was so arid, remote, and separated from the rest of the grant by the Grand Canyon. In 1926, land agents for the railroad finally visited the area and secured the railroad's claim to 117,800 acres within Mohave County north of the Grand Canyon. By then, the railroad was more interested in putting lands up for lease rather than sale, but it did dispose of some square-mile sections on the Shivwits Plateau to ranchers in the 1920s and 30s. The Santa Fe Railway Company relinquished all of its remaining land grant back to the federal government under the terms of the Transportation Act of 1940. In return for the land, the federal government relinquished its 50 percent discount on all federal freight shipped over the railroad. William S. Greever, *Arid Domain: The Santa Fe Railway and its Western Land Grant* (Stanford, Calif.: Stanford University Press, 1954), 126-28, 152. According to a Lake Mead National Recreation Area briefing paper on the subject of the railroad's reserved mineral rights that was prepared for Secretary Bruce Babbitt in November 1998, the railroad held approximately 63,000 acres of reserved mineral rights within Lake Mead National Recreation Area when the park was established in 1964. During the mid 1970s, the NPS attempted to gain these rights. The railroad offered to sell at \$100 per acre, or \$6.5 million. In 1988, the BLM acquired 25,348.6 acres of these rights in Grand Canyon National Park and Lake Mead National Recreation Area under an exchange agreement, with approximately 4,000 acres of those rights in the latter unit, leaving approximately 59,000 acres still to be acquired. Of that amount, approximately 16,640 acres were located on the Shivwits Plateau. A map of the sections on the Shivwits Plateau with mineral rights was attached to this briefing paper. See National Park Service, "Shivwits Plateau – Santa Fe Reserved Mineral Rights" (briefing paper), November 1998, PARA general administrative files to Dec. 1999, Box 7, PARA.

*the Lands of the Arid Region*, Powell urged reform of the western land laws and an innovative approach to natural resource development that would revolve around watershed boundaries, grazing districts, and immense pasturage homesteads instead of the township and range grid system and small family farms of a quarter section or 160 acres apiece. Powell fell short in his effort to revamp the approach to western settlement, but his warnings did help bring about the conservation movement of the early 1900s, with its emphasis on science-based federal management of protected lands.<sup>39</sup>

Other early proponents of federal conservation called for forest reservations to conserve the nation's timber supply and protect watersheds. Congress enacted the Forest Reserve Act of 1891, which authorized the president to establish "public reservations" on areas of the public domain that were partially or wholly covered with forest. President Benjamin Harrison signed the bill into law and proclaimed forest reserves covering a total of 13 million acres. The designation "forest reserve" later changed to "national forest," and the 1891 law formed the foundation for the future National Forest System, which eventually came to span more than 190 million acres. The making of the National Forest System reached two early milestones with passage of the Organic Act of 1897, which provided for administration of the reserves by the U.S. General Land Office, and the Transfer Act of 1905, which placed the reserves under the U.S. Forest Service in the Department of Agriculture.

Harrison's reserves included the Grand Canyon Forest Reserve, proclaimed in 1893. The reserve included 300,000 acres on both the north and south rims of the Grand Canyon. Crucially, the lands were withdrawn from homestead entry but not from mining entry. When the Grand Canyon began to attract interest for tourism in the early 1900s, local businessman and politician Ralph Henry Cameron entered mining claims within the forest reserve at several key viewpoints along the south rim of the canyon that were, in truth, prospective locations for hotel development rather than mining. President Theodore Roosevelt proclaimed the Grand Canyon National Game Preserve in 1906, partly to protect wildlife but also to stop Cameron from making more such "mining" claims. In 1908, Roosevelt proclaimed Grand Canyon National Monument to protect the area from private development for tourism pending action by Congress to establish a national park. Roosevelt used his executive authority under the Antiquities Act of 1906 – a distant foreshadowing of President Bill Clinton's proclamation of Grand Canyon-Parashant National Monument almost a century later. Roosevelt's proclamation established a preserve of 808,120 acres within what is now the national park, marking the first time that the Antiquities Act was used to set aside a large natural area. The national park bill finally followed in 1919.<sup>40</sup>

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<sup>39</sup> Richard White, "Nature or Justice, *A River Running West: The Life of John Wesley Powell* by Donald Worster and *Zuni and the American Imagination* by Eliza McFeely," *The New Republic* 224, no. 24 (June 11, 2001), 50.

<sup>40</sup> Hal K. Rothman, *America's National Monuments: The Politics of Preservation* (Lawrence: University Press of Kansas, 1994), 66-67; Char Miller, "Landmark Decision," in *The Antiquities Act: A Century of American Archaeology, Historic Preservation, and Nature Conservation*, edited by David Harmon, Francis P. McManamon, and Dwight T. Pitcaithley (Tucson: University of Arizona Press, 2006), 72-73.

*U.S. Forest Service*

Roosevelt put additional lands on the Arizona Strip into the National Forest System. In 1905, he added lands to the Grand Canyon Forest Reserve. In 1908, he added two tracts to the Dixie National Forest that fell within the area now spanned by Grand Canyon-Parashant National Monument. The first tract was called the Mount Trumbull Addition and it extended from around Toroweap Overlook to Mount Trumbull and Mount Logan. The second tract was called the Parashant Addition (also spelled Pahshaunt, Parashaunt, and Parashont) and covered approximately 434,840 acres mainly on the Shivwits Plateau. The tract encompassed the better part of Townships 27 to 33 North, Ranges 10 to 14 West, or roughly the whole extent of the Shivwits Plateau between the Parashant Canyon and the Grand Wash Cliffs, plus the broken country from the rim of the Grand Canyon down to the Colorado River. The Dixie National Forest was cobbled together from several smaller forest reserves in southern Utah along with the two tracts in Arizona. The area around St. George had long before acquired the name “Dixie” because its mild climate reminded Southerners who settled there of their home back East, and the local name was applied to the national forest.<sup>41</sup>

For administrative purposes, the Dixie National Forest was divided into ranger districts, with a ranger in charge of each district. The Mount Trumbull and Parashant additions each formed a ranger district. The rangers for the two districts lived in the Mount Trumbull Ranger Station and the Wildcat Ranger Station respectively, which were two of the most isolated posts in the Forest Service. Lacking telephone service, the rangers reported to headquarters in St. George in person, making the five- to six-day trip on horseback once a month.<sup>42</sup>

The rangers’ job was to acquire a knowledge of the resources within the ranger district, meet with the local users of the national forest, and enforce rules and regulations. While the Forest Service was focused primarily on managing commercial timber, it also took account of watershed protection, wildlife conservation, range management, and recreational use and development. With the assistance of specialists, the ranger conducted various surveys and inventories on his district, including a survey of forest boundaries, an inventory of timber resources, and an examination of range conditions. For routine patrols of the district, the ranger had the assistance of one or two forest guards.

In 1911, ranger Martin L. McAllister prepared a lengthy report on the Parashant Ranger District, in which he had much more to say about range conditions

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<sup>41</sup> Martin L. McAllister, “Report on Arizona Division of the Dixie National Forest,” December 21, 1911, PARA general administrative files to Dec. 1999, Box 3, PARA; Wayne K. Hinton, *The Dixie National Forest: Managing an Alpine Forest in an Arid Setting* (Cedar City, Utah: Dixie National Forest, 1987), 62. On the name “Dixie,” historian Andrew Karl Larson recounts that the first president of the Washington Stake, Robert Dockery Covington, reported it was in use in 1857. Covington, a slave overseer and slave owner from North Carolina and Mississippi, said that the Virgin Valley was called Dixie because it could grow cotton. As more Southerners moved into the valley, the name stuck. (Andrew Karl Larson, “I was Called to Dixie,” *The Virgin River Basin: Unique Experiences in Mormon Pioneering* (Salt Lake City: Deseret News Press, 1961), 185.

<sup>42</sup> Hinton, *The Dixie National Forest*, 63.

and stock raising than he did about the limited timber resources and sawmill operations. “Stock grazing is the main industry of this region,” he wrote, “and the stock is absolutely dependent upon the springs.” Most of the springs lay within the national forest, and most were claimed by the absentee cattleman, Preston Nutter of Price, Utah. The livestock were free ranging and extended over the ranger district as far as the water supply allowed. “During rainy seasons the pockets in the washes or natural depressions are filled with water and the cattle scatter out on range that cannot be reached from the permanent watering places and thus such range is partially utilized,” McAllister wrote, noting the potential to construct permanent reservoirs in some of these areas. He noted that there were corrals built at nearly every watering place and the cattle were driven into the corrals for branding.<sup>43</sup>

McAllister argued in his report that with the construction of small reservoirs the range could be better utilized, but the Forest Service needed the stock growers’ help to make those improvements. Nutter’s control of the water sources severely limited how much the Forest Service could do, because Nutter did not appear interested in making improvements that would open the range to more users. Not surprisingly, Nutter did not view the Forest Service as his friend. He objected to paying grazing fees on land he had “used for years before the reserve was established,” and he advised the forest supervisor of the Dixie National Forest “to recommend the elimination of the Parashont Reserve.”<sup>44</sup>

A preliminary timber cruise of the Mount Trumbull Ranger District in 1909 found 48 million board feet of yellow (ponderosa) pine on Mount Trumbull, 65 million board feet of the same on Mount Logan and Pine Flat, another 5 million board feet on Nixon Flat and Log Flat, and 12 million board feet on Mount Emma. The Forest Service lumberman reported an abandoned sawmill about a mile west of Oak Spring, which had been shut down for trespass some fifteen years earlier. A subsequent inventory of the timber resource scaled back the timber estimates considerably to a total of 66 million board feet on the Mount Trumbull Ranger District. The same report gave an estimate of 22 million board feet on the Parashant Ranger District. By 1914, there were two active sawmills operating under Forest Service permit on the Mount Trumbull Ranger District and one on the Parashant Ranger District. The Blake and Stout mills were located around Mount Trumbull, and the Gardner mill was located near Mount Dellenbaugh about 90 miles from St. George and 18 miles from the Grand Gulch Mine. The Blake and Stout mills sold most of their lumber to local ranchers and homesteaders, while the Gardner mill mainly supplied lumber to the mine.<sup>45</sup>

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<sup>43</sup> Martin L. McAllister, “Report on Arizona Division of the Dixie National Forest,” December 21, 1911, PARA general administrative files to Dec. 1999, Box 3, PARA.

<sup>44</sup> Martin L. McAllister, “Report on Arizona Division of the Dixie National Forest,” December 21, 1911, and Preston Nutter to John Raphael, January 7, 1912, PARA general administrative files to Dec. 1999, Box 3, PARA.

<sup>45</sup> Anonymous, “Report on Trumbull Addition to Dixie National Forest,” February 4, 1909, Anonymous, “Report to District Forester,” December 14, 1914, and Martin L. McAllister, “Report on Arizona Division of the Dixie National Forest,” December 21, 1911, PARA general administrative files to Dec. 1999, PARA; Brown, “Paiutes, Mormons, and Mericats,” 154-55.

Despite the sawmills operating on the two Arizona ranger districts, the Forest Service questioned whether the areas contained sufficient timber resources to justify the cost of administration. The Wilson administration (1913-1921) supported more privatization of public lands, and in 1916 President Wilson signed an executive order returning the Parashant Ranger District to the public domain. The Mount Trumbull Ranger District remained within the Dixie National Forest until 1924 when it was transferred to the Kaibab National Forest. Further consideration was given to eliminating the Mount Trumbull Ranger District from the national forest in the 1950s, and it was finally transferred to the Bureau of Land Management in 1974.<sup>46</sup>

### *National Park Service*

As the Forest Service presence on the Arizona Strip ebbed, the National Park Service presence in the region began to grow. Congress established the NPS in 1916 and put it in charge of the nation's fourteen national parks and twenty-one national monuments administered by the Department of the Interior. The birth of the NPS occurred in the time of a major schism within the federal conservation movement, when one side defined conservation as scientific management of resources for efficient use and the other side called for a preservation aesthetic as a counterbalance to utilitarian conservation. The NPS, under the leadership of Director Stephen Mather and Assistant Director Horace Albright, assumed the preservationist mantle. As national parks and national forests became more clearly differentiated after 1916, competition between the upstart NPS and the older Forest Service over management of federal lands sometimes took on the character of a boxing match, or in the words of one participant, a "regular ding-dong fight." Historian Hal K. Rothman observed,

The two agencies were heirs to different branches of the same tradition that, when codified in the federal bureaucracy, placed both agencies in the position of defining their missions in juxtaposition to the other. They operated in a largely closed environment, with an advantage to one side necessarily resulting in a loss from the other.<sup>47</sup>

A case in point: when Congress established Grand Canyon National Park in 1919, it took the Grand Canyon National Monument away from the Forest Service and put it into the National Park System. The transfer of lands drastically reduced the Forest Service presence on the Arizona Strip while elevating the NPS. Thirteen years later, President Herbert Hoover proclaimed another Grand Canyon National Monument on lands west of the national park, taking an additional 273,145 acres out of the Kaibab

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<sup>46</sup> Dahl J. Kirkpatrick to Chief, Forest Service, September 21, 1955, PARA general administrative files to Dec. 1999, PARA; Brown, "Paiutes, Mormons, and Mericats," 152.

<sup>47</sup> Hal K. Rothman, "'A Regular Ding-Dong Fight': Agency Culture and Evolution in the NPS-USFS Dispute, 1916-1937," *Western Historical Quarterly* 20, no. 2 (May 1989), 141.

National Forest and handing the area over to the NPS. The second Grand Canyon National Monument was added to the national park in 1975.<sup>48</sup>

The preservationist mission of the NPS under Mather and Albright was different from what it later became. National parks were defined as the nation's scenic wonderlands rather than ecological preserves. The preservationist aesthetic of the NPS through the early 1930s was largely shaped by the profession of landscape architecture. National park management was oriented to building park roads and providing visitor accommodations in ways that were sensitive to the natural setting, but the NPS based its decisions on aesthetic principles, not scientific research. As historian Richard West Sellars has stated, "During the Mather era the service came to regard national parks as being 'unimpaired' as long as their development was restricted to that which supported tourism and was fitting to the natural scenery." Congress and the public supported national parks in large part because they were a stimulus to the tourism industry. National park development was considered the "highest use" for the Grand Canyon and adjacent lands on the Arizona Strip because the national park would support tourist enterprises where other types of extractive industry showed limited potential. As Sellars noted, the preservationist mission of the NPS was not that different from the utilitarian conservation of the Forest Service; each was economically motivated. In a telling phrase, Mather once wrote that the national parks would serve as the West's "scenic lodestones," drawing settlers and investors to the underpopulated western states.<sup>49</sup>

In 1929, a plan was initiated to place considerably more lands on the Arizona Strip under NPS administration. Downstream from Grand Canyon National Park, across the state line in Nevada, the U.S. Bureau of Reclamation intended to build a high dam on the Colorado River that would simultaneously provide hydroelectric power, flood control, and a water supply for irrigation projects. The secretary of the interior directed the NPS to consider the designation of a national recreation area surrounding the future dam and reservoir. Albright, as second director of the NPS, opposed placing such an area in the National Park System, seeing it as a contradiction of the agency's mission to preserve outstanding scenic areas in their natural state. Nevertheless, he complied with the secretary's request by sending an agent to evaluate the scenic and recreational potential of the lands upstream from the dam site. The resulting report by E. W. Sawyer recommended setting aside an enormous tract extending from the Colorado River on the south to the Virgin River on the north, essentially blanketing the western third of the Arizona Strip together with an extensive area in eastern Nevada. Sawyer's report was followed by a somewhat more modest proposal by NPS engineer Guy D. Edwards. In February 1930, President Herbert

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<sup>48</sup> Barry Mackintosh, *The National Parks: Shaping the System* (Washington: U.S. Department of the Interior, 1991), 33-34. The second Grand Canyon National Monument was proclaimed on December 22, 1932.

<sup>49</sup> Richard West Sellars, "Manipulating Nature's Paradise: National Park Management under Stephen T. Mather, 1916-1929," *Montana: Magazine of Western History* 43 (Spring 1992), 5, 12; Richard West Sellars, "The Roots of National Park Management," *Journal of Forestry* 90, no. 1 (January 1992), 16-17; U.S. Department of the Interior, *Report of the Director of the National Park Service* (Washington, D.C.: Government Printing Office, 1925), 1-2.

Hoover signed a proclamation withdrawing 2.7 million acres of Nevada and Arizona lands (more than double the area of Grand Canyon-Parashant National Monument) pending further consideration of making a federal reservation of some kind.<sup>50</sup>

Boulder Dam was completed in 1935 and Boulder Dam National Recreation Area was established by interagency agreement between the NPS and the Bureau of Reclamation the following year. The area took in lands bordering the reservoir in Nevada as well as southern portions of the Shivwits Plateau bordering the Grand Canyon. Under the agreement the NPS was to facilitate recreational use of the reservoir and lands and co-manage the area with the Bureau of Reclamation. By then, the Reorganization Act of 1933 had greatly enlarged the scope of the National Park System to include national historic sites, national battlefields, and national capital parks, and the NPS was working with the Civilian Conservation Corps (CCC) and other New Deal relief agencies on myriad projects, so the move into recreation management no longer seemed such a stretch for the NPS mission. Still, the NPS found the 1936 interagency agreement troublesome, and eventually Congress passed a law in 1964 that placed the national recreation area more squarely under NPS policy and management.<sup>51</sup>

In 1947, Congress renamed the dam in honor of Herbert Hoover and the NPS changed the name of the area to Lake Mead National Recreation Area. By naming the area for the reservoir instead of the dam, the NPS suggested a new embrace of the recreational benefits of big federal dam projects. In the late 1940s and early 50s, the NPS successfully resisted proposals to build other dams farther up Grand Canyon that would have impounded waters inside the national park. But in the mid 1950s, the NPS took a compromising approach in the conservation battle over the Echo Park Dam in the upper Colorado River basin and stood on the sidelines when another conservation battle arose over the Glen Canyon Dam on the Colorado River in southern Utah. The Glen Canyon Dam and the creation of Lake Powell resulted in the establishment of Glen Canyon National Recreation Area, which entered the National Park System in 1958. Thus, over the long run from the 1920s to the 1960s, the NPS softened its stand against dams and became complicit in federal actions that ultimately caused impairment of the hydrology and ecology of the Grand Canyon.<sup>52</sup>

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<sup>50</sup> Hal K. Rothman and Daniel J. Holder, *Balancing the Mandates: An Administrative History of Lake Mead National Recreation Area* (Boulder City, Nev.: Lake Mead National Recreation Area, 2002), 12-13.

<sup>51</sup> Rothman and Holder, *Balancing the Mandates*, 22-29; *To provide an adequate basis for administration of the Lake Mead National Recreation Area, Arizona and Nevada, and for other purposes*, Public Law 88-639, 88<sup>th</sup> Cong., 2<sup>nd</sup> sess. (October 8, 1964).

<sup>52</sup> Jonathan Foster, *Lake Mead National Recreation Area: A History of America's First National Playground* (Reno: University of Nevada Press, 2016), 76; Michael F. Anderson, *Polishing the Jewel: An Administrative History of Grand Canyon National Park* (Grand Canyon, Ariz.: Grand Canyon Association, 2000), 53-55; Jared Farmer, *Glen Canyon Dammed: Inventing Lake Powell and the Canyon Country* (Tucson: University of Arizona Press, 1999), 134-45; Mackintosh, *The National Parks: Shaping the System*, 74, 80; Donald Worster, *Under Western Skies: Nature and History in the American West* (New York: Oxford University Press, 1992), 64-78. The NPS successfully opposed a project to build a dam in Marble Canyon, near Lee's Ferry at the upper end of the Grand Canyon.

### *Bureau of Land Management*

Federal conservation of rangelands lagged a couple of decades behind the making of the National Forest System and the National Park System. The Taylor Grazing Act of 1934 mandated the formation of grazing districts on the public domain. Grazing districts were a weak analog to national forests and national parks, but like their more visible and robust counterparts they were aimed at bringing a higher standard of federal land stewardship to bear on natural resources. To manage the grazing districts, the secretary of the interior first created a Division of Grazing within the General Land Office. In 1939, the Grazing Division was raised to an independent agency, the U.S. Grazing Service, within the Department of the Interior. In 1946, the Grazing Service was combined with the General Land Office to form the Bureau of Land Management.<sup>53</sup>

Embedded in the Taylor Grazing Act were two conflicting mandates. The Department of the Interior was supposed to stabilize the western livestock industry *and* improve range conditions. At first, it appeared that the two aims were reinforcing since prospering stock growers would be in better shape to assist with range improvements. But the stock growers needed greater security in their grazing privileges, whereas range surveys usually pointed to a need to reduce grazing levels. Where the two aims were in conflict, the federal agency tended to support the western livestock industry and allow users to continue to overstock the range.<sup>54</sup>

The Arizona Strip District was the first grazing district established in Arizona under the 1934 law. The stock growers were invited to form a local advisory board, which met with federal officials at Zion National Park on July 26, 1935. Most of the stock growers on the Arizona Strip lived across the state line in Utah. Sheep and cattle growers were brought together to overcome their differences. The longtime kingpin among the cattle owners, Preston Nutter, was too ill to attend and died the following year. The Grazing Division issued grazing permits in the spring of 1936. Altogether, the permits provided for year-round grazing of nearly 19,000 cattle and horses and nearly 26,500 sheep and goats, and winter grazing for some 31,500 sheep and goats in the vicinities of Mainstreet, Grand Gulch, and Pakoon Springs. Stock growers paid 5 cents per animal unit month (AUM) with the fees being used to defray the cost of range improvements such as drift fences and water storage facilities. Many range improvements were built with the help of the CCC.<sup>55</sup>

The Taylor Grazing Act marked a turning point for homesteading on the Arizona Strip. The law obligated the secretary of the interior to refuse homestead entry on lands that were not suitable for farming. As cultivable lands on the Arizona Strip were sparse and already occupied, the act effectively closed the region to new

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President Johnson proclaimed Marble Canyon National Monument in 1969, which was incorporated into Grand Canyon National Park in 1975.

<sup>53</sup> James R. Skillen, *The Nation's Largest Landlord: The Bureau of Land Management in the American West* (Lawrence: University Press of Kansas, 2009), 7; Jeanne Nienaber Clarke and Daniel McCool, *Staking Out the Terrain: Power Differentials among Natural Resource Management Agencies* (Albany: State University of New York Press, 1985), 108-11.

<sup>54</sup> Skillen, *The Nation's Largest Landlord*, 7.

<sup>55</sup> Altschul and Fairley, *Man, Models and Management*, 211-12.

homesteads. Many homesteaders who had struggled to get by on dry farms over the previous two decades had to abandon their holdings when they found their access to nearby stock water restricted. Many transient sheep herders had to leave the area as well. Cattle ranchers essentially captured the U.S. Grazing Service and bent it to serve the western livestock industry's interests.<sup>56</sup>

For the first fifteen years of the BLM's existence, the western livestock industry continued to dominate the agency. Unlike either the Forest Service or the NPS, the BLM did not have an organic act or a clear mission beyond its broad responsibility to manage the public lands. Gradually, starting around 1960, the BLM became more professionalized and assertive. Two BLM directors, Karl Landstrom (1960-63) and Charles Stoddard (1963-66), began pushing for redefinition of the public lands as a national system. The BLM sought recognition that, much like the Forest Service, it had a complicated responsibility to conserve natural resources and manage for multiple use. Though the BLM was the successor agency to the General Land Office, its responsibilities went far beyond disposing of lands. From 1960 to 1966, the BLM's budget rose from \$35 to \$88 million and its workforce grew from 2500 to 4000. After Congress enacted the National Environmental Policy Act (NEPA) in 1969, the BLM had to undertake more detailed environmental review of decisions and produce environmental impact statements (EISs). NEPA further prompted a culture change or "new consciousness" in the agency. The BLM hired ecologists, wildlife biologists, sociologists, and economists to serve the agency in various phases of environmental compliance.<sup>57</sup>

With the passage of the Federal Land Policy and Management Act in 1976, the BLM finally gained its own organic act. The law formally recognized the BLM's multiple-use mission and gave the agency similar standing to the Forest Service. It required an upgrade of BLM's planning system to bring it into line with national forest planning and environmental protection under NEPA. Whereas the BLM's old planning system revolved around user input, the new process invited participation by a wider public and emphasized environmental protection. FLPMA elevated BLM resource management plans to decision-making documents, not just background documents, and provided for judicial review of BLM planning decisions. FLPMA also revamped the BLM grazing program. It established the ten-year permit for grazing allotments, mandating that each permit would be accompanied by an allotment management plan. FLPMA's overall import was to free the BLM organizational culture from domination by the grazing and mining industries.<sup>58</sup>

With these institutional changes, the BLM at last began to implement more conservative grazing practices on the Shivwits Plateau and Mojave Desert portions of the Arizona Strip in the 1970s. It instituted rotational grazing and studied its effects on

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<sup>56</sup> Belshaw, "High, Dry and Lonesome," 374; Altschul and Fairley, *Man, Models and Management*, 211.

<sup>57</sup> Skillen, *The Nation's Largest Landlord*, 36-38; James Muhn and Hanson R. Stuart, *Opportunity and Challenge: The Story of BLM* (Washington, D.C.: U.S. Department of the Interior, Bureau of Land Management, 1988), 162-66.

<sup>58</sup> Skillen, *The Nation's Largest Landlord*, 102, 106-07, 114; Muhn and Stuart, *Opportunity and Challenge*, 166-75.

the range. On the Beaver Dam Slope Allotment, for example, pastures that had been subject to year-round grazing before 1969 were opened to grazing use for just six months, from December to June, and two pastures within the grazing allotment were rested during the grazing season every other year. The goal was to protect plant composition, guard against soil erosion, and conserve wildlife habitat.<sup>59</sup>

The BLM raised grazing fees to bring them in line with the much higher rates assessed on the national forests. Grazing fees rose to 64 cents per AUM in 1971, to \$1.00 in 1974, and to \$1.51 in 1976. Under FLMPA, half of grazing fee revenue had to be spent on range improvements in the district where it was collected.<sup>60</sup>

By the end of the decade, livestock operations were enfolded into grazing allotments in a complex pattern. Some livestock operations occupied a single allotment, others occupied multiple allotments, and still others shared allotments with other operations, in which case the allotment was apt to be divided into multiple pastures. Some livestock operations were run by a single family or individual, others by a corporation, and others by an organization such as a church.<sup>61</sup>

The BLM completed a Shivwits Resource Area grazing environmental statement in 1980. The document prescribed an average utilization of 50 percent across the area; that is, it allowed a grazing level that would result in 50 percent of forage species biomass being removed with 50 percent remaining at the end of the grazing period. The finding was that in a hot, dry year utilization at greater than 50 percent would impact the forage species too severely, as it would allow non-forage species to take over. However, range managers soon decided that 50 percent was too high; instead, utilization was capped at 35 percent. Over time, utilization levels were reduced still further. From 1970 to 1983 utilization levels ranged from 10 to 80 percent, and from 1984 to 1996 they ranged from 10 to 44 percent. After thirty years of experimentation and monitoring, it appeared that the system was working because the relative productivity of forage and non-forage species did not change appreciably through wet or dry years.<sup>62</sup>

Some livestock growers found that the change in grazing management in the 1970s brought dramatic results. There was no denying the fact that the range was overgrazed before it was divided up into grazing allotments and permitted to individuals. Despite the regulations developed under the Taylor Grazing Act, the one big grazing district known as the Arizona Strip District had continued to suffer the tragedy of the commons. Some places were eaten bare. With the introduction of rotation grazing on individually permitted allotments in the 1970s, some of the stock growers were amazed to see how well the grazing resource recovered.<sup>63</sup>

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<sup>59</sup> Lee E. Hughes, "Thirty Years of Rotation Grazing in the Mojave Desert," *Rangelands* 20, no. 4 (August 1998), 6-8.

<sup>60</sup> Muhn and Stuart, *Opportunity and Challenge*, 207.

<sup>61</sup> ; National Park Service, Bureau of Land Management, and Forest Service, "Final Adjacent Lands Study, Grand Canyon National Park, Arizona," October 1981, PARA general administrative files to Dec. 1999, Box 2, PARA, p. 31.

<sup>62</sup> Hughes, "Thirty Years of Rotation Grazing in the Mojave Desert," 6-8.

<sup>63</sup> Bill Vincent, "Planning the future of the Arizona Strip," *The Nevadan*, May 14, 1972.

The BLM instigated a more controversial practice on other parts of the Shivwits Plateau that were forested. In some areas where native grasses had long been overgrazed, sagebrush and blackbrush had taken over, followed by juniper-pinyon forest. The forest canopy suppressed the growth of groundcover, and the absence of good groundcover led to more soil erosion. The BLM tried “reversing this process,” wrote a reporter in 1972, “by ripping out the taprooted plants and reseeding with grasses, forbs and browse bushes.” The juniper-pinyon forest was removed through the controversial practice of chaining. An enormous anchor chain was dragged along the ground between two crawler-type tractors, snagging and ripping out all the trees in its path. Chaining of juniper-pinyon forest was first practiced in the 1950s, and it started to receive more application, scientific study, and public scrutiny in the 1970s.<sup>64</sup>

### **The Environmental Movement and Wilderness Protection**

The modern environmental movement was born in the early 1960s. In many ways, it was a continuation, or revitalization, of the conservation movement that first took shape during the Theodore Roosevelt administration and then played out across the New Deal and postwar years. But it also differed from the earlier conservation movement in some important respects. Modern environmentalism took a more holistic view of the environment, raising new concerns about pollution, overpopulation, saving species from extinction, conserving biological diversity, and protecting ecosystem function. “Ecology” became the new watchword. Environmentalists called for land management decisions to be grounded in science, especially ecology. The ecological view of nature emphasized the interconnectedness of all of nature’s parts and did not privilege the commodifiable things over everything else. Environmentalists were leery of other scientific disciplines such as forestry and range management that were rooted in a utilitarian or “imperial” approach to nature. Whereas the progressive conservation movement of the early 1900s asked the public to trust government “experts” to manage the public lands wisely, the environmental movement of the 1960s and 70s had a more skeptical outlook on federal land managing agencies. It called for grassroots organizations to serve as a watchdog over federal stewardship and demanded that the public assume a greater role in guiding federal land management decisions.<sup>65</sup>

The new environmental agenda and the emphasis on grassroots politics reflected major shifts in the nation’s economic and cultural life. Nowhere was the change more apparent than in the West, where outdoor recreation and tourism became major land uses in competition with the older extractive industries of lumbering,

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<sup>64</sup> Vincent, “Planning the future of the Arizona Strip,” *The Nevadan*, May 14, 1972; Robin J. Tausch and Paul T. Tueller, “Plant Succession Following Chaining of Pinyon-Juniper Woodlands in Eastern Nevada,” *Journal of Range Management* 30, no. 1 (January 1977), 44-49.

<sup>65</sup> In his treatise, *Nature’s Economy: A History of Ecological Ideas* (1977), Donald Worster described two competing traditions of nature thought, which he called the “arcadian” tradition and the “imperial” tradition, one emphasizing harmonious relations between humans and the environment and the other positing human mastery over the natural world. Samuel P. Hays highlighted the first conservation movement’s deference to experts in his seminal work, *Conservation and the Gospel of Efficiency: The Progressive Conservation Movement, 1890-1920* (1959).

mining, and grazing. A population shift to the Sunbelt, especially to cities and retirement communities in the Southwest, added to a rural/urban divide in which rural communities remained attached to the “Old West” of resource production while the urban populace stood in the vanguard of the “New West” of rising cities and a post-industrial economy. City dwellers looked to the public lands as an urban amenity or as a vital part of the city’s recreational domain.<sup>66</sup>

Reflecting the wider demographic shift, the town of St. George grew into a small city in the 1960s and 70s, and its urban residents began to think of the Arizona Strip as part of the city’s recreational domain. In 1960, St. George had a population of a little over 5,000, and its prominent families had ranches on the Arizona Strip. After the town developed its first golf course in the mid 1960s, urban dwellers in the Salt Lake Valley began to eye St. George as a place to take a vacation or own a second home. In the 1970s, more golf courses went in, air-conditioned condominiums were built, and the resort community of Bloomington sprang up south of the town. Californians as well as Utahans began to purchase real estate, and the boom commenced. With a population of 11,350 in 1980, St. George experienced a whopping 150 percent growth rate over the next decade. Half a century after the first golf course was opened, the city had more than a dozen other golf courses. Outdoor recreation and the area’s warm, dry climate were the city’s main attractions. Besides golfing, people were drawn by the opportunities for hiking, camping, sport hunting, and driving all-terrain vehicles on the vast network of primitive roads and trails on the Arizona Strip. The old ranching families still had a strong influence over southern Utahans’ outlook on the public lands, but recreational interests increasingly mingled with grazing interests in shaping the region’s environmental politics.<sup>67</sup>

The Wilderness Act of 1964 signaled the birth of modern environmentalism. The Wilderness Act at its core was a declaration of values: “A wilderness, in contrast with those areas where man and his works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain.” The Wilderness Act established a system of designated wilderness areas where mining, lumbering, and mechanized vehicle use were prohibited, and lands would remain roadless and undeveloped. The National Wilderness Preservation System was conceived as an overlay on existing federal land management systems; it mandated the Forest Service, the NPS, and the Fish and Wildlife Service to protect wilderness values on designated lands within the national forests, national parks, and national wildlife refuges. Those three federal land management agencies were given ten years to complete a “wilderness review” of lands suitable for wilderness designation and report their recommendations to Congress. The NPS completed its wilderness reviews for forty-eight units of the National Park System, including one for Lake Mead National Recreation Area, in 1974. The BLM and the public lands, meanwhile, remained

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<sup>66</sup> Robert F. Durant, *The Administrative Presidency Revisited: Public Lands, the BLM, and the Reagan Revolution* (Albany: State University of New York Press, 1992), 12; James Morton Turner, *The Promise of Wilderness: American Environmental Politics since 1964* (Seattle: University of Washington Press, 2012), 21-22.

<sup>67</sup> Lyman Hafen, interview by Theodore Catton, April 27, 2016.

outside the purview of the Wilderness Act until 1976. Wilderness advocates succeeded in bringing the BLM and the public lands into the wilderness arena with passage of FLPMA. Section 603 of the act directed the BLM to conduct a wilderness review analogous to the ones recently completed by the other three agencies. The timetable for BLM's wilderness review differed from the earlier ones; it had five years, or until November 1980, to complete an inventory of potential wilderness areas, and ten years after that to complete a study of all selected areas, grouped by state, and present the findings to Congress.<sup>68</sup>

Wilderness review for the lands that eventually became part of Grand Canyon-Parashant National Monument proceeded in two stages: first, the NPS made a study of NPS lands within Lake Mead National Recreation Area; then, the BLM followed with a study of BLM lands in the Arizona Strip District. In 1974, the NPS proposed 409,000 acres within the 1.5 million acres of Lake Mead National Recreation Area for wilderness. The president's transmittal to Congress recommended that Congress defer action on the wilderness proposal until the Bureau of Reclamation decided about western hydropower needs. After the Bureau of Reclamation completed its work, the NPS began a second wilderness review using the Bureau of Reclamation's information. The NPS made a preliminary finding that 418,000 acres were suitable for wilderness designation and 262,000 acres were suitable for *potential* wilderness additions. Included in the former category were the Andrus, Parashant, and Whitmore canyons, a compact area totaling 57,215 acres. Included in the latter category was an 83,980-acre unit on the Shivwits Plateau where the Santa Fe Railway still held mineral rights. In large part because of the complicating factor of those mineral rights, the wilderness review was placed on hold in 1979 just prior to public review.<sup>69</sup>

The BLM initiated its preliminary inventory of potentially suitable wilderness areas on the Arizona Strip in 1978. A little less than one-fourth of the Arizona Strip, or forty-one separate tracts totaling 774,148 acres, were classified as Wilderness Study Areas (WSAs) and slated for further wilderness review. Of those 41 WSAs, the BLM finally recommended designating all or parts of just eight, amounting to 26,186 acres, or just 3.4 percent of the total and only .75 percent of the Arizona Strip. The BLM's recommendation was contained in its *Arizona Strip Wilderness Study Areas Draft Environmental Impact Statement* released in 1982. Acting on the advice of the Arizona Wilderness Coalition and other public input as well as the BLM's recommendation, Congress designated seven wilderness areas on BLM lands in the Arizona Strip

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<sup>68</sup> *Wilderness Act*, Public Law 88-577, 88<sup>th</sup> Cong., 2nd sess. (September 3, 1964); Turner, *The Promise of Wilderness*, 25-35, 117-18; John C. Miles, *Wilderness in National Parks: Playground or Preserve* (Seattle: University of Washington Press, 2009), 183-204, 253-54; 262-63; Muhn and Stuart, *Opportunity and Challenge*, 204-05; Phil Hanceford and Nada Culver, "Toward a Bureau of Landscape Management: The Evolution of BLM's Conservation Mission," report prepared by The Wilderness Society and BLM Action Center, November 2010, PARA general administrative files to Dec. 1999, Box 6, PARA.

<sup>69</sup> Lake Mead National Recreation Area, "Preliminary Wilderness Proposal," January 1979, and Lake Mead National Recreation Area, "Wilderness Status" (Issue Paper), July 2, 2001, and National Park Service, Bureau of Land Management, and Forest Service, "Final Adjacent Lands Study, Grand Canyon National Park, Arizona," October 1981, PARA general administrative files to Dec. 1999 and Jan. 2000 to 2010, PARA.

totaling 265,520 acres, or 34 percent of the total WSA acreage. The seven wilderness areas included four in what would later become Grand Canyon-Parashant National Monument: Paiute Wilderness, Grand Wash Cliffs Wilderness, Mount Logan Wilderness, and Mount Trumbull Wilderness. The Arizona Wilderness Act of 1984 also established one new wilderness area on the Kaibab National Forest. The law stipulated that grazing use would be allowed to continue wherever it was already present.<sup>70</sup>

During its wilderness review, the BLM conducted a survey of public opinion about Arizona wilderness. It mailed a questionnaire to a statistical sample of Arizona registered voters and received more than 3,000 responses. The survey found that 81 percent believed that wilderness was an important use of federal lands in the state, and 80 percent believed that federal wilderness areas were important for the protection of wildlife, plants, air and water quality, and natural lands. Opinion was almost evenly split on whether Arizona needed more wilderness or had enough.<sup>71</sup>

The Wilderness Act and wilderness preservation had far-reaching impacts beyond areas that became designated wilderness. Federal land managing agencies developed policies aimed at protecting “wilderness values” or “wilderness characteristics” on lands that were suitable for wilderness preservation even if Congress did not act to place them in the National Wilderness Preservation System. NPS management policy committed the agency to manage areas it defined as “recommended wilderness” or “potential wilderness” in the spirit of the law; these areas virtually became de facto wilderness. BLM management policy similarly held that public lands designated as a WSA through a land use plan were to be managed so as not to impair their suitability for wilderness designation.<sup>72</sup>

FLPMA gave the BLM another mandate that operated alongside the obligation to conduct wilderness review. The law directed the BLM to establish Areas of Critical Environmental Concern (ACECs). The BLM was to designate ACECs administratively. FLPMA defined ACECs as areas “where special management attention is required...to protect and prevent irreparable damage to important historic, cultural, or scenic values, fish and wildlife resources or other natural systems or processes, or to protect life and safety from natural hazards.” The provision enhanced the BLM’s ability to protect environmental values that were vulnerable to competing land uses.<sup>73</sup>

The Wilderness Act’s focus on roadless areas put a spotlight on off-highway vehicle (OHV) recreational use. As early as the 1920s, wilderness preservationists defined wilderness largely in relation to automobile use, or motorized access.

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<sup>70</sup> Arizona Wilderness Coalition, “Grand Canyon-Parashant and Vermilion Cliffs National Monuments Wilderness Proposal,” July 31, 2002, PARA general administrative files Jan. 2000 to 2010, PARA; U.S. Senate, *Arizona Wilderness Act of 1984*, 98<sup>th</sup> Cong., 2nd sess., 1984, S. Rept 98-463, 6.

<sup>71</sup> U.S. Department of the Interior, Bureau of Land Management, *Arizona Wilderness Public Opinion Survey Descriptive Report* (Phoenix, Ariz.: Bureau of Land Management, 1983), i.

<sup>72</sup> Miles, *Wilderness in National Parks*, 270-73; Arizona Wilderness Coalition, “Grand Canyon-Parashant and Vermilion Cliffs National Monuments Wilderness Proposal,” July 31, 2002, PARA general administrative files Jan. 2000 to 2010, PARA.

<sup>73</sup> FLPMA quoted in Skillen, *The Nation’s Largest Landlord*, 110.

Wilderness, they said, was an area where there was no road development, and therefore no mechanized vehicle presence, to detract from the wilderness traveler's satisfaction in experiencing the primitive. Bob Marshall, the principal founder of The Wilderness Society, wrote in 1930: "The dominant attributes of such an area are: first, that it requires anyone who exists in it to depend exclusively on his own effort for survival; and second, that it preserves as nearly as possible the primitive environment."<sup>74</sup> To experience wilderness, it was not enough to be outdoors and on foot, one had to be far removed from the world of cars. The environmental philosopher Aldo Leopold wrote early in his Forest Service career that a wilderness should be big enough to "absorb a two-weeks' pack trip."<sup>75</sup> Since wilderness review under the Wilderness Act began with roadless areas, the fact that OHVs went off road posed a direct threat to the protection of those areas. Unrestricted OHV use threatened to turn passable routes into de facto jeep trails or primitive roads.

The first all-terrain vehicles (ATVs) appeared on the market in the 1960s. Four-wheel-drive jeeps and trucks began to see more off-road recreational use around the same time. In 1967, the BLM began seeking legislative authority to regulate OHV recreational use on the public lands, and in 1972 the BLM and the NPS initiated a joint investigation into the effects of OHV use on fragile vegetation in the Mojave Desert. Congress responded by establishing the California Desert Conservation Area, a 25-million-acre zone in southern California centering on the western Mojave Desert. The area blanketed two large national monuments, Death Valley and Joshua Tree, as well as 12 million acres of public lands administered by the BLM. The California Desert Conservation Area was established under FLPMA. The provisions also set out authority for the BLM to regulate OHV use and directed the agency to manage the desert lands with sensitivity to their unique and fragile ecology. The law authorized appropriations of \$40 million over the next five years for the BLM to produce a land allocation plan for the California Desert Conservation Area. These developments had major implications for management of OHV recreational use on Arizona Strip lands.<sup>76</sup>

In 1977, President Carter signed Executive Order 11989, which specifically authorized the BLM to close public lands to OHV use wherever it was determined "that the use of off-road vehicles will cause or is causing considerable adverse effects on the soil, vegetation, wildlife, wildlife habitat or cultural or historic resources of particular areas or trails of the public lands."<sup>77</sup> The BLM began to limit OHV use on the Arizona Strip to existing roads and trails. Lands recommended for wilderness, lands providing desert tortoise habitat, and lands containing riparian habitat along the Virgin River were closed to OHV use. The NPS already limited OHV use on its lands to existing roads only. As OHV recreation grew more popular, the NPS responded by

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<sup>74</sup> Robert Marshall, "The Problem of the Wilderness," *The Scientific Monthly* 30, no. 2 (February 1930), 141.

<sup>75</sup> Roderick Nash, *Wilderness and the American Mind*, 4<sup>th</sup> edition (New Haven: Yale University Press, 2001), 5.

<sup>76</sup> Skillen, *The Nation's Largest Landlord*, 110; Muhn and Stuart, *Challenge and Opportunity*, 175.

<sup>77</sup> EO cited and quoted in Phil Hanceford and Nada Culver, "Toward a Bureau of Landscape Management: The Evolution of BLM's Conservation Mission," report prepared by The Wilderness Society and BLM Action Center, November 2010, PARA general administrative files Jan. 2000 to 2010, PARA.

grading roads that were approved for OHV use and placing berms across roads and trails that were off limits to OHV use.<sup>78</sup>

Wilderness preservation led to public debate over whether motor boats ought to be phased out on the Colorado River in Grand Canyon National Park. When the NPS completed its first wilderness review for the national park in 1970, it omitted the river corridor from the wilderness recommendation rather than close the river to motorized use. Environmentalists objected that the wilderness recommendation split the park in two by cutting the very heart out of the Grand Canyon wilderness. Pressured by environmental groups, the NPS produced a Colorado River management plan in 1972. Besides addressing the wilderness issue, the plan confronted the growing problem of crowding and noise on the river, or what had become known as the “recreational carrying capacity” of that popular resource. The plan imposed a ceiling on the number of people rafting the river each year, allocating a set number of permits for both commercial river rafting companies and independent river rafters. The plan proposed to phase out motors by 1977, which would then allow the river corridor to be proposed for wilderness status. Commercial river rafting companies strongly objected to the plan and brought a lawsuit against the NPS. Although the suit was dismissed, local members of Congress took the side of the commercial river rafting companies and threatened to bring legislation on the matter. The NPS temporarily backed off its proposal to phase out motors.<sup>79</sup>

Public interest in protecting the Grand Canyon led Congress to enact the Grand Canyon National Park Enlargement Act on January 3, 1975. The act consolidated into the park the Grand Canyon National Monument established in 1933, the Marble Canyon National Monument established in 1969, and portions of Lake Mead National Recreation Area and the Kaibab National Forest. The act required the NPS to undertake another round of wilderness review for the new parklands. The second wilderness recommendation, released in 1977, called for including the Colorado River corridor within one large Grand Canyon wilderness area of about a million acres. The wilderness recommendation in turn prompted a fresh look at how to phase out motorized use on the Colorado River. The revised Colorado River management plan, completed in 1980, committed the NPS to phase out motorized rafts on the river by 1985. However, the plan still faced opposition by members of Congress. Senator Orrin Hatch of Utah, a Republican, attached a rider to an appropriation bill that effectively locked in the number of user days, along with use of motorized watercraft, at the 1978 level.<sup>80</sup>

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<sup>78</sup> Bureau of Land Management, Arizona Strip District, “Shivwits Management Framework Plan Summary,” 1981, PARA general administrative files to Dec. 1999, PARA; National Park Service, Lake Mead National Recreation Area, “Summary, Final Environmental Impact Statement, General Management Plan,” 1986, LAKE; National Park Service, Lake Mead National Recreation Area, “Backcountry Management Plan,” 1989, PARA general administrative files to Dec. 1999, PARA.

<sup>79</sup> Miles, *Wilderness in National Parks*, 262-63.

<sup>80</sup> Anderson, *Polishing the Jewel*, 74; Miles, *Wilderness in National Parks*, 263-64.

## A Greater Grand Canyon Protected Area

During Congress's deliberations over adding lands to the national park, it considered lands that would eventually become part of Grand Canyon-Parashant National Monument. The House bill included Parashant, Andrus, and Whitmore canyons and the Shivwits Plateau (all future Monument lands) as well as the extensive Kanab Canyon system, an area lying half on BLM lands and half on the Kaibab National Forest. The Senate bill omitted all those areas. While the final draft of the legislation conformed to the Senate's version and demurred from adding all those lands to the national park, it nevertheless included a declaration of the significance of those areas to the greater Grand Canyon system. Section 2 of the act states:

It is the object of this Act to provide for the recognition by Congress that the entire Grand Canyon, from the mouth of the Paria River to the Grand Wash Cliffs, including tributary side canyons and surrounding plateaus, is a natural feature of national and international significance.<sup>81</sup>

Although Congress did not explicitly call for a buffer zone around Grand Canyon National Park, there was an implication in this statement that the national commitment to protect the Grand Canyon did extend beyond the national park boundaries. The declaration by Congress anticipated the initiative, some twenty years later, to put more lands in the Grand Canyon watershed into protected status. So, it is pertinent to the administrative history of Grand Canyon-Parashant National Monument to examine what was considered in the 1970s and put it in context.

The impulse in the 1970s to think expansively about the protection of the Grand Canyon paralleled similar developments elsewhere in the nation. In the Northern Rockies, twin movements were afoot by 1980 to protect the "Greater Yellowstone Ecosystem" around Yellowstone National Park and the "Crown of the Continent Ecosystem" around Glacier National Park in Montana and Waterton Lakes National Park in Canada. In both of those cases, logging, mining, and other land uses on adjacent national forests diminished wildlife habitat that was critical to wildlife within the national parks, especially the grizzly bear, which was among the first animals listed under the Endangered Species Act of 1973 (ESA). Without a coordinated effort by the NPS, the Forest Service, and other landowners, the grizzly bear would be lost. In South Florida, it became apparent that agriculture upstream of Everglades National Park and urban growth around the edges of the park were responsible for water diversions that were slowly drying out the Everglades, destroying its unique ecosystem. In the Southern Appalachians, people came to realize that their beloved Great Smoky Mountains were gradually disappearing under a veil of smog produced by the region's growing cities and numerous coal-fired electricity generating plants. National park defenders began referring to these multiple perils as

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<sup>81</sup> *Grand Canyon National Park Enlargement Act*, Public Law 93-620, 93<sup>rd</sup> Cong., 2nd sess. (January 3, 1975).

“external threats,” and they argued that the NPS must take a more aggressive stance in dealing with them.<sup>82</sup>

In facing external threats, Grand Canyon National Park shared elements with those other national parks. Like Great Smoky Mountains National Park, it featured grand vistas that were noticeably deteriorating under the effects of regional air pollution. It shared the same air masses with everyone else on the Colorado Plateau. Like Everglades National Park, its vital water resources were in jeopardy. The canyon floor lay below everything else on the Colorado Plateau. Park managers thought about the uranium washing down from old mine sites in southern Utah and worried about what was locked in the sediments behind Glen Canyon Dam. The Grand Canyon was part of a greater hydrological system that did not start at the national park boundary. Dams upstream altered the Colorado River’s velocity, sediment load, and water temperature where it coursed through the Grand Canyon. The changes to the river in turn affected the canyon’s ecology.<sup>83</sup>

The Grand Canyon National Park Enlargement Act of 1975 was accompanied by a conference committee report. The conference committee was formed to reconcile the House and Senate bills. Included in the conference committee report was a request that the secretary of the interior study the adjacent lands that the House recommended for inclusion in the national park and the Senate rejected, and assess whether any of those lands qualified for national park designation. Pursuant to the committee’s request, the assistant secretary of interior for fish, wildlife and parks designated the NPS as lead agency to make a reconnaissance study in December 1975. The Forest Service and the BLM participated in the adjacent lands study as well. The interagency task force compiled data; convened a series of public workshops in Tucson, Phoenix, Flagstaff, and St. George; and made its report in 1981. Even more than the wilderness reviews, the public debate over enlarging Grand Canyon National Park brought out public opinion on a range of land uses and management options. The adjacent lands study report was the most significant statement about the area prior to the restudy nearly twenty years later that would culminate in the proclamation of Grand Canyon-Parashant National Monument.<sup>84</sup>

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<sup>82</sup> The National Parks and Conservation Association coined the term “external threats” when it began inventorying internal and external threats to every national park for its annual “State of the Parks” report. Political scientist John C. Freemuth wrote the classic study on this emerging trend, *Islands under Siege: National Parks and the Politics of External Threats* (Lawrence: University Press of Kansas, 1991). For the specific history of the above-named national parks, see Theodore Catton, *Protecting the Crown: A Century of Resource Management in Glacier National Park*, report prepared for the National Park Service (Missoula, Montana: Rocky Mountain Cooperative Ecosystem Studies Unit, 2011); Matthew C. Godfrey and Theodore Catton, *River of Interests: Water Management in South Florida and the Everglades, 1948-2010* (Jacksonville, Fla.: Department of the Army, 2012); Theodore Catton, *Mountains for the Masses: A History of Management Issues in Great Smoky Mountains National Park* (Gatlinburg, Tenn.: Great Smoky Mountains Association, 2014).

<sup>83</sup> Rob Arnberger, interview by Theodore Catton and Diane L. Krahe, February 20, 2017.

<sup>84</sup> National Park Service, Bureau of Land Management, and Forest Service, “Final Adjacent Lands Study, Grand Canyon National Park, Arizona,” October 1981, PARA general administrative files to Dec. 1999, PARA, pp. 2-6.

Grazing was the primary existing land use in the study area, the task force found. In 1980, there were 2,000 head of cattle grazing on twenty-five grazing allotments administered by the BLM located either wholly or partially within the study area. Just one allotment, in Whitmore Canyon, had sheep grazing on it as well as cattle. There were three more grazing allotments administered by the Forest Service in the study area, though they lay outside the area that eventually became Grand Canyon-Parashant National Monument. Grazing use on the BLM allotments amounted to 17,500 AUM.<sup>85</sup>

The BLM estimated that the value of ranches in the area was around \$1,100 per animal unit in 1980. That meant that the 2,000 cattle grazing on the BLM-administered grazing allotments were worth \$2.2 million to the respective cattle operations. According to the task force's grazing evaluation, the allotments provided "critical range for a number of cattle operations," even though the 2,000 cattle represented just a fraction of the total livestock population on the Arizona Strip. Grazing was an important heritage of the Arizona Strip, and grazing on the lands in the study area was an important part of that story, the task force asserted.<sup>86</sup>

At the same time, the task force's grazing evaluation indicated that the downward trend in grazing use since the 1930s would likely continue. The BLM was still contending with a legacy of unrestricted year-round grazing use that had resulted in severe overgrazing of the range. Most of the range in the study area in 1980 was "in fair or poor condition." Riparian zones were especially degraded. The BLM expected to reduce grazing levels further to improve range conditions and allocate more forage to wildlife. Several problems appeared to limit the area's future potential for grazing use. Lack of dependable water sources led to uneven grazing pressures across allotments. Wide fluctuations in forage production caused by rainfall variability made it difficult to establish range carrying capacity. Many areas were still heavily impacted by soil compaction and erosion from past overgrazing. "In the future," the task force concluded, "continued grazing of these lands must recognize these limitations through the reduction in overall grazing pressures."<sup>87</sup>

Recreational use of the study area was viewed as part of a major open-space recreational resource that extended to Grand Canyon National Park, Lake Mead National Recreation Area, and Glen Canyon National Recreation Area. In contrast to the national park and two national recreation areas where recreational activity was intensively managed, the study area attracted forms of recreation that were "dispersed and relatively unregulated." For example, the overlook at Kelly Point on the Shivwits Plateau offered as sweeping a view of the Grand Canyon as any overlook in the national park, but in contrast to the sightseeing experience in the national park the sightseer on the Shivwits Plateau would travel over many miles of unpaved road (much of it extremely rough), experience a high degree of solitude, and virtually go

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<sup>85</sup> National Park Service, Bureau of Land Management, and Forest Service, "Final Adjacent Lands Study, Grand Canyon National Park, Arizona," October 1981, PARA general administrative files to Dec. 1999, PARA, p. 31.

<sup>86</sup> Ibid, p. 32.

<sup>87</sup> Ibid, pp. 32-35.

without interpretive aids or ranger services. In its evaluation of the recreational resources, the task force stated, “Although the study area experiences a relatively small visitation for recreational purposes, this visitation constitutes an important use of the area and must be considered among the highest and best uses of these lands.”<sup>88</sup>

The alternative lands study devoted much attention to just one form of recreational use, hunting, because sport hunters and outfitters had a keen interest in the area and hunting would most likely be prohibited if the lands were designated for national park purposes. The task force reported:

Recreational hunting in the study areas, particularly in the canyon and rimlands, is a unique, high-quality experience for a select group of hunters because of the wild and primitive nature of the natural environment. A relatively small number of hunters are willing to undergo the hardships inherent in hunting here such as rugged canyon terrain and limited access. However, this insures minimum contact with other hunters and a true wilderness experience. These circumstances coupled with the potential for a trophy-sized animal have given this area a high reputation among the hunting fraternity.<sup>89</sup>

Philosophical differences between the NPS and other federal land managing agencies went beyond whether hunting was prohibited or allowed. Game management programs in the BLM and the Forest Service supported activities aimed at enhancement of game populations, such as chaining and revegetation, prescribed burning, predator control, and water tank development. In contrast, NPS policy aimed at preserving wildlife populations and wildlife habitat in a natural state. Even when the NPS yielded to pressure and opened Lake Mead National Recreation Area to sport hunting in the early 1950s, it refused to support game management activities that would lead to an artificial increase of game populations. The Arizona Game and Fish Department regulated hunting on all federal lands in Arizona where hunting was allowed, including the Shivwits Plateau area within Lake Mead National Recreation Area. But the federal-state partnership over wildlife was strained when it came to lands under NPS jurisdiction. State game officials stressed that the migration patterns of the Kaibab mule deer herd made it advantageous to manage the herd across its entire range, and the state game department had a memorandum of agreement with both the BLM and the Forest Service to do just that.<sup>90</sup>

The study area overlapped the Arizona Game and Fish Department’s game management units 12A and 13. In 1980, the Arizona Game and Fish Department estimated that there were some 5,000 head of mule deer on 12A and 3,000 head on 13. The state issued 1,800 hunting permits on each unit. Roughly one fifth of permit

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<sup>88</sup> National Park Service, Bureau of Land Management, and Forest Service, “Final Adjacent Lands Study, Grand Canyon National Park, Arizona,” October 1981, PARA general administrative files to Dec. 1999, PARA, p. 36.

<sup>89</sup> *Ibid.*, p. 36.

<sup>90</sup> National Park Service, Bureau of Land Management, and Forest Service, “Final Adjacent Lands Study, Grand Canyon National Park, Arizona,” October 1981, PARA general administrative files to Dec. 1999, PARA, p. 36, 46; Rothman and Holder, *Balancing the Mandates*, 153-54.

holders shot a deer, the best hunter success rate in the state. Neither the Arizona Game and Fish Department nor Arizona's sport hunters wanted to give up hunting on those lands.<sup>91</sup>

The task force concluded that the Arizona Strip offered "a classic wilderness hunting experience" that was practically unavailable in other states outside of Alaska. However, to maintain the wilderness qualities of the experience, the state would have to limit the number of permits.<sup>92</sup>

Concerning oil and gas development and mining, the task force found that the study area showed limited potential for those types of land use. The copper mines in the area had largely played out in the early twentieth century due to the low quality of the ore and the arid and isolated conditions facing the mine operators. However, since the mines had ceased production uranium had been discovered in some of those same ore deposits. Future mining activity would likely focus on uranium. North of the study area, there were extensive coal deposits as well. Uranium mining or strip mining of coal would contaminate waters flowing into the Colorado River. Although mining activity did not pose an imminent threat to the Grand Canyon, it was potentially the biggest threat to the integrity of the resources of the study area.<sup>93</sup>

The task force's final recommendation was that the study area remain in multiple-use management by the BLM and the Forest Service (and the NPS, too, where Lake Mead National Recreation Area was concerned). Transferring the lands to Grand Canyon National Park was not the only way to ensure the protection of wild and scenic lands touching on the Grand Canyon, the task force argued. The data gathering and analysis, informed by the public workshops, led to the conclusion that there was strong local feeling in favor of maintaining traditional land uses, namely grazing and hunting, and that federal land managers were equipped to manage those land uses in such way as to protect the nationally significant features in and around the Grand Canyon.<sup>94</sup>

### *The Sagebrush Rebellion*

The Grand Canyon National Park adjacent lands study brought out timely information about the Arizona Strip, but it also fell in line politically with the changing times. The task force completed its work in the year following the 1980 presidential election, when the Republican candidate, former California Governor Ronald Reagan, defeated the Democratic incumbent, President Jimmy Carter. In choosing the conservative Reagan, the American electorate seemed to deliver a mandate for smaller government, less regulation, and a reallocation of power from the federal to the state level. The people of Arizona, Utah, and Nevada all voted for

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<sup>91</sup> National Park Service, Bureau of Land Management, and Forest Service, "Final Adjacent Lands Study, Grand Canyon National Park, Arizona," October 1981, PARA general administrative files to Dec. 1999, PARA, p. 35.

<sup>92</sup> *Ibid.*, p. 37.

<sup>93</sup> *Ibid.*, p. 38, 45.

<sup>94</sup> *Ibid.*, p. 49.

Reagan by overwhelming margins – indeed, by nearly the largest margins of all fifty states.

Rural westerners played a key role in Reagan’s electoral victory. A backlash against federal conservation on public lands, known as the Sagebrush Rebellion, erupted across the Western political landscape in the late 1970s and early 1980s. The Sagebrush Rebellion centered in Nevada, where a higher percentage of lands were in federal ownership than in any other state. Rural westerners felt they were under siege by the environmental policies and initiatives of the Carter administration: its wilderness reviews, its listings of endangered species, its rollback of federal water reclamation projects, its big push for national parklands in Alaska, and not least, its increases in grazing fees and restrictive management practices aimed at improving range conditions. Westerners not only elected Reagan as president, they also boosted Republican representation in Congress. In 1983, the Republican Party claimed nineteen of the western states’ twenty-four seats in the U.S. Senate, a highwater mark and a huge reversal from the previous two decades when the Democratic Party usually held a majority of those seats.<sup>95</sup>

Right on the heels of acquiring its own organic act in FLPMA, the BLM went through a change of direction in response to the Sagebrush Rebellion. President Reagan appointed Robert Burford director of the BLM. Burford was a Colorado rancher who had had his own battles with BLM land managers, often over his own grazing violations. Burford’s first initiative as head of the BLM was to hand more control of the range back to fee-paying range users. His rangeland improvement policy (1981) distributed range betterment funds on the basis of grazing fees paid rather than environmental need, and it reallocated funds from other administrative programs to pay for more on-the-ground range improvements. The discretionary authority of the BLM’s state directors was curtailed. Burford’s boss, Secretary of the Interior James Watt, insisted that the BLM cease making grazing reductions through the NEPA environmental review process; whenever an EIS laid out options for grazing reductions, BLM managers were required to select the no-action alternative. Environmental groups challenged Watt’s directive in court, but the courts upheld it. So, the BLM’s efforts to reduce grazing levels ground to a halt.<sup>96</sup>

### *Ecosystem Management*

The Grand Canyon National Park adjacent lands study, despite its essentially status-quo recommendation to keep the lands in multiple-use management, did serve to bring the NPS, the BLM, and the Forest Service closer together as land managing partners. The study put the three agencies on notice that they needed to improve their coordination on matters such as combatting regional air pollution and meeting demand for recreational use of public lands. In that respect, the study did not endorse the

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<sup>95</sup> Skillen, *The Nation’s Largest Landlord*, 120-23; Turner, *The Promise of Wilderness*, 225-32.

<sup>96</sup> Durant, *The Administrative Presidency Revisited*, 59, 107-08; Skillen, *The Nation’s Largest Landlord*, 128.

status-quo so much as it pointed the way toward a more complicated future of interagency coordination and co-management.

By the end of the Reagan administration (1981-1989), so many environmental challenges demanded interagency coordination across big geographical areas that federal managers struggled to find a new paradigm to deal with the burgeoning political and scientific complexity of managing the lands and resources under their charge. Nowhere was the breakdown in federal land management more apparent than in the Pacific Northwest, where federal managers, environmentalists, and the timber industry became embattled over whether to protect or cut down old-growth forests. A court injunction in 1989 halted 140 planned timber sales on several national forests in Washington and Oregon. The halt was necessary to protect the old-growth habitat of the northern spotted owl, an endangered species, so the protective order had the strong arm of the ESA behind it. But the court-ordered halt was no substitute for federal land management. All through the first Bush administration (1989-1993) the crisis over old-growth forests deepened. Forest Service and BLM land managers tried to find their way out of the impasse by embracing Ecosystem Management (EM) as their new paradigm for managing the national forests and the public lands.

EM recognized the unity of humankind and nature, and the interconnectedness of local economies and the natural environment. It accepted ecological complexity. It emphasized that scientific knowledge was far from complete, that scientists should be humble in the face of all they did not know, and that science-based management must include a component of trial and error or “adaptive management.” Most importantly, EM insisted on taking a wider view of the landscape and working across agency lines on the map. The Forest Service’s Jack Ward Thomas explained the new challenge facing all federal land managers when he said, “This is a mind-wrenching thing to pull back and pull up and start to look at the world with a satellite view, but that is how we’re going to deal with it.” EM turned the forester’s and rangeland manager’s traditional idea of resource “outputs” on its head: in place of producing board feet of lumber and AUMs, the public lands were now to provide such non-commodifiable values as biological diversity and ecosystem resiliency.<sup>97</sup>

EM found a tentative purchase in the first Bush administration and came into full flower in the Clinton administration (1993-2001). President Clinton convened the Pacific Northwest Forest Conference in Portland, Oregon within a few months of taking office. All parties were brought to the table to agree on a framework for a settlement. Following the conference, it remained for a team of scientists to take the framework and develop an ecologically sustainable plan. President Clinton’s *Northwest Forest Plan*, adopted in 1994, placed the presidential seal of approval on EM.

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<sup>97</sup> Turner, *The Promise of Wilderness*, 280-89; Theodore Catton, *American Indians and National Forests* (Tucson: University of Arizona Press, 2016), 156-62; Richard Freeman, “The EcoFactory: The United States Forest Service and the Political Construction of Ecosystem Management,” *Environmental History* 7, no. 4 (October 2002), 632-58. Thomas quoted in Theodore Catton and Lisa Mighetto, *The Fish and Wildlife Job on the National Forests: A Century of Game and Fish Conservation, Habitat Protection, and Ecosystem Management* (Washington, D.C.: USDA Forest Service, 1998), 263.

EM perhaps promised more than it could deliver. It suffered from the fact that it had no clear legislative underpinning, although EM's advocates could argue that there was an implicit mandate to conserve biological diversity in the National Forest Management Act of 1976, among other statutes, and EM was responding to those requirements. Without a definition in law, EM standards and processes varied widely according to context, and soon there were nearly as many definitions of EM as there were practitioners. Still, it represented a major advance in federal land management. EM formed the context for how resources were managed on lands that became Grand Canyon-Parashant National Monument in the last decade before the Monument was established.

### **The Mount Trumbull Ecosystem Restoration Project**

The Mount Trumbull Ecosystem Restoration Project became a showcase of EM on the Arizona Strip in the mid to late 1990s. The BLM laid the groundwork for the ecosystem restoration project when it established the 120,000-acre Mount Trumbull Resource Conservation Area in 1992. The designation came in response to public comments on the BLM's 1989 draft Arizona Strip resource management plan, which pointed out the deteriorated conditions around Mount Trumbull. In the final plan, the BLM committed itself to managing the area for the enhancement of wilderness, wildlife, watershed, and recreation values, and for the protection of a healthy, biologically diverse ecosystem. The BLM assembled an interdisciplinary planning team of resource managers with the BLM, the NPS, and the Arizona Game and Fish Department, local citizens, livestock and timber industry representatives, and conservation organization representatives. Because the area bordered Grand Canyon National Park, the BLM invited the NPS to participate on the planning team. The planning team developed a mission statement, defined the area's boundaries, and identified some three dozen management issues. It defined future desired conditions for the area and set up an adaptive management approach for attaining five stated objectives. Highest on the list of objectives was to restore the ponderosa pine forest to a pre-settlement condition with wildfire restored as part of the natural system.<sup>98</sup>

The planning team consulted with faculty at Northern Arizona University (NAU), and a partnership formed between the BLM and NAU scientists. The partnership ripened when Dr. W. Wallace Covington, professor of forestry at NAU, obtained a \$1.5 million federal matching grant and secured an equal amount in state funds awarded through the university. The \$3-million, multi-year research project was designed "to provide ecological information about changes in ponderosa pine throughout its range and to learn by doing." It was anticipated that information

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<sup>98</sup> Bureau of Land Management, Arizona Strip District, Vermilion Resource Area, *Mount Trumbull Conservation Area Plan* (St. George, Utah: Bureau of Land Management, 1995), 1, 15-21; "Mt. Trumbull Ecosystem Restoration Project," no date, in three-ring binder labeled "Mt. Trumbull Ecosystem Restoration Project, Planning, Part 2," PARA archive.

obtained from the Mount Trumbull Ecosystem Restoration Project would have wide application for ponderosa pine forests in many areas of the West.<sup>99</sup>

The project defined ecological restoration as “the process of reestablishing to the extent possible the structure, function, and integrity of indigenous ecosystems and the sustaining habitats that they provide.” It drew inspiration from Aldo Leopold’s statement that to understand those ecosystem properties “the first step is to reconstruct a sample of what we had to begin with.”<sup>100</sup> Scientists already had a general idea of the structure and natural fire regime of the ponderosa pine forest in its indigenous form. Before Euro-American settlement of the region, the ponderosa pine forest had been subject to low-intensity ground fires perhaps every two to twelve years. The frequency of fire tended to produce open stands of large, old trees underlain by an understory of native grasses. With the advent of fire suppression in the early twentieth century, the open understory yielded to dense thickets of young pines and an accumulation of forest litter. The undergrowth created a fuel ladder for ground fire to climb into the forest canopy, producing the rare but catastrophic stand-replacing crown fire. Logging and grazing activity further altered the forest. Beginning in 1977, the BLM conducted forest thinning in the area. Some of the timber slash was piled but was never burned or hauled out. In 1991, the BLM commenced a program of prescribed burning in spring and summer to reduce fuel load levels. The restoration project began with that complicated forest history as its starting point and it sought to apply “restoration treatments” (prescribed burning and cutting) to bring the forest back to a semblance of its indigenous form. It monitored biological responses to each treatment and made modifications according to a “learning by doing” process.<sup>101</sup>

Ecosystem restoration occurred within the multiple-use framework of managing for other forest uses and resources. For example, forest treatments were sensitive to archeological resources. The BLM made cultural resource surveys prior to timber marking and cutting and excluded these resources from the treatments. In 1996, the BLM sponsored a tour for members of the Arizona State Historic Preservation Office (SHPO) to show them effects of restoration thinning on ancestral Pueblo and Paiute cultural sites. The SHPO concurred with the preservation strategy.<sup>102</sup>

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<sup>99</sup> “Mt. Trumbull Ecosystem Restoration Project,” no date, Terry A. May to Bruce Babbitt, June 26, 1995, and attachments in three-ring binder labeled “Mt. Trumbull Ecosystem Restoration Project, Planning, Part 2,” PARA archive; W. Wallace Covington to Roger Taylor, October 23, 2001, PARA general administrative files to Dec. 1999, PARA.

<sup>100</sup> Northern Arizona University, College of Ecosystem Science and Management, “Ecosystem Restoration Project Annual Report for the Year October 1, 1995 to September 30, 1996,” typescript, 1996, PARA library.

<sup>101</sup> Will Moir, “Ponderosa Pine Fire Ecology,” August 22, 2003, in *Land Use History of North America* at <http://www.cpluhna.nau.edu/Biota/ponderosafire.htm>, paper copy found in PARA archive; Northern Arizona University, College of Ecosystem Science and Management, “Ecosystem Restoration Project Annual Report for the Year October 1, 1995 to September 30, 1996,” typescript, 1996, PARA library.

<sup>102</sup> Bureau of Land Management, “Mt. Trumbull Ponderosa Pine Ecosystem Restoration,” July 19, 1996 (briefing paper), in three-ring binder labeled “Mt. Trumbull Ecosystem Restoration Project: Public Affairs Plan, Briefing Statements, Kyl Tour, Brochures, Presentations, General Media, Field Trip, Workshop, Babbitt Meeting,” PARA archive.

Ecosystem restoration was coordinated with recreational use of the area. The Mount Trumbull Recreation Conservation Area included the Mount Trumbull and Mount Logan wilderness areas. Because of the presence of wilderness, the restoration project included both mechanical and nonmechanical treatments. The presence of wilderness effectively turned the area into a matrix of four land types for restoration: previously logged non-wilderness, never logged non-wilderness, previously logged wilderness, and never logged wilderness. Researchers conducted a social survey to assess public response in local communities to ecological restoration in the wilderness. Data analysis included comparing responses of people in the urban population of St. George with those in the rural population in towns such as Fredonia, Colorado City, and Kanab.<sup>103</sup>

The project team recognized that educating the public was vital to managing the area for recreational use. Recreationists had to be informed about the purpose and benefit of ecosystem restoration or else they would find it objectionable. The Mount Trumbull Resource Conservation Area plan acknowledged the problem by emphasizing the need to provide information and interpretation for visitors so that visitors would make “appropriate choices about participation in recreation activities.” A stated objective of the plan was for visitor enjoyment to be “maintained and/or increased.” By educating the recreational users, it was hoped that “quality visitor experiences will be enhanced in a variety of settings while lessening impacts on resources.”<sup>104</sup>

The project team focused on education at a time when environmental science studies began to reveal that recreation had more impact on forest ecosystems than was previously assumed. Recreationists themselves tended to believe that their impact was negligible compared to impacts from logging, grazing, and mining. Contrary to the popular view, however, studies showed that recreation could strongly impact sensitive plant and animal species. Perhaps more surprisingly, non-vehicle recreation was more impactful than OHV use, according to a study published in *BioScience* in 1998. Forest Service and BLM managers were awakening to the ecological effects of recreation use in the 1990s, having given recreation use more or less a free pass in the management plans developed during the previous two decades, and the Mount Trumbull project benefited from that new perspective.<sup>105</sup>

Wildlife studies by the Arizona Game and Fish Department also formed a part of the Mount Trumbull ecosystem restoration effort. Wildlife surveys and monitoring of vegetation plots helped improve understanding of restoration treatments on a variety of wildlife species, including mule deer, turkeys, Abert’s squirrels (commonly

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<sup>103</sup> Northern Arizona University, College of Ecosystem Science and Management, “Ecosystem Restoration Project Annual Report for the Year October 1, 1997 to September 30, 1998,” typescript, 1998, PARA library;

<sup>104</sup> Bureau of Land Management, Arizona Strip District, Vermilion Resource Area, *Mount Trumbull Conservation Area Plan*, 21.

<sup>105</sup> Thomas G. Alexander, “Struggle in an Endangered Empire: The Search for Total Ecosystem Management in the Forests of Southern Utah, 1976-1999,” in Christopher J. Huggard and Arthur R. Gómez, editors, *Forests under Fire: A Century of Ecosystem Mismanagement in the Southwest* (Tucson: University of Arizona Press, 2001), 215-17.

known as Kaibab squirrels), reptiles, migrating passerines, and selected nesting birds.<sup>106</sup>

Treatments involving logging started in 1996 with a negotiated contract for the sale of 191 thousand board feet of ponderosa pine on forty-six acres. The Peterson Logging Company of Fredonia, Arizona was awarded the contract. By the fourth year of the project, eight restoration units covering approximately 1,200 acres had been treated by a mix of commercial logging, thinning, prescribed burning, and reseeded. Congress supported the project through continued Interior Department appropriations through 2002. Funding ceased unexpectedly in 2003. Funds were recommitted for use in high-priority fuel reduction projects located elsewhere under President George W. Bush's Healthy Forests Initiative. Professor Covington appealed to Arizona's Republican Senator Jon Kyl to restore the funding; however, neither the senator nor Secretary of the Interior Gale Norton nor the Washington Office of the BLM were inclined to divert the moneys back to the ecosystem restoration project. The sudden loss of funding practically brought an end to forest restoration activity. However, the Mount Trumbull ponderosa pine forest was so well known by this point that the area would continue to serve as a valuable field laboratory for related research, such as wildlife responses to ecological restoration.<sup>107</sup>

### **Grazing Management and the Desert Tortoise**

The move to EM was less apparent in relation to grazing management. The BLM laid out its grazing management policies in its 1992 management plans for the Arizona Strip District and the Shivwits Resource Area, and in the main they echoed multiple-use objectives of an earlier era. Three major goals of rangeland management were: first, to balance grazing use with other land uses; second, to monitor rangeland resource utilization to ensure that the level of utilization was sustainable; and third, to make rangeland improvements so that they provided multiple-use benefits, where appropriate. The BLM's range management specialists continued to prepare allotment management plans for each grazing allotment. Allowable use of key forage species was set at 50 percent on most allotments with rotational grazing systems. The range management specialists monitored forage utilization and supervised permittees' compliance with the terms of their grazing allotments.<sup>108</sup>

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<sup>106</sup> Research Branch, Arizona Game and Fish Department, "Short-Term Wildlife Responses to Ponderosa Pine Forest Restoration Treatments in the Mt. Trumbull Area, Arizona, Annual Report for the Year Oct. 1, 1997 – Sept. 30, 1998," pp. 4-5, and "AGFD Mt Trumbull Annual Progress Report – 2006," p. 1, PARA library.

<sup>107</sup> Bureau of Land Management, "Mt. Trumbull Ponderosa Pine Ecosystem Restoration," July 19, 1996 (briefing paper), and "Restoration of Mt. Trumbull Ecosystem," March 1, 1999 (briefing paper), and "Briefing for the Deputy Director of Operations," October 1, 2003 (briefing paper), all in three-ring binder labeled "Mt. Trumbull Ecosystem Restoration Project: Public Affairs Plan, Briefing Statements, Kyl Tour, Brochures, Presentations, General Media, Field Trip, Workshop, Babbitt Meeting," PARA archive.

<sup>108</sup> U.S. Department of the Interior, Bureau of Land Management, *Shivwits Resource Area Implementation Plan for the Arizona Strip District Approved Resource Management Plan* (Phoenix, Ariz: Government Printing Office, 1992), 12-13.

The new values embraced in EM were evident in the BLM's efforts to balance grazing use with desert tortoise protection. The BLM cooperated with the Fish and Wildlife Service in developing strategies to safeguard a vulnerable population of desert tortoises on the Arizona Strip. The larger principle involved in the desert tortoise issue was to manage the public lands such that they served as a reservoir of biological diversity. The BLM took the philosophical position that grazing might diminish the number of tortoises by an incidental amount provided that the tortoise population remained viable. The legal definition of such a carefully calibrated grazing impact on the tortoises was that the grazing constituted an "incidental take." In keeping to that formula, the BLM contributed to the growing body of science around the desert tortoise and its place in the ecosystem.

The desert tortoise is one of four existing land tortoises in North America and the only native tortoise in the Mojave Desert. It grows to about fifteen inches in length and lives for up to fifty years. This shy, rarely seen herbivore spends much of its life in burrows, emerging mainly in late winter and early spring to forage. As late as the 1950s, the adult population averaged as many as 200 per square mile but now the density is far less. Starting in the late 1970s, it became evident that the species was in serious trouble. The Mojave Desert population was threatened by a variety of hazards. In the western Mojave Desert, many tortoises were infected with a lethal upper respiratory disease. Many were taken by humans illegally for pets, food, or commercial trade. Others were killed by vehicles, both on highways and in off-highway settings. Habitat loss was another stressor on the desert tortoise population. Predation on desert tortoise hatchlings by ravens, although natural, has been elevated to abnormal levels in modern times owing to human-related increase in the raven population.<sup>109</sup>

The BLM began supporting scientific research on the desert tortoise in the late 1970s as part of its previously mentioned \$40-million planning effort for the California Desert Conservation Area. BLM-sponsored studies helped bring to light a precipitous decline in desert tortoise numbers across the tortoise's entire range within the United States. As concerns about the desert tortoise mounted, the BLM prepared the *Habitat Management Plan for Conservation of the Desert Tortoise* (1988). The plan identified tortoise habitat areas, made preliminary recommendations for management, and set up continuing oversight of the problem.<sup>110</sup>

The Arizona Strip lies along the extreme northeast edge of the desert tortoise's range. Around St. George, winters are almost too cold for the animal to survive. The BLM estimated there were around 6,165 desert tortoises extant in the region in 1990, with this sparse population mainly concentrated in two areas: the Pakoon Basin in Mojave County, Arizona, and the Beaver Dam Slope in the southwest corner of Utah.

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<sup>109</sup> Mel Schamberger, Timothy J. MacGillvray, and Dirk D. Draper, "Economic Impact Analysis of Critical Habitat Designation for the Desert Tortoise (Mojave Population)," typescript, 1993, PARA library; U.S. Department of the Interior, Bureau of Land Management, "Biological Evaluation: Livestock Grazing in Desert Tortoise Habitat," report, 1991, PARA library.

<sup>110</sup> U.S. Fish and Wildlife Service, *Revised Recovery Plan for the Mojave Population of the Desert Tortoise (Gopherus agassizii)* (Sacramento, Calif.: U.S. Fish and Wildlife Service, Region 8, Pacific Southwest Region, 2011), 1-5.

In 1980, the Beaver Dam Slope desert tortoise population was listed as threatened under the ESA and the area was designated as critical habitat. In 1990, the entire western Mojave Desert population was listed as threatened. In the second listing, no more critical habitat was designated for the time being beyond the existing Beaver Dam Slope designation.<sup>111</sup>

Wherever critical habitat was designated under the ESA, it made grazing use problematic. The ESA prohibits the “take” of endangered fish or wildlife, with “take” defined as “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.” “Harm” is defined as any action, including habitat modification, which kills or injures wildlife. A 1982 amendment to the ESA allows an “incidental take,” provided that the agency responsible for allowing the incidental take formally consults the Fish and Wildlife Service and properly obtains that clearance. As cattle were known to trample desert tortoises, and as stocking the range was known to modify the desert tortoise’s habitat, the BLM duly consulted the Fish and Wildlife Service on whether grazing use could be defined as an incidental take. The consultation followed procedures set out in Section 7 of the ESA.<sup>112</sup>

Pursuant to the consultation, the BLM completed its own scientific research and submitted a biological evaluation to the overseeing agency in July 1991. In the BLM’s evaluation, it proposed to mitigate grazing impacts on the desert tortoise in a way that would result in an incidental take of perhaps ten tortoises per year. Based on its estimate of 6,165 tortoises on the Arizona Strip, the BLM argued that continued grazing use would have little effect on the survival of the desert tortoise on the Arizona Strip.<sup>113</sup>

The Fish and Wildlife Service considered the BLM’s proposal and responded with a comprehensive report, “Procedures for Endangered Species Act Compliance for the Mojave Desert Tortoise,” in October 1992. It authorized the incidental take, but it cautioned the BLM that the authorization could be revised or withdrawn at a later time. The Fish and Wildlife Service was required to prepare a recovery plan for each species listed under the ESA. Pending completion of the recovery plan, it could not be definitive on the matter. The Fish and Wildlife Service also reminded the BLM that other lands in addition to the Beaver Dam Slope could be designated as critical habitat at a later time.<sup>114</sup>

While the recovery plan was still in the offing, the BLM proceeded to manage for grazing use according to its concept of an incidental take. The BLM’s 1988 plan

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<sup>111</sup> Mel Schamberger, Timothy J. MacGillvray, and Dirk D. Draper, “Economic Impact Analysis of Critical Habitat Designation for the Desert Tortoise (Mojave Population),” typescript, 1993, PARA library; U.S. Department of the Interior, Bureau of Land Management, “Biological Evaluation: Livestock Grazing in Desert Tortoise Habitat,” report, 1991, PARA library.

<sup>112</sup> USDI, Fish and Wildlife Service, “Procedures for Endangered Species Act Compliance for the Mojave Desert Tortoise,” report, 1992, PARA library.

<sup>113</sup> U.S. Department of the Interior, Bureau of Land Management, “Biological Evaluation: Livestock Grazing in Desert Tortoise Habitat,” report, 1991, PARA library.

<sup>114</sup> USDI, Fish and Wildlife Service, “Procedures for Endangered Species Act Compliance for the Mojave Desert Tortoise,” report, 1992, PARA library.

for mitigating effects of grazing on the desert tortoise came after years of scientific study. Of most concern was the fact that cattle foraging removed vegetation that the desert tortoise used for food and cover. The two species of herbivores, though very different from each other, were in competition for the same resource. Biologists studied the tortoise's food habits and habitat needs to put this overlapping resource use in perspective. How important was the overlap to the tortoise's overall nutritional needs? In what seasons of the year was the overlap most consequential? At what time of year were cattle most prone to trample tortoises or damage the tortoises' nests and shelter sites?<sup>115</sup>

Based on the scientific findings, the BLM developed strategies for minimizing competition for forage and degradation of tortoise habitat. On grazing allotments that overlapped desert tortoise habitat, the BLM reduced forage utilization from 50 to 45 percent. On six grazing allotments, it cut forage utilization ceilings in half from March 15 to June 1 when tortoises were most active. On three allotments, it eliminated grazing during that period. On two allotments, it limited grazing to the winter, and on one more, it limited grazing use through a deferred rotation grazing system. Altogether, that averaged out to a 62 percent reduction in grazing throughout the critical habitat areas during the critical spring months. It also planned to install nearly twelve miles of livestock control fence and consolidate the Littlefield Free Use and Littlefield Community allotments (near the Beaver Dam Slope).<sup>116</sup>

While these mitigation measures were significant, they did not go far enough to satisfy the Fish and Wildlife Service after it issued a recovery plan for the desert tortoise in 1994. Over six million acres of the Mojave Desert were designated as critical habitat. The plan called for sharply limiting spring grazing over most areas and terminating it in a few sensitive areas.<sup>117</sup>

Responding to the Fish and Wildlife Service's recovery plan, the BLM tried to close grazing allotments in the Pakoon Basin for the critical spring season when the tortoises were active, but ranchers resisted the move. When ranchers, environmentalists, and the two federal agencies all came to an impasse over the closure, the BLM took two related actions to address conservation of the desert tortoise. First, it designated three Areas of Critical Environmental Concern according to the authority granted by FLPMA. Two of the ACECs were for the benefit of the Beaver Dam Slope desert tortoise population, the third covered the Pakoon Basin. The BLM's related action was to initiate a public process for amending the 1992 resource management plan for the Arizona Strip District. Known as the Mojave Desert Amendment, it centered on defining the ACECs and stating how they would be

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<sup>115</sup> Todd C. Esque, Lesley A. DeFalco, and R. Bruce Bury, "Nutrition and Foraging Ecology of the Desert Tortoise: FY 1990 Annual Report," report prepared for USDI Bureau of Land Management, 1991, PARA library.

<sup>116</sup> U.S. Department of the Interior, Bureau of Land Management, "Biological Evaluation: Livestock Grazing in Desert Tortoise Habitat," report, 1991, PARA library.

<sup>117</sup> Bruce Babbitt, *Cities in the Wilderness: A New Vision of Land Use in America* (Washington, D.C.: Island Press, 2005), 152.

managed. The public process created a useful forum for discussion about the desert tortoise and grazing.<sup>118</sup>

As the Mojave Desert Amendment neared final approval, the Fish and Wildlife Service issued a biological opinion, which completed the BLM's Section 7 consultation process. Once again, the Fish and Wildlife Service found that the BLM's proposed grazing program would result in no more than an incidental take of the desert tortoise population. The non-jeopardy biological opinion (file number 2-21-96-F-132), issued on January 28, 1998, followed a similar, or perhaps identical, biological opinion issued in June 1995, and another (with the same file number) issued on June 18, 1996. The BLM cited the biological opinion as certifying that its grazing management program complied with the ESA. That was threading the needle, because the 1996 biological opinion actually addressed construction projects around the Pakoon Airstrip rather than grazing, and moreover, the BLM still had to deal with some recalcitrant permittees who refused to comply with the livestock reductions.<sup>119</sup>

The Mojave Desert Amendment was approved in April 1998. Among its key provisions, it stated that the BLM would close the Pakoon ACEC to grazing on March 15, 2001. All grazing preferences in the Pakoon ACEC would be canceled. The projected closure applied to the entire Tassi Allotment, most of the Mosby-Nay Allotment, and small portions of the Pakoon Allotment and Pakoon Springs Allotment. (The Tassi Allotment lay within Lake Mead National Recreation Area and was administered by the BLM under a longstanding cooperative agreement with the NPS.) Further, the BLM intended to retire grazing allotments within desert tortoise critical habitat areas whenever the current preference-holders gave up their preference.<sup>120</sup>

The closure of the Mosby-Nay and Tassi allotments did not occur as planned. The BLM issued a Final Grazing Decision on May 27, 1999, which closed these allotments to grazing immediately. The permittee on the Mosby-Nay Allotment appealed the decision and the Interior Board of Land Appeals stayed the decision pending a final determination by the Office of Hearings and Appeals. In 2003, the BLM reauthorized year-round livestock use on the allotment until processing of the

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<sup>118</sup> Bureau of Land Management, "Decision Record, Arizona Strip Resource Management Plan, Mojave Desert Amendment," December 7, 1998, PARA general administrative files to Dec. 1999, PARA.

<sup>119</sup> "Summary Biological Opinion for the Expansion of the Pakoon Airstrip, Mohave County, Arizona," June 18, 1996, and Field Supervisor, Arizona Ecological Services Field Office to Area Manager, Shivwits Resource Area, June 18, 1996, and further correspondence dated April 25, 1997, and April 1, 1998, at [https://www.fws.gov/southwest/es/Arizona/Documents/Biol\\_Opin/96443\\_Pakoon\\_Airstrip\\_Exp\\_BO.PDF](https://www.fws.gov/southwest/es/Arizona/Documents/Biol_Opin/96443_Pakoon_Airstrip_Exp_BO.PDF) <June 28, 2017>. All of these documents are assigned file number 2-21-96-F-132; however, in two cases the "132" is lined out with another number handwritten above it. See also references to biological opinion coded 2-21-96-F-132 in Bureau of Land Management, "Decision Record, Arizona Strip Resource Management Plan, Mojave Desert Amendment," December 7, 1998, PARA general administrative files to Dec. 1999, PARA.

<sup>120</sup> Bureau of Land Management, "Decision Record, Arizona Strip Resource Management Plan, Mojave Desert Amendment," December 7, 1998, PARA general administrative files to Dec. 1999, PARA.

permit could be completed. In the meantime, the BLM proposed to reconfigure the Mosby-Nay Allotment to include more acreage outside the ACEC.<sup>121</sup>

The permittee on the Tassi Allotment appeared to defy the order or not take it seriously. Nearly two years after the order was issued, an aerial survey by the BLM counted forty head of cattle remaining on the allotment in violation of the order. In 2002, the BLM range management specialist was still seeking the permittee's cooperation while providing notice that the government would file civil action in federal district court if the permittee failed to act.<sup>122</sup>

To put these difficulties in perspective, it may be noted that during this time the BLM was engaged in a much wider effort to raise grazing fees and reduce stocking levels across the whole Western range. Secretary of the Interior Bruce Babbitt unveiled his Rangeland Reform '94 initiative in March 1994, which raised grazing fees from \$3.96 to \$4.28 per AUM and set up a collaborative process for BLM managers and ranchers to establish new (more ecofriendly) rangeland standards. Babbitt's actions sparked a second sagebrush rebellion. All over the West, relations between ranchers and BLM managers soured through the remainder of the Clinton administration.<sup>123</sup>

### **The Shivwits Area under NPS Management**

The Shivwits Plateau was Lake Mead National Recreation Area's outback. The busy recreation area had about forty-five rangers on staff, yet the Shivwits Plateau portion of the recreation area had just one or at most two rangers assigned to it.<sup>124</sup> The national recreation area covers about 1.5 million acres, of which about 200,000 acres is water and another 208,447 acres is now within Grand Canyon-Parashant National Monument (and still part of the national recreation area).<sup>125</sup> Prior to the Monument designation, Lake Mead management documents consistently referred to the area as "isolated" and "remote." From the unit's headquarters in Boulder City, Nevada the Shivwits Plateau was indeed a remote section of the unit, for the fastest way to get there was to take the freeway to St. George and then take unpaved roads southward, which was altogether about a five-hour drive. The 1986 general management plan for Lake Mead National Recreation Area named the Shivwits Plateau last in a list of management zones, and described it as follows:

This zone is the most isolated and least visited in the recreation area. It is actively grazed and visitors are generally limited to hunters, yet it affords

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<sup>121</sup> Brenda Smith, "Mosby-Nay Allotment Grazing Permit, Arizona Strip District, Bureau of Land Management," no date, accompanying Todd C. Esque, Lesley A. DeFalco, and R. Bruce Bury, "Nutrition and Foraging Ecology of the Desert Tortoise: FY 1990 Annual Report," report prepared for USDI Bureau of Land Management, 1991, PARA library.

<sup>122</sup> Linda Price to Leland O. Whitmore, November 15, 2002, PARA general administrative files Jan. 2000 to 2010, PARA.

<sup>123</sup> Skillen, *The Nation's Largest Landlord*, 145-50. See also, Babbitt, *Cities in the Wilderness*, 150-51.

<sup>124</sup> Ray Klein, interview by Theodore Catton, April 11, 2016.

<sup>125</sup> The NPS maintains that the acreage cannot be transferred from Lake Mead National Recreation Area to the co-managed national monument without an act of Congress.

some spectacular views into the Grand Canyon. Access is over a county dirt road. The roads within the area are rough and slow. Most are not maintained and are suitable only for four-wheel drive vehicles.<sup>126</sup>

A draft fire management plan for Lake Mead National Recreation Area described the Shivwits Plateau as “an extremely remote area within the Arizona Strip located on the northwest rim of the Grand Canyon.”<sup>127</sup> The 1989 backcountry management plan for the unit treated the Shivwits Plateau as an exceptional part of the recreation area, suitable for primitive car camping along the little-traveled roads. The NPS management prescription for the Shivwits Plateau was to keep development to a minimum to preserve the area’s “remoteness and beauty.” Visitors to the Shivwits Plateau experienced a “remarkable change of pace” from the boat-oriented recreation on and around Lake Mead.<sup>128</sup>

In the decades prior to the establishment of Grand Canyon-Parashant National Monument, the Shivwits Plateau probably saw more recreational use during the deer hunting season than at any other time of year. Hunting was allowed within the Lake Mead National Recreation Area by authority of the Lake Mead National Recreation Area Administration Act of 1964. There were few other units in the National Park System then that allowed hunting, so initially the NPS had very limited experience working with state game departments or managing wildlife habitat in a multiple-use context. Indeed, the NPS resisted allowing hunting in Lake Mead National Recreation Area during the 1940s and 50s before Congress explicitly authorized it in the 1964 act. Arizona game officials, for their part, wanted as much involvement with the resource as they could get because the deer hunt on the Shivwits Plateau was an important state asset. The Shivwits deer herd was known for its trophy-size bucks. That and the area’s remoteness made the place very attractive to a select type of sport hunter. The state could auction deer tags in the area for many thousands of dollars apiece.<sup>129</sup>

Lake Mead National Recreation Area entered a memorandum of understanding with the Arizona Game and Fish Commission in 1984. In its main points, the 1984 agreement committed the NPS to consult the state agency concerning wildlife habitat management or any project that would affect wildlife resources, and the state agency agreed to consult with the NPS before establishing hunting, fishing, and trapping seasons and regulations in Lake Mead National Recreation Area. The agreement specifically excluded wild horses and burros as defined under the Wild Free Roaming Horse and Burro Act of 1971. The agreement papered over the ongoing philosophical

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<sup>126</sup> National Park Service, *Final Environmental Impact Statement, General Management Plan and Alternatives, Lake Mead National Recreation Area, Arizona-Nevada* (Boulder City, Nev.: National Park Service, 1986), 5.

<sup>127</sup> Draft Lake Mead Fire Management Plan, 2001, LAKE.

<sup>128</sup> National Park Service, Lake Mead National Recreation Area, “Backcountry Management Plan,” October 1989, PARA general administrative files to Dec. 1999, PARA; National Park Service, *Final Environmental Impact Statement, General Management Plan and Alternatives, Lake Mead National Recreation Area, Arizona-Nevada* (Boulder City, Nev.: National Park Service, 1986), 192.

<sup>129</sup> Rothman and Holder, *Balancing the Mandates*, 40, 153-54; Paul Krumland, interview by Theodore Catton, April 22, 2016; Klein interview. With the addition of more national recreation areas plus several units in Alaska that allow subsistence hunting, hunting in NPS areas became more common and today approximately 60 percent of acreage in the National Park System is open to hunting.

differences between the federal and state agencies. The state claimed responsibility for the deer herd according to the legal doctrine of state ownership of wildlife. It viewed the deer herd as an economic asset and social amenity as well as a part of the ecosystem. The NPS owned the land and designated the Shivwits area as a “Natural Zone” in Lake Mead’s general management plan. As much as the state favored making habitat improvements to propagate more deer, NPS policy for the management of natural zones did not support manipulation of wildlife habitat to favor one species over others except in the case of threatened or endangered species.<sup>130</sup>

In the 1980s, Lake Mead National Recreation Area was divided into seven ranger districts, including one for the Shivwits Plateau. Chuck Luttrell was the first park ranger assigned to the Shivwits and he worked there one season in 1981. The ranger station was located at the present Mount Dellenbaugh Administrative Site. Previous to its use as a ranger station the site served as a fire camp and was occupied by the Young Adult Conservation Corps (YACC). After the 1981 season, the ranger station reverted to its former designation as a fire camp and was staffed by two seasonal wildland firefighters each summer through the early to mid 1990s. Originally the facility consisted of a singlewide trailer; later, in 1993, a cabin complex was built. The facility was called both the Shivwits Fire Camp and the Shivwits Ranger Station. It remained a backwater posting relative to Lake Mead National Recreation Area operations.<sup>131</sup>

The NPS had a cooperative agreement with the BLM for total wildfire suppression on the Shivwits Plateau commencing in 1984. The agreement called for coordination and cooperation between Lake Mead National Recreation Area and the Arizona Strip District in use of fire dispatch and fire management crews. The NPS participated in the Interagency Dispatch located at St. George. BLM personnel flew aerial fire reconnaissance over Lake Mead National Recreation Area lands in the Shivwits area that lay adjacent to BLM lands. Each year the two agencies exchanged fire plans and fire maps. The NPS’s 1992 fire management plan introduced a limited prescribed burn program while continuing the earlier policy of total wildfire suppression.<sup>132</sup>

Lake Mead’s two-man fire crew normally occupied the Shivwits Fire Camp during July and August. The two men took shifts on the summit of Mount Dellenbaugh scanning the country for smoke. After 1993, there was sometimes a crew of eight quartered in the cabin complex. Former park ranger Ray Klein recalled going

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<sup>130</sup> Master Memorandum of Understanding between Arizona Game and Fish Commission and the National Park Service, Lake Mead National Recreation Area,” 1984, File LAKE 616 MOU Mgmt, Box Resource Management Plan 1994, Accession LAKE 00591, LAKE; U.S. Department of the Interior, National Park Service, *Management Policies* (Washington: Department of the Interior, 1988), p. 4-1.

<sup>131</sup> Paul Krumland personal communication, July 2, 2018.

<sup>132</sup> “Cooperative Agreement between Bureau of Land Management, Arizona Strip District, and National Park Service, Lake Mead National Recreation Area,” 1984, File LAKE 616 MOU Mgmt, Box Resource Management Plan 1994, Accession LAKE 00591, LAKE; U.S. Department of the Interior, National Park Service, Lake Mead National Recreation Area, *Vegetation Treatment and Hazard Fuel Reduction 2002-2006 Shivwits Plateau Area Environmental Assessment* (Boulder City, Nev.: Lake Mead National Recreation Area, 2002), 5.

out there once in the 1990s for about three days to assist with a prescribed burn (which, owing to weather, never took place).<sup>133</sup>

One year in the early 1990s when the fire camp was still staffed by just two seasonal wildland firefighters, the two men began taking and selling cultural artifacts on the black market. The district ranger who was at Echo Bay suspected what the two seasonal employees were doing, and an internal investigation was initiated. Eventually, agents of the Bureau of Alcohol, Tobacco, and Firearms got involved in a sting operation when it became evident that the smuggling ring with whom the rangers were engaged was also involved in supplying firearms to gangs in Los Angeles. The two rangers were busted and charged with felony counts for violating the Archaeological Resource Protection Act. As the two men were from the local community, a Latter-day Saint bishop intervened on their behalf, telephoning Lake Mead Superintendent Alan O'Neill at his home number to ask that the charges be reduced. O'Neill insisted that that would not be appropriate. The unfortunate affair added to the growing awareness by Lake Mead staff that the Shivwits Plateau had an abundance of archeological sites in need of protection. Over the years, the area's remoteness had protected the resource from looting; now, the archeological resources required vigilance precisely because they were remote and relatively intact, making them attractive to artifact hunters.<sup>134</sup>

With a view to stepping up cultural resource protection and assessing recreational use of the area, Lake Mead's chief ranger, Dale Antonich, assigned a law enforcement ranger, Bill Van Inwagen, to the area in the summer of 1995. Recreational use was very light: a few dozen people on OHVs over the course of the summer, and a few people using the trail to the summit of Mount Dellenbaugh.<sup>135</sup>

No Lake Mead rangers were assigned to the Shivwits Ranger Station from 1995 through the end of the decade. Instead, ranger Ray Klein who was stationed in the Temple Bar area of Lake Mead, occasionally went to the Tassi area by boat and patrolled the lower Grand Wash, mainly for the protection of cultural resources. He patrolled in the winter months when the area was apt to attract campers. Sometimes he accessed the area by vehicle by way of the Gold Butte Road. Generally, he camped out for a few nights before returning to town.<sup>136</sup>

Lake Mead occasionally sent archeological crews out to the Shivwits area for targeted studies of known cultural resources. The known sites primarily featured historic resources. In 1984, Lake Mead personnel visited the Waring Ranch and completed the field work for nominating the site to the National Register of Historic Places.<sup>137</sup>

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<sup>133</sup> Antonich interview; Klein interview.

<sup>134</sup> Alan O'Neill, Bill Dickinson, and Jim Holland, interview by Theodore Catton, April 21, 2016. The sting operation occurred in 1992, according to O'Neill's recollection. The name of the bishop was not recorded.

<sup>135</sup> Klein interview; Dale and Bobbie Antonich, interview by Theodore Catton, April 21, 2016.

<sup>136</sup> Klein interview.

<sup>137</sup> National Park Service, "Cultural Landscapes Inventory, Waring Ranch, Grand Canyon-Parashant National Monument," 2003, PARA archive.

An archeological crew from the NPS's Western Archeological and Conservation Center conducted baseline documentation of the Tassi Ranch site in 1998. The following year, a maintenance crew performed stabilization work on the ranch house and the stone and concrete cistern.<sup>138</sup>

The NPS became interested in preserving the Tassi Ranch as early as the 1970s. At that time, it was occupied by the Whitmore family. Dennis Whitmore took over the property from his family's elders in 1970, and Jim Whitmore bought it from his brother Dennis in 1976, as Jim Whitmore recalled in an interview in 2006. However, NPS officials doubted that the Whitmore family had legitimate title. In the first place, the property was in an area that had been withdrawn from public entry in 1903 and 1919. Moreover, when the NPS conducted research in county records, no records of ownership were found. The story that emerged was that sometime in the 1940s the property was sold by one rancher to another, then forfeited for tax delinquency by the new owner, and then fraudulently sold back to the earlier owner, who later sold it to the Whitmore family without legitimate title. So, some thirty years later in the 1970s, the NPS considered the Whitmore brothers to be squatting on land they did not own. When Jim Whitmore began constructing a new water tank in 1979, the NPS ordered him to cease and desist. Eventually, the NPS evicted him. The NPS record of the eviction indicates that the process formally began in 1981 and concluded in 1998, but Whitmore recalled that it began with a personal visit by the superintendent in 1976 and culminated with a final notice in 1990. The discrepancy may relate to the fact that there were two parts to the legal proceedings: eviction of Whitmore from occupancy of the ranch buildings, and termination of Whitmore's grazing privileges on the Tassi Allotment. In any case, the NPS followed up Whitmore's vacating of the ranch premises by removing items he had left behind and turning the place into a cultural property in the late 1990s. Whitmore continued to run twenty-five to thirty cattle in the area and utilize the Tassi Springs for a few more years.<sup>139</sup>

### **The Parashant Interdisciplinary Management Plan**

The NPS and the BLM began to share ideas about the Shivwits area in a more comprehensive and systematic way in the mid 1990s. The BLM and the NPS spearheaded an interagency planning team that also drew participation by the Arizona Game and Fish Department, the Natural Resources Conservation Service, the University of Arizona Mohave County Extension, representatives of the ranching community, and the general public. The three-year planning effort culminated in the "Parashant Interdisciplinary Management Plan" released in July 1997. Although the BLM Arizona Strip Field Office took the plan one step further by preparing an environmental assessment and decision record, with the latter signed by Field Office

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<sup>138</sup> National Park Service, "Cultural Landscape Inventory Level II: Tassi Ranch, Parashant National Monument," 2003, PARA archive.

<sup>139</sup> National Park Service, "Cultural Landscape Inventory Level II: Tassi Ranch, Parashant National Monument," 2003, PARA archive; Leland "Jim" Whitmore, interview by Milton Hokanson, March 21, 2006.

Manager Roger Taylor on November 4, 1997, the plan was never implemented. If Grand Canyon-Parashant National Monument had not been established, then the effort to ratchet up interagency cooperation on the Shivwits Plateau may well have resulted in a significant experiment in Ecosystem Management across agency lines. However, as events played out, the plan was soon eclipsed by Secretary Babbitt's announcement in November 1998 that the Clinton administration wanted to turn the area into a national monument. The constructive dialogue and research that had gone into the Parashant Interdisciplinary Management Plan was subsumed in a fresh round of planning under the secretary's direction. The unimplemented plan was never published and was practically forgotten.<sup>140</sup>

The main thrust of the planning effort was to be interdisciplinary, or to draw upon a variety of scientific disciplines and professional backgrounds and consider all of the area's resources in relation to one another. In setting out the purpose of the plan, the team said it aimed to put ecological, economic, and social considerations all in the mix. This was undoubtedly in reference to the Clinton administration's recent efforts in Portland, Oregon to produce the *Northwest Forest Plan*; the Parashant planning team was following the new conservation paradigm of Ecosystem Management. The goal was that the plan should be "ecologically sound, economically feasible and socially acceptable."<sup>141</sup>

Planning team leaders were Whit Bunting and Matthew Sanford for the BLM, and Jennifer Haley and Jim Holland for the NPS. Bunting was a range conservation specialist, Sanford's field was recreation management, Haley was a vegetation specialist, and Holland had a background in both botany and recreation planning. The rest of the team included two dozen individuals with backgrounds in wildlife management, national park administration, ranching, archeology, soil conservation, recreation, and other disciplines. There were eight ranchers, one land owner, and one member of the general public with a recreational interest included on the team.<sup>142</sup>

The planning area took in approximately 87,000 acres of NPS lands within Lake Mead National Recreation Area, 246,243 acres of BLM lands in the Arizona Strip District, 6,524 acres of school trust lands, and 6,170 acres of private lands. The boundary of the planning area, which was well defined on maps accompanying the plan, more or less followed the top of the Grand Wash Cliffs on the west, the rim of the Andrus Canyon on the east, the rim of the Grand Canyon on the south, and a

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<sup>140</sup> Arizona Strip Field Office and Lake Mead National Recreation Area, "Parashant Interdisciplinary Management Plan," July 30, 1997, and Arizona Strip Field Office, "Environmental Assessment, Parashant Interdisciplinary Management Plan, Management Actions Implementation," November 4, 1997 (decision record included on pp. 27-28), copies in PARA general administrative files to Dec. 1999, PARA, O'Neill, Dickinson, and Holland interview.

<sup>141</sup> Arizona Strip Field Office and Lake Mead National Recreation Area, "Parashant Interdisciplinary Management Plan," July 30, 1997, p. 4, PARA general administrative files to Dec. 1999, PARA.

<sup>142</sup> *Ibid.*, p. 4.

mostly straight line across the Shivwits Plateau just north of Bundyville on the north.<sup>143</sup>

The planning area was said to be divided into five vegetative types. Desert shrub, characterized by sparse, xeric vegetation, was mostly found in the canyon bottoms on the east side and lower elevations on the west side. Mixed grassland and sagebrush was found in naturally occurring forest openings or otherwise found in areas of vegetative manipulation, as from chaining of juniper-pinyon forest or sagebrush-covered lands. Sagebrush flats were found on the Wildcat Allotment in the east and central part of the planning area and on Whitmore Point and Andrus Point. Juniper and pinyon woodland was the most prevalent vegetative type in the planning area. Both the sagebrush flats and the juniper-pinyon forest were described as impoverished plant communities where biodiversity was low and soil erosion was high. Finally, ponderosa pine communities were found in three locations in the southern part of the planning area.<sup>144</sup>

For each vegetation type, the plan showed a breakdown of the present composition of plant species and another breakdown that it called the “Desired Plant Community” or DPC. In some areas, the plan called for converting the vegetation to a DPC through some type of treatment, such as prescribed burning, chaining, or chemical application. Sites were to receive treatments on a priority basis and in phases, with monitoring of changes in plant composition and adaptive management as integral parts of the process.<sup>145</sup>

For purposes of prescribing treatments, the area was mapped to show twenty-five separate watersheds, all radiating outward from the Shivwits Plateau and ultimately flowing into the Colorado River. Watershed boundaries crossed jurisdictional lines and placed ecosystem considerations ahead of land ownership. As the plan stated, “This structuring recognizes that the upper reaches of each watershed influence downstream soils, flora and fauna and will help to prioritize treatments. This broad-based management scheme will encourage cooperative watershed research and management.”<sup>146</sup>

Besides its primary focus on vegetation, the Parashant Interdisciplinary Management Plan developed background information and management goals for grazing management, recreational use, wilderness protection, wildlife management, archeological resources protection, and more. The plan was remarkable for bringing together the NPS, the BLM, state wildlife officers, ranchers, and recreationists on a range of issues that were often held in a different light or with a different level of urgency by the various parties. The plan found common ground to support a range of objectives and prescribed actions, from restoring natural fire to increasing game populations. On the matter of preserving a high-quality, undeveloped recreational

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<sup>143</sup> Arizona Strip Field Office and Lake Mead National Recreation Area, “Parashant Interdisciplinary Management Plan,” July 30, 1997, PARA general administrative files to Dec. 1999, PARA. Maps follow p. 4.

<sup>144</sup> *Ibid.*, pp. 7-8.

<sup>145</sup> *Ibid.*, pp. 24-25.

<sup>146</sup> *Ibid.*, pp. 25-26.

experience, the plan stated that the overall objective for the area was as follows: “Maintain settings and opportunities for high quality undeveloped/backcountry recreation experiences in the Parashant by not allowing more than 1% shift (in acres) to higher Recreational Opportunity Spectrum class per year for the life of the plan.” Several management objectives were to be met in part through a sharing of resources. For example, one objective was to reduce disturbance of cultural sites through stepped up inventory and law enforcement surveillance. The BLM and the NPS were to meet and discuss patrol methods and schedules. NPS monitoring flights would cover the area.<sup>147</sup>

The planning team convened approximately five times per year for three years to forge their collaborative vision and hammer out the plan. They had no inkling that they were thinking through many of the issues of co-management that would lie at the heart of planning for Grand Canyon-Parashant National Monument only a few years later. Although the effort was soon superseded by the Monument designation, it demonstrated that personnel in the BLM Arizona Strip Field Office and Lake Mead National Recreation Area were already reaching across agency lines to engage in Ecosystem Management.<sup>148</sup>

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<sup>147</sup> Arizona Strip Field Office and Lake Mead National Recreation Area, “Parashant Interdisciplinary Management Plan,” July 30, 1997, PARA general administrative files to Dec. 1999, PARA, pp. 17-22.

<sup>148</sup> Jim Holland, interview by Theodore Catton, April 21, 2016.

# 2

## Establishment

The initiative to form Grand Canyon-Parashant National Monument came from one individual at the top: Secretary of the Interior Bruce Babbitt. Rarely does the making of a national park happen that way. Almost invariably, the initiative to create a unit in the National Park System begins at the local level and grows into a grassroots campaign and only then does the administration or Congress act to bring the unit into being. But in the case of this Monument, the initiative started in the mind of Bruce Babbitt. To be sure, there were grassroots organizations in existence that responded to Babbitt's proposal and helped give it shape, as we will see in this chapter. And, as we saw in the previous chapter, there was a crucial history and context of NPS and BLM cooperation on the Shivwits Plateau predating Babbitt's initiative. Nevertheless, the idea for making the area into a national monument started with Babbitt. Secretary Babbitt was a visionary, and in his powerful office he was in a position to realize his vision with the help of the president. Grand Canyon-Parashant National Monument exists for all of the profound reasons cited in the proclamation, yet it also exists as a testament to Babbitt's vision of land protection in the United States at the dawn of the twenty-first century.

This chapter focuses on the last two years and two months of the Clinton administration when Babbitt brought his Monument idea to fruition. In November 1998, Babbitt announced his intention to establish a national monument on the Shivwits Plateau before the clock ran out on the Clinton administration. Babbitt tasked both the NPS and the BLM to assist the Office of the Secretary of the Interior in developing the proposal. The two Interior agencies' tasks included gathering information about the area's scientific and historic resources as well as presenting the proposal to the public and receiving public input on it. In the course of making those preparations, the NPS and the BLM also assisted the Office of the Secretary in responding to a legislative initiative by Arizona's congressional delegation to create a national conservation area under BLM management in lieu of a national monument under joint NPS and BLM management. After the legislative proposal fizzled in the fall of 1999, Babbitt submitted his Monument proposal to President Clinton. Clinton signed the proclamation on January 11, 2000. Then, with a little more than one year left in the Clinton administration, the NPS and the BLM went to work on establishing Monument administration and implementing interim management guidelines for the area.

Many westerners objected to the national monument designations made by Clinton, charging that they were made by executive fiat without proper input by the local people or their elected representatives. Republican opponents of the Clinton administration were particularly vociferous in their denouncement of so-called “federal overreach.” When George W. Bush was elected president in the closely contested election of 2000, there was anticipation that the new administration would attempt to undo some of Clinton’s twenty national monuments, nineteen of which were designated in Clinton’s last year as president. In a curious repetition of that scenario sixteen years later, the Trump administration called into review the national monument designations made by the Obama administration. While Grand Canyon-Parashant National Monument was left intact both times, the political furor over Clinton’s and Obama’s use of the Antiquities Act lingers on. Therefore, it is pertinent for this administrative history to examine both the conceptualization and the public process that went into establishing Grand Canyon-Parashant National Monument.

### **Bruce Babbitt’s Initiative**

On a Saturday in mid-November 1998, Grand Canyon National Park Superintendent Rob Arnberger was at home in Grand Canyon Village, sitting down to a football game on TV when the phone rang. Secretary of the Interior Bruce Babbitt was on the line. Babbitt got right down to business, saying, “Rob, there’s a group of us going to come out onto the Shivwits Plateau and we’re going to look at that as a possible inclusion as a national monument. Can you make it happen?” Babbitt referred to the tour and confab as a “camping trip.” He wanted a small group of right-minded people to hold a seminal discussion around a campfire. He wanted Arnberger to help him assemble the people.<sup>1</sup>

Babbitt made his request directly to Arnberger because he already had a personal relationship with the park superintendent. Babbitt, as a former state governor and native Arizonan, was very fond of the Grand Canyon, and he reached out to Arnberger as soon as Arnberger was appointed superintendent in 1994. Babbitt visited the Grand Canyon at least four times when he was secretary prior to his trip to the Shivwits Plateau in November 1998. Arnberger, for his part, made a point to call Babbitt’s office whenever he went to Washington on official business, which, as superintendent of the second most visited park in the national park system, was several times a year. So, when Babbitt launched his initiative, he did not broach it first with the NPS director or regional director but went straight to Arnberger and used him as his liaison to the BLM and the NPS.<sup>2</sup>

Besides Arnberger, the other two key officials on the ground were Arizona Strip Field Manager Roger Taylor and Lake Mead National Recreation Area Superintendent Alan O’Neill. Taylor had been in charge of the Arizona Strip Field

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<sup>1</sup> Arnberger interview; Alan O’Neill, Theodore Catton, April 21, 2016; Bruce Babbitt, interview by Theodore Catton, November 15, 2016.

<sup>2</sup> Arnberger interview; Roger Taylor, interview by Theodore Catton, April 27, 2016. Arnberger recalled three separate visits by Secretary Babbitt to Grand Canyon National Park. Taylor recalled another visit by Secretary Babbitt to the Mount Trumbull area in 1995.

Office since 1993.<sup>3</sup> He had begun his long career with the BLM in Idaho in range conservation, and he had subsequently worked in New Mexico, southern Arizona, and Washington, D.C. prior to his appointment on the Arizona Strip. Asked in his interview for this project when did the idea of the Monument first come to his attention, Taylor recalled that it was when Rob Arnberger called him that November day with Babbitt's request for a meeting. "I said, 'What?' I'd never met the secretary and didn't have any idea what he might be coming out here for. And Rob didn't say anything, other than he's coming, and he's going to be here this coming weekend, and you need to get ready, and things coordinated for a field trip, as he wants to go out and spend a couple of days and a night on the Strip, and I said, 'okay'." Nothing was said about creating a national monument at that point. Taylor's office arranged for the local transportation: a pod of sturdy SUVs to haul the party out to the NPS ranger station at the base of Mount Dellenbaugh.<sup>4</sup>

The third federal land manager, Alan O'Neill, happened to be in Hawaii on a honeymoon when Babbitt sprung his plan. O'Neill recalled that he received a call from the Office of the Secretary "almost requiring me, or demanding, that I be at a meeting up on the Shivwits...in a couple of days." Although the purpose of the meeting was not disclosed, O'Neill surmised that it would concern a prospective national monument designation before Clinton's second term ran out. As a long-serving superintendent of Lake Mead National Recreation Area and one of the guardians of the greater Grand Canyon, O'Neill felt that this was an opportunity not to be missed. So, with only an inkling of what the meeting was about, O'Neill flew back to Arizona leaving his new bride to wonder why their honeymoon was cut short.<sup>5</sup>

Babbitt and his entourage flew into St. George on the Friday following his Saturday phone call to Arnberger, and on Saturday, November 21, 1998, the assembled group caravanned up onto the Shivwits Plateau and out to Mount Dellenbaugh. Babbitt's entourage included the Interior Department's top lawyer, John Leshy; the president of the National Parks and Conservation Association, Thomas Kiernan; the vice-president of the National Trust for Historic Places, Ed Norton; the president of the Grand Canyon Trust, Geoff Barnard; and one or two other department officials and conservation leaders. Besides Arnberger, O'Neill, and Taylor, two law enforcement rangers were attached to the group for security.<sup>6</sup>

Rounding out this group was a reporter from the *Arizona Republic*, Steve Yozwiak. In a bold move, Babbitt wanted a newspaper reporter present, eavesdropping on their sensitive discussions, so that his fact-finding tour and national

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<sup>3</sup> The Arizona Strip District Office became the Arizona Strip Field Office in 1996. It was redesignated the Arizona Strip District Office in 2005.

<sup>4</sup> Taylor interview.

<sup>5</sup> O'Neill interview.

<sup>6</sup> Arnberger interview; O'Neill interview; Taylor interview; Steve Yozwiak, "Babbitt has plan for 400,000 acres north of Canyon," *Arizona Republic*, November 27, 1998. All participants recalled that the plans for the trip developed very swiftly but they varied in detail and none provided specific dates. The date of the historic campfire talk, November 21, 1998, is confirmed in Bureau of Land Management, "New Monument Proposal" (internal working document), December 8, 1998, PARA general administrative files to Dec. 1999, PARA.

monument proposal would make an immediate splash in the media. As the former governor of Arizona, Babbitt had a longstanding relationship of trust with the *Arizona Republic*. The paper was historically conservative and Republican leaning yet friendly to a lot of conservation initiatives. It was a major newspaper in the state, and he knew it would be helpful in building support for a national monument designation.<sup>7</sup>

The party hiked through a skiff of snow to the top of Mount Dellenbaugh. According to Yozwiak's reporting, Babbitt clambered over the jumble of rocks on the summit to the spot where three deserters from John Wesley Powell's Grand Canyon expedition are thought to have scratched their names on a rock. Admiring the view from that high vantage point, Babbitt said: "This really is classic canyon country. I wasn't expecting to see such wonderful examples of great, long mesas running all the way out above the river, of colorful side canyons; the pine forests; the way the land kind of drapes down off these rims."<sup>8</sup>

In the evening, when the group was gathered around a campfire, Babbitt opened the discussion of a national monument designation. He announced his intention to prepare a set of national monument proposals for Clinton, with one of those proposals to feature the Shivwits Plateau area. Babbitt then talked more broadly about the need for large national monument designations to protect whole landscapes on the public lands, and a new direction for the BLM as conservator of those landscapes, and the Shivwits Plateau as an ideal place to bring the BLM and the NPS together to model interagency cooperation for an emerging new chapter in federal conservation history. As O'Neill recalled, their conversation around the campfire went on for about three hours with Babbitt holding everyone in thrall. "It was a tight group, and – almost like sitting around a campfire at Yellowstone in the early days – [everyone was] talking about how, well, what's going to happen?"<sup>9</sup>

From the campfire talk, the discussion soon progressed to putting lines on a map. According to Taylor's recollection, Babbitt assured him that the BLM would manage the national monument; the area would not be carved out of BLM lands and handed over to the NPS. As O'Neill remembered it, the idea of a national monument made up of both BLM and NPS lands was part of the original thought. The two impressions do not necessarily contradict each other, as Babbitt may have indicated to Taylor that the BLM would be the *lead* manager of the national monument. Either the discussion of boundaries progressed very rapidly or, more likely, Babbitt's entourage already had some tentative boundaries in mind, because the *Arizona Republic* printed a map with the proposed national monument "study area" outlined in red when Yozwiak first broke the story in the Friday newspaper. The newspaper's small map delineated an area of some 400,000 acres composed of both BLM and NPS lands. Whether Babbitt articulated from the very beginning that he wanted to put BLM and NPS lands together into one unit, certainly everyone in the party was made to understand that he wanted to expand on what he had started when the Clinton administration designated

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<sup>7</sup> Arnberger interview; Babbitt interview.

<sup>8</sup> Yozwiak, "Babbitt has plan for 400,000 acres north of Canyon."

<sup>9</sup> O'Neill interview.

Grand Staircase-Escalante National Monument in 1996: entrusting the BLM with management of this national monument and others to come.<sup>10</sup>

### Background to Babbitt's Initiative

As secretary of the interior, Babbitt wielded great influence. He was perhaps the most visionary and forceful administrator of the Department of the Interior since Stewart Udall served as secretary of the interior under the Kennedy and Johnson administrations.<sup>11</sup> And yet for all the power he held, his opportunity to push his own agenda was limited. Most of a cabinet secretary's time is taken up in administering the department, answering to Congress, supporting the administration's overarching policy objectives, and responding to unforeseen events. A secretary of the interior might get to advance just a handful of major initiatives of his or her own choosing while in office. For Babbitt, the making of Grand Canyon-Parashant National Monument was one of those choice initiatives, an opportunity to advance his vision.

Part way through his eight-year tenure in the Clinton administration, Babbitt explained his grand thinking in an interview conducted by the journal *Natural Resources & Environment*. After his time as secretary of the interior was over, Babbitt described his ideas more fulsomely in his own book, *Cities in the Wilderness: A New Vision of Land Use in America*. Those two sources provide perspective on what lay behind Babbitt's interest in making Grand Canyon-Parashant National Monument, as well as his approach to the presidential authority contained in the Antiquities Act.

As we saw in the last chapter, Babbitt became secretary of the interior at a time when federal land managers were moving toward Ecosystem Management as a new paradigm for federal conservation efforts. Babbitt's first major task in office was to implement the *President's Northwest Forest Plan* for land use in the Pacific Northwest. Before the advent of the Clinton administration, the crisis over the northern spotted owl and logging in the Pacific Northwest had devolved into a massive "train wreck" of court injunctions, executive paralysis, and gridlock in Congress. Clinton had promised to fix it. And so, in April 1993, the new president and vice president convened a timber summit in Portland, Oregon. After bringing all the stakeholders to the table, Clinton left the details of working out a compromise solution to Babbitt and his team. The president's action put the national spotlight on Ecosystem Management. EM in the Pacific Northwest would entail cooperation between the Forest Service, the BLM, and the NPS, as well as coordination between federal, state, and tribal governments, local communities, and private industry. The *Northwest Forest Plan*, issued in 1994, came in the wake of a much more massive report by scientists assessing the habitat needs of the northern spotted owl. The lesson Babbitt took from his experience in the Pacific Northwest was the importance of developing

<sup>10</sup> Taylor interview; O'Neill interview; Yozwiak, "Babbitt has plan for 400,000 acres north of Canyon."

<sup>11</sup> John D. Leshy, "The Babbitt Legacy at the Department of the Interior: A Preliminary View," *Environmental Law* 31, no. 2 (2001), 201. See also Byron Daynes, "Bill Clinton: Environmental President," in *The Environmental Presidency*, edited by Dennis L. Soden (Albany: State University of New York Press, 1999), 259-312.

strong science before trying to work out a deal among stakeholders – especially where the biological complexities of endangered species protection were involved.<sup>12</sup>

In 1994, Babbitt’s major focus shifted from the Pacific Northwest to the Everglades in south Florida, where decades of hydro engineering to accommodate agriculture and burgeoning cities was drying out the Everglades and spoiling habitat for fish, wildlife, and birds. Everglades National Park was dying; indeed, the whole Everglades ecosystem from Lake Okeechobee to Florida Bay was in peril. South Florida presented another situation, like the Pacific Northwest, where EM appeared to provide the only realistic approach for addressing ecological problems that stretched way beyond the reach of any one federal agency or landowner. Babbitt went to the U.S. Army Corps of Engineers for help, and with administration pressure the Corps got on board an ambitious plan to undo much of what the Corps itself had constructed in South Florida over the past half century so as to restore water flow through the Everglades. The administration’s efforts attained an important milestone with Congress’s passage of the Everglades Forever Act in 1994. Babbitt drew two important lessons from the Everglades challenge: first, it once again demonstrated the possibilities for approaching environmental problems on a regional scale by making a national commitment of resources; and second, it showed how a federal agency – the Army Corps of Engineers in this case – could be given a new mission and decisively reoriented under the right leadership.<sup>13</sup>

That year of 1994, Congress passed, and Clinton signed into law the California Desert Protection Act, which was another big win for federal conservation. But Babbitt experienced major setbacks. The administration’s bumbling efforts to raise grazing fees on the public lands ignited such a firestorm of protest from western ranchers that Babbitt dubbed it “Sagebrush Rebellion II.” The furor over grazing fees formed part of a changing political climate in which the right was becoming more anti-government and adversarial in conflicts over environmental policy. Babbitt tried to form a National Biological Survey, an agency modeled after the Geological Survey that would provide sound science on endangered species and help head off more “train wrecks” like the crisis over the northern spotted owl in the Pacific Northwest. Conservatives hotly opposed his initiative, fearing “federal overreach.” They imagined private property rights getting trampled upon by overzealous use of the Endangered Species Act. In the mid-term elections, Republicans won control of both the House and Senate. Conservative Congressman Newt Gingrich, Republican of Georgia, was elevated to Speaker of the House and vied with Clinton for leadership of the country. Gingrich’s “Contract with America” specifically targeted Babbitt’s National Biological Survey for demolition.<sup>14</sup>

From these experiences Babbitt formed his sense of where things stood in the mid-1990s in relation to the longer sweep of conservation history. As he told his

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<sup>12</sup> Bruce Babbitt, *Cities in the Wilderness: A New Vision of Land Use in America* (Washington, D.C.: Island Press, 2005), 55-57.

<sup>13</sup> Babbitt, *Cities in the Wilderness*, 13-46.

<sup>14</sup> Milo Mason, “Interview: Bruce Babbitt,” *Natural Resources & Environment* 11, no. 1 (Summer 1996), 38-39; Babbitt, *Cities in the Wilderness*, 59-61.

interviewer in 1996, he came to realize that “we were moving away from the legislative arena to the administrative arena.” Back in the 1970s and 80s, Congress had passed a slew of environmental protection laws. Federal agencies were slow to implement them; often they were downright resistant to them. Now the roles were practically reversed. Congress was reluctant to act on environmental legislation, and it fell to the executive branch to enforce the existing laws. At this juncture, Babbitt said, it was his job “to keep Congress from doing any damage and to breathe new life into the environmental laws, particularly the Endangered Species Act.”<sup>15</sup>

Secretary Babbitt believed strongly that the federal government had a role alongside local government in land use planning, particularly in preserving open space and protecting biological diversity. The nation’s growing population and burgeoning cities imperiled its remaining wildlands as never before, making federal conservation as vital as it had ever been. Yet, given the changing political climate and Congress’s reluctance to pass more environmental protection laws, the federal role needed to be carefully recast. In recasting the federal conservation strategy, he named two efforts as paramount: first, “breaking down the turf battles within the federal government,” or developing effective interagency cooperation between the various federal land management agencies; and second, “learning to talk with the other stakeholders,” or providing federal leadership to arrange consensus solutions that would maximize opportunities for resource use and conservation.<sup>16</sup>

As federal conservation policy in Babbitt’s words moved “from the legislative arena to the administrative arena,” the Antiquities Act loomed large as an effective land use planning tool. The law gives the president unilateral authority to set aside areas of the public domain for the preservation of scientific and historic resources and to withdraw those lands from operation of the Mining Law of 1872 and other forms of natural resource extraction. Since its enactment in 1906, most national monuments created under the Antiquities Act have been managed by the NPS and preserved from mining and grazing, but those are not statutory requirements. Babbitt conceived a new approach to national monument creation in which the BLM would continue to manage the area and accommodate grazing use, thereby bringing local land users and environmentalists together in support of the designation.<sup>17</sup>

That approach represented a significant evolution of the national monument idea, broadening it out from the so-called “fortress Yellowstone” model of strict nature preservation, in which the managing agency exercised zero tolerance of resource use by the local human population. Babbitt’s thinking was part of a broader international

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<sup>15</sup> Mason, “Interview: Bruce Babbitt,” 36.

<sup>16</sup> Mason, “Interview: Bruce Babbitt,” 36; Babbitt, *Cities in the Wilderness*, 60-61.

<sup>17</sup> Babbitt, *Cities in the Wilderness*, 162-63; Mark Squillace, “The Antiquities Act and the Exercise of Presidential Power: The Clinton Monuments,” in *The Antiquities Act: A Century of American Archaeology, Historic Preservation, and Nature Conservation*, edited by David Harmon, Francis P. McManamon, and Dwight T. Pitcaithley (Tucson: University of Arizona Press, 2006), 114-17; John D. Leshy, “Putting the Antiquities Act in Perspective,” in *Visions of the Grand Staircase-Escalante: Examining Utah’s Newest National Monument*, edited by Robert B. Keiter, Sarah B. George, and Joro Walker (Salt Lake City, Utah: Utah Museum of Natural History and Wallace Stegner Center, 1998), 84-87.

discourse about protected areas and resident peoples in the 1980s and 90s, which aimed at accommodating the preservationist idea to the rights of indigenous peoples (or in some cases nonindigenous peoples with strong vested interests in the land). Applying those concerns to the American West at the end of the twentieth century, Babbitt drew a basic moral equivalency between indigenous peoples having to accommodate themselves to new national parks in Africa or Latin America or the Far North and those third and fourth generation ranching families who drew a livelihood from running cattle on the public domain. Those ranching families, too, deserved consideration as the city-dwelling populations that swelled around them demanded more protected open space for their own enjoyment. Consequently, Babbitt saw the BLM as the appropriate agency to carry forward his vision of these late-twentieth-century national monuments.

Babbitt's approach to national monument creation was significant in another way. Some that he proposed would be very large in area. Modern foes of the Antiquities Act often pointed to the law's requirement that a designation must contain the minimum area needed for the protection of its scientific or historic objects, and they argued that Congress had not intended that the law be used to establish natural preserves on a scale with big national parks. However, there was a long history of U.S. presidents using the authority of the Antiquities Act to set aside large natural areas. Theodore Roosevelt was first to do so with his proclamation of Grand Canyon National Monument in 1908. From Roosevelt to Clinton, five other presidents – two Republican and three Democrat – proclaimed large national monuments of more than half a million acres in extent. Babbitt rejected the notion that the presidential authority should be limited to making national monuments of small size. Babbitt insisted that the meaning of "objects of historic or scientific interest" was intended to be elastic, changing with the times. In the late twentieth century, scientific and historic objects included such things as biodiversity, ecosystems, traditional lifeways, and open-space vistas. These objects required large expanses of land for their protection.<sup>18</sup>

With characteristic brazenness, Babbitt put his ideas about the Antiquities Act into action in spectacular fashion with the creation of Grand Staircase-Escalante National Monument in southern Utah. The area encompasses a broad sweep of canyonlands, escarpments, buttes, and mesas within the Colorado River watershed. Containing 1.7 million acres, it is five times the size of Canyonlands National Park, Utah's next largest protected area. The proclamation prohibited mining in the area but sanctioned grazing use and other pre-existing multiple-use activities. It put the BLM in charge of managing the national monument and mandated a three-year planning process to elicit public input on how the national monument should be managed. The area had been a battleground between environmentalists and developers for more than twenty years as wilderness proposals vied with potential uranium and coal mines.

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<sup>18</sup> Historic precedents for the making of large national monuments under the Antiquities Act included Katmai (1,088,000 acres, proclaimed by Woodrow Wilson), Glacier Bay (1,379,316 acres, Calvin Coolidge), Death Valley (848,581 acres, Herbert Hoover), Joshua Tree (825,340 acres, Franklin D. Roosevelt), and fourteen national monuments in Alaska of more than half a million acres apiece proclaimed by Jimmy Carter. For a table of all national monuments proclaimed under the Antiquities Act through the end of the Clinton administration, see Harmon et al., *The Antiquities Act*, 288-97.

With a stroke of the president's pen, the disposition of the area appeared to be resolved.<sup>19</sup>

However, local communities objected that the Clinton administration had acted secretly without consulting them. Opposition to the presidential proclamation was so fierce that Utah's governor and congressional delegation sought to have the designation overturned. Some in Congress wanted to amend the Antiquities Act to diminish the president's authority. In Clinton's and Babbitt's defense, it was noted that the area's resource values and alternative uses had been thoroughly studied and publicly debated over the preceding two decades, and the law did not require a public process ahead of the presidential proclamation in any case. Still, the controversy impressed on Clinton and Babbitt the importance of safeguarding the Antiquities Act itself as well as the lands it might be used to protect. They did not want to provoke a conservative Congress into weakening the law.<sup>20</sup>

When asked in an interview for this project how the Grand Staircase-Escalante experience affected his initiative to form Grand Canyon-Parashant National Monument, Babbitt replied: "I think the basic lesson we learned from Escalante was that we could probably be more effective by taking a more public approach to it, and making a tentative proposal and then going out on the ground to get public opinion and talk to the ranchers and the other affected parties." Babbitt acknowledged that the administration acted on Grand Staircase-Escalante "without any consultation," but he went on to point out that in the past, through the whole twentieth century, presidents generally proclaimed national monuments on the recommendations of the NPS or environmentalists without a lot of public discussion beforehand. Local opposition to a national monument proclamation was nothing new; what had changed was politicians' willingness to challenge the presidential authority.<sup>21</sup>

Babbitt translated the lesson taken from Grand Staircase-Escalante into what he termed his "no surprises" policy. Mark Squillace, a Department of the Interior lawyer who worked on Babbitt's national monument proposals in 2000, described this three-part policy as follows:

First, he expressed a willingness to visit any area that his office was considering for monument status. Second, he agreed to meet personally with local officials and interested members of the public about different strategies for protecting the area under review. Finally, he agreed to afford local congressmen and senators the opportunity to adopt appropriate legislation to

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<sup>19</sup> Robert B. Keiter, Sarah B. George, and Joro Walker, "Introduction," in *Visions of the Grand Staircase-Escalante: Examining Utah's Newest National Monument*, edited by Robert B. Keiter, Sarah B. George, and Joro Walker (Salt Lake City, Utah: Utah Museum of Natural History and Wallace Stegner Center, 1998), xiii.

<sup>20</sup> Squillace, "The Antiquities Act and the Exercise of Presidential Power: The Clinton Monuments," 108-10; John D. Leshy, "Shaping the Modern West: The Role of the Executive Branch," *Colorado Law Review* 72, no. 2 (2001), 305-06.

<sup>21</sup> Babbitt interview.

protect the area under consideration for national monument status before making a recommendation to the president.<sup>22</sup>

Clinton and Babbitt refrained from invoking the Antiquities Act for two full years following the proclamation of Grand Staircase-Escalante. Then, late in the fall of 1998, they began signaling to one another a willingness to put it to use again – to make another run employing Babbitt’s new strategy.<sup>23</sup>

By then, Babbitt had a long list of areas under consideration. The question was which one to act on first. In his book *Cities in the Wilderness*, Babbitt recounts that he selected the Shivwits Plateau – or what would soon become known as Grand Canyon-Parashant National Monument – based on three criteria.

First, he wanted to create a national monument that would demonstrate his vision for how the Antiquities Act should be used by future administrations. He wanted a large area defined as much by its open spaces and great vistas as it was by scientific or historic objects. He aimed to create a national monument that would conform to watershed boundaries, consistent with the new paradigm of Ecosystem Management. Babbitt explained this crucial piece of his thinking as follows:

During the century of its existence the Antiquities Act had been interpreted and expanded in response to changing conditions and public expectations. It began with concerns over vandalism or archaeological sites and expanded to preserving geological phenomena and, under President Carter, to protecting entire large landscapes in Alaska. Now we had another opportunity to interpret the phrase “objects of historic or scientific interest” to encompass the concerns of our times – preserving open space threatened by development and saving biodiversity by protecting complete ecosystems.<sup>24</sup>

To Babbitt, the Shivwits Plateau fit this criterion very well because one of the area’s essential values was open space. Absent a national monument designation, it would only be a matter of time before the city of St. George began to encroach on the open space. The area’s great vistas would become marred by trophy homes and subdivisions. (During the campfire talk at the base of Mount Dellenbaugh, Babbitt alluded to St. George’s phenomenal rate of growth, and the BLM’s Taylor averred that his office was already barraged with inquiries from real estate speculators.)<sup>25</sup>

Babbitt’s second criterion was to follow the Grand Staircase-Escalante National Monument with another national monument under BLM management. He wanted to push the BLM further down the path of embracing a conservation mission. Moreover, he wanted to counter the expectation that lands set aside under the Antiquities Act would be transferred to the NPS, because that made agencies like the BLM and the Forest Service leery of national monument designations. “It was time,”

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<sup>22</sup> Squillace, “The Antiquities Act and the Exercise of Presidential Power: The Clinton Monuments,” 112.

<sup>23</sup> Babbitt, *Cities in the Wilderness*, 164-70; Squillace, “The Antiquities Act and the Exercise of Presidential Power: The Clinton Monuments,” 109-10.

<sup>24</sup> Babbitt, *Cities in the Wilderness*, 166.

<sup>25</sup> Arnberger interview; Yozwiak, “Babbitt has plan for 400,000 acres north of Canyon.”

Babbitt thought, “to recognize that we were protecting landscapes, not making parks.” (Grand Canyon Superintendent Arnberger added to this his own personal view: Babbitt was annoyed with the NPS leadership even though he held the agency itself in high esteem, whereas Babbitt liked the idea of “greening up” the BLM and favored the multiple-use agency accordingly.)<sup>26</sup>

The third criterion was to avoid another tempest like the one that followed the Grand Staircase-Escalante designation. While he had no illusions that the Grand Canyon-Parashant National Monument proposal would sail through without stirring some opposition, he was confident that most Arizonans would respond to it favorably. Who could be against protecting the Grand Canyon? The Shivwits Plateau was the only place on the entire rim of the Grand Canyon that was not protected by the NPS, the Forest Service, or an Indian reservation. That made him confident that he would be able to handle pushback by Arizona’s Republican governor and mostly conservative congressional delegation.<sup>27</sup>

When interviewed for this project, here is what Babbitt said as his reasons for approaching the Grand Canyon-Parashant National Monument proposal first after the two-year pause following Grand Staircase-Escalante:

There was sort of a long rest after Grand Staircase because there was so much opposition and so much conflict in the Congress. There was not much interest in the administration in going back to using the Antiquities Act again. But I started thinking, “it’s now time to get started.” I wanted to emphasize the creation of a BLM conservation mission and deliberately considered not forest land but BLM land. I looked for a place that I thought would have widespread public understanding and support. Now, I’m from Arizona and the Grand Canyon is the ultimate icon of Arizona. And [I saw] that it was going to be a great place to begin using the Antiquities [Act] in this long hiatus after the Grand Staircase experience. Here’s the perfect place where there would be real public understanding, recognition in the public mind, and support. And that’s what focused my attention on that particular area. It was really interesting because among other things it was the only place on the entire rim of the Grand Canyon proper, from Marble Canyon all the way to Lake Mead, that was not part of a protected unit. . . . All those things added up to say this is the right place to begin the process of reinvigorating the use of the Antiquities Act.<sup>28</sup>

Of course, there was one more reason Babbitt chose the Shivwits Plateau to launch his campaign of national monument proclamations. He loves the Grand Canyon. Growing up in Flagstaff, he came to know it well. He floated the river, hiked in the backcountry, and slept under the canyon country’s starry heavens on innumerable occasions. The Grand Canyon inspired an abiding interest in geology, the focus of his studies at the University of Notre Dame and the University of Newcastle where he got his bachelor’s and master’s degrees before he found his calling in public

<sup>26</sup> Babbitt, *Cities in the Wilderness*, 166; Arnberger interview.

<sup>27</sup> Babbitt, *Cities in the Wilderness*, 166-67; Babbitt interview.

<sup>28</sup> Babbitt interview.

service and completed his formal education at Harvard Law School. When asked by a reporter what his favorite national park was, without hesitation he replied that it was Grand Canyon National Park. He has a plot reserved for himself in the small pioneer cemetery inside the park.<sup>29</sup>

### The Agencies Respond

Secretary Babbitt's office began to ply Lake Mead National Recreation Area with requests for briefing papers on various issues concerning the Shivwits Plateau shortly before Babbitt's November 1998 trip. Lake Mead staff prepared a total of nine briefing papers. This set of briefing papers still offers a valuable cache of historical information; for example, one titled "Shivwits Plateau – Santa Fe Reserved Mineral Rights" was accompanied by a map showing the location of approximately 16,640 acres of mineral rights remaining within the area. The NPS prepared other briefing papers on wilderness status, aircraft overflights, management of cultural resources, restoration efforts, grazing, hunting, the 1981 adjacent lands study, and the 1997 Parashant interdisciplinary management plan.<sup>30</sup>

The BLM's first action after Babbitt announced his initiative was to withdraw the area from mineral entry. Taylor's office prepared a petition for withdrawal of public lands and filed it on December 7, 1998. The action was cleared beforehand with the Solicitor's Office, which was significant since it was tied to the president's sweeping authority under the Antiquities Act. The withdrawal went into effect upon approval of the petition by the assistant secretary of the interior. The withdrawal was a temporary closure of land to entry under the general land laws, including the mining laws, but not the mineral leasing laws. The withdrawal was operative for up to two years while the lands were under study for possible national monument designation.<sup>31</sup>

Even as it prepared the petition for withdrawal, the BLM started to field questions from the mining industry and grazing permittees in response to the story in the *Arizona Republic*. Taylor informed the BLM Arizona State Director that his telephone "was ringing off of the hook." The BLM responded to those initial inquiries by giving assurances that public input would be sought before a national monument was created. Meanwhile, BLM staff developed question-and-answer sheets for internal use aimed at providing citizens with informed, consistent responses to their inquiries. Among these were responses explaining the area's relationship to the Grand Canyon, highlighting the area's resources, and giving assurance that existing grazing and hunting activities would not be affected. In response to the question, "Is this a done deal?" the agency's response was "No. The Secretary believes that additional

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<sup>29</sup> Arnberger interview; Mason, "Interview: Bruce Babbitt."

<sup>30</sup> The briefing papers were submitted between November 13 and 19, 1998. A couple were dated simply November 1998. They may be found in a folder labeled "Briefing Packet Lake Mead National Recreation Area, November 21-22, 1998," PARA general administrative files to Dec. 1999, PARA.

<sup>31</sup> Bureau of Land Management, "Shivwits Plateau Petition for Withdrawal, Mohave County, Arizona," December 7, 1998, PARA general administrative files to Dec. 1999, PARA; Taylor interview.

protection is needed for the greater Grand Canyon area. Discussions have begun with the congressional delegation on how best to protect the area's unique resources."<sup>32</sup>

Taylor's office heard almost immediately from members of Utah's congressional delegation. They were quicker than the Arizona congressional delegation to get involved because their constituents were more directly affected, since the Arizona Strip was culturally and economically almost an extension of southern Utah. Two members of Congress from Utah and one from Arizona jointly requested information from the Arizona Strip Field Office on the mining claim owners and grazing permittees impacted by the withdrawal. The BLM responded by providing names and addresses for all thirteen mining claims and all seventeen grazing permits in the area. Nine of the mining claims belonged to a uranium mining company in Denver, Colorado, one was owned by an individual in Manti, Utah, and the other two were owned by residents of nearby Fredonia, Arizona. All seventeen grazing permits were held by Utahns, and all but four of those were held by residents of St. George.<sup>33</sup>

Since Taylor and the BLM were located in St. George, while O'Neill and the NPS were located in Boulder City, Nevada, it fell to the BLM to host officials from Washington, D.C. who followed on Babbitt's heels to see the Shivwits Plateau for themselves. The first such visitor was Babbitt's assistant, Molly McUsic. A former law professor and magna cum laude graduate of Harvard Law School, McUsic had served in the Clinton administration since 1997. As counselor to the secretary of the interior, she was tasked by Babbitt to coordinate with the BLM and the NPS and shepherd the proclamation proposal. She flew out to Las Vegas in early January for a two-day orientation tour. Taylor escorted her out to the Mount Trumbull area in company with the renewable resources program manager, Dennis Curtis – who would later be appointed the first Monument manager – and five other BLM officials. Favored with a timely spell of midwinter warm weather, McUsic was greatly impressed by the beauty and desolation of the landscape.<sup>34</sup>

Other show-me trips followed. The BLM led a large group of local government officials on a tour in late February. It took Assistant Secretary of the Interior for Land and Minerals Management Sylvia Baca, together with McUsic again and BLM Director Tom Fry, on a tour in late March. Three congressional staffers also received a tour.<sup>35</sup>

Meanwhile, McUsic worked long distance from Washington in helping the Arizona Strip Field Office and Lake Mead National Recreation Area perform the initial staff work to translate Babbitt's vision into a national monument proposal.

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<sup>32</sup> Field Manager to Acting Arizona State Director, December 2, 1998, and Ferron Leavitt to Roger Taylor, December 9, 1998, with attachment, PARA general administrative files to Dec. 1999, PARA.

<sup>33</sup> Taylor interview; Field Manager to State Director, February 1, 1999, PARA general administrative files to Dec. 1999, PARA.

<sup>34</sup> Taylor interview. "Orientation/Equipment List, Tour of Proposed Arizona National Monument, January 5 & 6, 1999," PARA general administrative files to Dec. 1999, PARA. Others in the party were Gary Bauer, Kim Harb, Ferron Leavitt, Whit Bunting, and Matt Sanford.

<sup>35</sup> "Background Information and MCEDA Proposal, Local Governmental Officials' Tour, Proposed Shivwits National Monument," February 22, 1999, and "Tour of Proposed Arizona National Monument March 26 & 27, 1999" (with email attached), PARA general administrative files to Dec. 1999, PARA.

Taylor and O'Neill actively engaged with McUsic in developing draft language for the proclamation, as did several staff members of the NPS and BLM who had previously worked with one another on the 1997 Parashant interdisciplinary management plan. A working document circulated among the Office of the Secretary, the BLM, and the NPS, and by January this document had a useful summary of issues appended to it, tracking those points of discussion that were most vital to the national monument or most problematic for interagency cooperation. They were: *access* (how to ensure that roads and trails within the national monument would provide a spectrum of backcountry recreational experiences), *remoteness* (how to define and preserve the area's qualities of remoteness), *grazing* (how to maintain this use as a traditional lifestyle and as part of a cultural landscape), *hunting* (again, how to maintain this traditional use), *ecological restoration* (how to pursue it through best science), and *interagency cooperation* (how to ensure that the national monument would serve "as a model of interagency coordination, cooperation, and government efficiency."<sup>36</sup>

The crucial melding – or perhaps the more accurate word is linking – of BLM and NPS cultures began at this juncture. By January 1999, the basic outline of the national monument proposal was clear: Grand Canyon-Parashant National Monument would contain both BLM and NPS lands, those lands would remain under the jurisdiction of their respective agencies, and the administrative structure for managing the Monument would involve some kind of co-management. Moreover, both O'Neill and Taylor heard Babbitt express hope that the Monument would in some way assist in greening up the BLM. This idea was potentially fraught, since it posed a direct challenge to the existing BLM culture. Nevertheless, the two staffs were eager to work together in support of the ideal of improved interagency cooperation. O'Neill and Taylor were said to have "set the tone" for their respective staffs as they each threw their support behind the national monument proposal.<sup>37</sup>

Since Babbitt's goal of "greening up the BLM" was central to his conception of the national monument, it is worth noting how O'Neill and Taylor each responded to that notion. O'Neill recalled that it specifically came up in the campfire meeting. Babbitt reminded everyone how the Forest Service and the BLM were always upset when a national park or monument was formed out of a national forest or public lands and put in the National Park System rather than entrusted to them to manage. O'Neill said, Babbitt basically said we're going to give BLM a chance to put up or shut up. "He actually used the term, 'greening up of the BLM.' That was the theme of the discussion." Yet, O'Neill added, it was part of the larger aim of modeling interagency coordination. O'Neill thought of the Monument "as an experiment in collaborative government," a pilot test, a harbinger of the next chapter in federal conservation. "We live in a collaborative world, and we need to learn how to manage collaboratively."<sup>38</sup>

Taylor similarly recalled Babbitt expressing his wish, during the campfire meeting, that the BLM would be given the opportunity to manage the new national

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<sup>36</sup> Molly McUsic to Jill A. Peters, January 12, 1999, with attachments, PARA general administrative files to Dec. 1999, PARA.

<sup>37</sup> William Dickinson, interview by Theodore Catton, April 21, 2016.

<sup>38</sup> O'Neill interview.

monument just as it had in the case of Grand Staircase-Escalante National Monument. Taylor remembered Babbitt saying something like, “I want to continue with that theme.” He did not specifically recollect Babbitt using the phrase “greening up the BLM” in that discussion, but he did recall hearing him say it on several other occasions. And he was familiar with the notion from his frequent dealings with the BLM manager at Grand Staircase-Escalante, Jerry Meredith. Indeed, no one in senior management in the BLM during the Clinton years could escape an awareness that Babbitt was intent on changing the culture of the BLM. Specifically, Babbitt wanted to give the BLM a stronger conservation mission. Taylor thought “it was a good idea.”<sup>39</sup>

As the BLM and NPS staffs continued to work together, Babbitt’s phrase “greening up the BLM” remained operative. However, it soon came to be overshadowed by another phrase that was not pejorative to the BLM yet was equally reflective of Babbitt’s vision. This was the phrase “seamless management.” Babbitt thought of seamless management first of all as a step toward more effective Ecosystem Management. Recalling his hike to the top of Mount Dellenbaugh with BLM and NPS officials and their discussion around the campfire afterward, he said, “We looked over the whole area and talked about the implications of it [that is, combining BLM and NPS lands in one designation] and walked away satisfied that it made sense to think of it all as a cooperatively managed ecological unit.”<sup>40</sup>

Babbitt pushed for “seamless management” in another context as well. He viewed it as a public service for the better enjoyment of public lands. The ordinary citizen should not have to be concerned whether he or she was in a national monument managed by the NPS or the BLM or the Forest Service; those protected public spaces should not be perceived as different fiefdoms. In this context, seamless management had unique relevance for Grand Canyon-Parashant National Monument. The acid test was whether the public would come to perceive the co-managed Monument as a distinct unit, or an awkward conglomeration of BLM lands and NPS lands administered according to two sets of regulations.<sup>41</sup>

Jim Holland, a planner at Lake Mead and one of the primary authors of the 1997 Parashant interdisciplinary management plan, worked on the national monument proclamation in 1999. When interviewed for this history, he remembered the spirit of cooperation that infused the effort in 1999, and he credited some of it to the trust and goodwill established by the earlier interagency endeavor. Although the BLM and the NPS had different missions, there were a lot of core values in common. For example, both staffs were keenly interested in protecting archeological resources. To Holland, the concept of seamless management did not imply that all designated federal lands should be managed in the same way, but it was based on a recognition that “the public doesn’t know the agencies, and so we need to appreciate what the other mandates are so that when challenged on those issues we can explain what’s going on.”<sup>42</sup>

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<sup>39</sup> Taylor interview.

<sup>40</sup> Babbitt interview.

<sup>41</sup> O’Neill interview; Dickinson interview; Holland interview.

<sup>42</sup> Holland interview.

The BLM and the NPS had to bridge differences and develop a shared vision for the national monument proposal. For example, they agreed that remoteness was an important value that had to be defined in order to be protected. Tom Folks, a recreation specialist with the BLM, provided a paper on “Managing Remoteness on the Arizona Strip,” which was shared with the NPS. In early drafts of the proclamation, remoteness was defined as “not only a physical distance from civilization but a setting in which one can experience nature without human-caused distractions.” Many more attempts were made to define remoteness as a tangible quality or resource. BLM and NPS staff tried to develop a few guiding principles for how to manage and preserve the area’s remoteness. The BLM’s more permissive view of off-road vehicle use made the NPS skittish. Ultimately, remoteness was not called out as a feature in the proclamation except insofar as it affected the quality of the area’s biological and archeological resources and the character of its historic resources.<sup>43</sup>

On another issue, restoration, NPS policies made the BLM wary. The two agencies had previously come to terms for how to restore rangeland damaged by overgrazing. BLM range specialists were pleased with the progress they were making. Some BLM employees worried that the national monument designation would encumber the BLM and NPS lands with more restrictive policies and take away certain tools in the BLM’s toolbox such as chaining that they saw as vital to an effective restoration program.<sup>44</sup>

In spite of such differences, the BLM and the NPS made progress toward the national monument proposal. They reached a significant milestone with the completion of an internal document titled “Proposed Cooperative Management Strategy for the Shivwits Plateau National Monument.” It began with a vision statement and proceeded to lay out thirteen management goals – an impressive foundation for the proposed experiment in interagency cooperation.<sup>45</sup>

## Public Review

Some said that the crucial difference between the proclamation of the Grand Staircase Escalante National Monument and the rollout of the other nineteen Clinton national monuments lay in the public meetings that were integral to the process for the latter. Babbitt wanted local people to have an opportunity to voice their concerns and hopes for each area, and if appropriate, he would modify the proposal based on their input. That is just what occurred with the Grand Canyon-Parashant National

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<sup>43</sup> Bureau of Land Management, “Managing Remoteness on the Arizona Strip,” September 1999, and Molly McUSIC to Jill A. Peters, January 12, 1999, with attachments, PARA general administrative files to Dec. 1999, PARA.

<sup>44</sup> Brent Israelsen, “Plan Targets 400,000 Acres for Monument in Arizona,” *Salt Lake Tribune*, December 28, 1998; Taylor interview.

<sup>45</sup> “Proposed Cooperative Management Strategy for the Shivwits Plateau National Monument.” This unauthored, undated document appears in multiple folders within the PARA general administrative files. For example, in File 1670 – Planning, Programming and Budgeting, Budget Development FY99 and FY2000.

Monument proposal. The Antiquities Act is silent about what steps, if any, the executive branch should take to weigh local interests before proclaiming a new national monument. Babbitt decided that including public review in the process leading to a national monument proclamation was right and proper in the changed political climate of the 1990s. So, public review became an important component in the second wave of national monuments created under the Clinton administration. It was part of what Babbitt described as “reinvigorating the use of the Antiquities Act.”<sup>46</sup>

Babbitt participated in an initial round of public meetings on the proposed Grand Canyon-Parashant National Monument in March 1999. His public engagements began on March 9 with four separate meetings at the BLM Arizona Strip Field Office: the first with about twenty ranchers who held grazing permits in the area, the second with local community officials, the third with two mining industry representatives, and the fourth with Clayton and Joy Atkin. The elderly Atkins were a prominent couple in the community and Clayton and his son Brent were active in the Arizona Cattlemen’s Association. The Atkin family had run cattle on the Arizona Strip since the 1870s. The other ranchers invited to meet with Babbitt were Cecil Blake, Daniel Bundy, Eddie and Connie Bundy, Elroy and Eve Bundy, Ethan Bundy, Kay Bundy, Mark Bundy, Orvel Bundy, William Bundy, Cleve Esplin, Le Moyne Esplin, Terry Esplin, Tony Heaton, Arlin Hughes, Denice Hughes, Jimmie Hughes, Larry Iverson, Chuck Simmons, and John Snyder.<sup>47</sup>

The next day, Babbitt flew from St. George to Salt Lake City where he met with a reporter of the *Salt Lake Tribune* and other interested parties in the Utah state capital. On the following Monday, March 15, Babbitt was back in Flagstaff, Arizona for another three meetings. The first, with affected landowners and Mohave County officials, was held at the Radisson Hotel in the afternoon. The second, the major event, was a town hall meeting held at the library auditorium on the campus of Northern Arizona University in the evening. Immediately after the town hall meeting, Babbitt met in private with representatives of the Kaibab Band of Paiute Indians.<sup>48</sup>

Babbitt returned for a second round of public meetings on June 1 and 2. His public appearances began with a meeting with the Arizona Strip Regional Planning Task Force (a group newly formed in response to the national monument proposal), which was followed by another town hall meeting, this time in Colorado City. On the second day, Babbitt held another meeting with area ranchers in St. George, and then

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<sup>46</sup> Squillace, “The Antiquities Act and the Exercise of Presidential Power: The Clinton Monuments,” 113; “Monument Rights for Public Good,” *Arizona Republic*, December 19, 1999; Taylor interview; Babbitt interview.

<sup>47</sup> Bureau of Land Management, “BLM Arizona Strip Field Office March 9, 1999, Meetings List of Invitees” (internal memo), no date, PARA general administrative files to Dec. 1999, PARA; Janice Bryson, “The Atkin Family,” *Arizona Cattlelog* (December 2013), 16-17.

<sup>48</sup> Bureau of Land Management, “Itinerary Secretary Babbitt’s St. George, Utah Trip” (internal memo), no date, and Alan O’Neill to Roger Taylor (with attached notes), March 22, 1999, PARA general administrative files to Dec. 1999, PARA.

another meeting with the Kaibab Band of Paiute Indians, this time at Pipe Spring National Monument.<sup>49</sup>

The key meetings in this array of public review sessions were the two town hall meetings in Flagstaff on March 15 and Colorado City on June 1. Both events drew large crowds and were covered by the media. Some 500 to 550 people packed the meeting in the library auditorium in Flagstaff. Babbitt shared the stage with O'Neill and Taylor, while the audience held a mix of people from the Arizona Strip, the Flagstaff area, and farther afield who were both for and against the proposal. A fundamentalist property rights and wise-use organization called People for the USA brought several busloads of demonstrators to defend unbridled mining, drilling, logging, grazing, and recreation on public lands. Their aim was to shout down the proposal. Members of the Grand Canyon Trust and the Grand Canyon Wildlands Council were there to support the proposal. O'Neill wrote in a memo to the files that "the atmosphere was electric with a lot of tension in the air." *High Country News* headlined the meeting, "Secretary Babbitt meets a tough crowd." Even though it was his hometown, Babbitt found the gathering "hostile" and "really rough." An editorial in the *Arizona Daily Star* stated that Babbitt "was verbally assaulted by a noisy minority of nay-sayers who didn't make much sense."<sup>50</sup>

The second town hall meeting was little better. Approximately 250 people attended the event in the high school gymnasium in Colorado City. Once again, People for the USA fielded a contingent of protesters, but they were not as disruptive as they were at Flagstaff. As Babbitt recalled, this group shouted their protests from the back of the room while the rest of the crowd remained civil. However, O'Neill remembered the meeting differently. O'Neill said that the secretary was booed and hissed, and that "it was the worst beating I have ever seen in government." According to a newspaper account, at one point during the meeting a woman stood up and asked all those opposed to the national monument to stand with her. When almost everyone stood, she said to Babbitt: "I think you need to just go back and leave us alone." The audience applauded. Yet, when it was over, Babbitt was not phased, telling the audience he was very pleased by what he heard. "I thought everybody – pro, con, or undecided – was into a productive discussion," he told the reporter.<sup>51</sup>

Sometime in the course of the public review, Babbitt made his decision to double the size of the proposed national monument from 550,000 acres to over a

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<sup>49</sup> Bureau of Land Management, "Itinerary, Meeting with Ranchers, Local Gov't Officials, Kaibab Paiute Tribal Council and a Public Meeting in Colorado City, Mohave County, Arizona, June 1, 1999" (internal memo), no date, and Superintendent to Files, June 15, 1999, PARA general administrative files to Dec. 1999, PARA. The Pipe Spring superintendent attended the latter meeting as well, with a proposed expansion of the Pipe Spring National Monument visitor center being prominent on the agenda.

<sup>50</sup> Superintendent to Files, March 18, 1999, PARA general administrative files to Dec. 1999, PARA; Stan Bindell, "Secretary Babbitt meets a tough crowd," *High Country News* 31, no.6 (March 29, 1999), 3; Babbitt interview; Earl B. Hoyt, Jr. to Bruce Babbitt, March 18, 1999, PARA general administrative files to Dec. 1999, PARA; Steve Yozwiak, "Monument must grow, group says but critics call Shivwits proposal a land grab," *Arizona Republic*, March 16, 1999.

<sup>51</sup> Babbitt interview; O'Neill interview; Karen Van Splawn, "Babbitt 'intent' on monument," *The Color Country Spectrum* (St. George, Utah), June 2, 1999.

million acres. The larger area was recommended by the Grand Canyon Trust and the Grand Canyon Wildlands Council. Two scientists with the latter group, Kelly Burke and Larry Stevens, argued that the principal physiographical features of the area – the Grand Wash, the Grand Wash Cliffs, the Upper Grand Wash Cliffs, and the canyons that drained off the Shivwits Plateau into the Grand Canyon – all more or less paralleled one another on a north-south axis. Ecotones and habitat zones mostly ran in a north-south alignment along those physical features; for example, the north-south escarpments were important habitat for raptors. Cultural features conformed to that north-south axis as well; for example, the old haul road for transporting saw logs from Mount Trumbull to St. George to build the Mormon temple ran north and south through the Upper Hurricane and Mainstreet valleys. Burke and Stevens suggested that the national monument idea be reconceptualized. Instead of covering an east-west oblong area nestled along the north rim of the Grand Canyon, it ought to cover a larger north-south oblong area stretching from the canyon rim in the south to the crest of the Virgin Mountains in the north. That was essentially a watershed boundary.<sup>52</sup>

Burke believed the pivotal moment in determining the boundaries of Grand Canyon-Parashant National Monument came at a meeting that she and her colleague Stevens had with Babbitt's two key staff, Molly McUSIC and John Leshy. In Burke's story, Stevens was explaining to those two attorneys the ecological implications of those north-south escarpments when Burke saw McUSIC and Leshy suddenly pull the maps closer to have another look. Bingo, Burke thought; their ideas are taking hold. Burke recalled that this meeting took place in Phoenix, but she did not remember a date. The press first reported the million-acre figure right after the March 15 meeting in Flagstaff, stating that both the Grand Canyon Trust and the Grand Canyon Wildlands Council wanted that larger area protected. A map showing the boundary proposed by the Grand Canyon Wildlands Council circulated within the BLM soon thereafter. However, Babbitt continued to cite a figure of 550,000 acres or 650,000 acres at least through June 1.<sup>53</sup>

Burke recalled, too, that Babbitt may have been persuaded to go with the watershed boundary by a conversation he had with Rob Smith, the Sierra Club's field director for the Southwest. Smith underscored the threat that uranium mining development posed to the Grand Canyon.<sup>54</sup>

O'Neill related a different version of how the much larger area came to be. The first time Babbitt seemed to get on board with it, O'Neill thought, came on the night of the June 1 meeting in Colorado City. According to O'Neill's story, he and Rob Arnberger and Roger Taylor came out of that meeting thinking that the secretary of the interior had just been "crucified." But to their surprise, Babbitt was in a buoyant, feisty mood. "That wasn't so bad, was it?" Babbitt said to them. "Let's go out and

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<sup>52</sup> Mary Ellen Hannibal, *The Spine of the Continent: The Most Ambitious Wildlife Conservation Project Ever Undertaken* (Guilford, Conn.: Lyons Press, 2012), 27-29; Kelly Burke, communication with the author, January 15, 2018.

<sup>53</sup> Burke communication; Karen Van Splawn, "Proposal spawns wariness," *Color Country Spectrum* (St. George, Utah), March 22, 1999. For a copy of the map, see Dennis Curtis to Team Leaders (map attached), [March 1999], PARA general administrative files to Dec. 1999, PARA.

<sup>54</sup> Burke communication.

have some dinner and bring the maps.” Then, over dinner, Babbitt said he wanted to push the size of the national monument to over a million acres.<sup>55</sup>

When O’Neill’s story was put to Babbitt, he affirmed that the doubling happened, but he did not believe he made that decision after either one of the town hall meetings. Babbitt said in his interview for this history: “After some discussion, I don’t remember exactly when or where, this idea emerged that we really ought to just include the northern drainage and the watershed boundary.” It might be noted that in Babbitt’s version there is no suggestion of pique or executive fiat behind the decision, just good sense based on science. Babbitt’s version is consistent with Burke’s story.

Finally, a brief email written by Grand Canyon National Park Superintendent Rob Arnberger on December 15, 1999, suggests that Babbitt never did share the larger acreage figure with the NPS before transmitting his final national monument proposal to the president in December. Arnberger, writing to O’Neill and several senior NPS officials in Denver, stated “the change in size of the proposal caught us off guard also.” Arnberger’s email was attached to an email string that mentioned O’Neill being surprised that “there were more acres involved in the proposal than we originally thought.” Without more context, it is not clear whether these comments refer to the actual doubling in size or perhaps just a relatively incremental adjustment made late in the process.<sup>56</sup>

Whatever actually happened, the important point is that through the public review process the proposed national monument was reconceptualized and doubled in size. The reconceptualization flowed from the research and arguments made by the Grand Canyon Wildlands Council in March. The secretary adopted the Grand Canyon Wildland Council’s recommendation sometime later in the year – probably closer to the date when the final proposal package was prepared in the late fall.<sup>57</sup>

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<sup>55</sup> O’Neill interview.

<sup>56</sup> Carole G. Messick to Berton Byers, Kent Turner, and Katherine M. Rohde (email), December 15, 1999, and Rob Arnberger to Rick Frost, Ron Everhart, Phil Walker, J. T. Reynolds, and Alan O’Neill (email), December 16, 1999, PARA general administrative files to Dec. 1999, PARA. The acreage was difficult to pin down. There were numerous references to “a million acres” and “more than a million acres.” Grand Canyon Trust cited a figure of 1,017,000 acres. The proclamation itself stated the figure as “approximately 1,014,000 acres.” A fact sheet dated January 11, 2000 put the figure at 1,014,000 acres of federal land (808,000 acres owned by the BLM and 206,000 acres owned by the NPS) with an additional 9,000 acres of private land and 23,000 acres of state land enclosed within the boundary. This made a total of 1,046,000 acres. At some point, the figure at time of proclamation, including nonfederal lands, was raised to 1,054,264 acres. The Grand Canyon Trust figure and fact sheet are found in PARA general administrative files to Dec. 1999, PARA. The last figure is cited in Harmon et al., *The Antiquities Act*, 296.

<sup>57</sup> Babbitt interview. Note that Roger Taylor, in a memo dated August 25, 1999, referred to the proposed national monument area as “approximately 576,248 acres.” So, if Babbitt told Taylor on June 1 that he wanted to push the size of the national monument to more than a million acres, then the idea did not immediately take hold. See Gary Bauer to Bruce Babbitt (briefing prepared by Roger Taylor), August 25, 1999, PARA general administrative files to Dec. 1999, PARA. Perhaps surprisingly, while Arizona Republicans strenuously objected to the administration’s process in establishing the national monument, there were no specific objections to the doubling in size or how the doubling came about. For a summary of Grand Canyon Wildlands Council’s influence on the doubling, see the Grand Canyon

## The Legislative Proposal

When Babbitt unveiled his initiative to the press in November 1998, he stressed that the process of making a national monument would be open to the public and he looked forward to a “big, wide-ranging discussion.” He also noted that there were two ways to establish a national monument: the president could use the authority of the Antiquities Act or Congress could do it through legislation. Babbitt later indicated that either way was acceptable to him so long as the protection of the Grand Canyon was accomplished by the end of Clinton’s second term.<sup>58</sup>

The Department of the Interior notified Arizona’s congressional delegation of the administration’s intent to afford greater protection for the area. There were difficult public use issues involved, and Congress was invited to work with the administration to address them. The members responded that they would need to consult with local officials and other interested organizations and gather their input on the merits of a national monument designation prior to preparing any legislation. The members requested that the Department provide them with information it had so far compiled. On January 12, following a meeting between McUsic and legislative staff, the Department sent a map and two-page memo titled “Ideas for Grand Canyon-Parashant National Monument” to the office of Senator John McCain. Subsequently the memo was distributed to the entire Arizona congressional delegation. Other items shared with the state congressional delegation included a one-page summary of the proposal entitled “The Protection of Public Lands on the Arizona Strip” and a copy of the *Federal Register* notice of the lands withdrawal.<sup>59</sup>

On March 29, 1999, all of the Republican members of the Arizona congressional delegation together with the Republican state governor sent a letter to Babbitt blistering the administration’s actions up to that point. The Department of the Interior’s public outreach thus far was “meager,” and the information provided to Congress was “insufficient.” The letter signers took umbrage at Babbitt’s “recent comments that a legislative solution is not possible.” They stated that they were “strongly opposed to any further action by the administration that circumvents the participation and input of those most affected by this proposal – the Arizona public.”<sup>60</sup>

The strained relations between the Department of the Interior and Arizona’s Republican politicians over the winter of 1998-99 should be put in historical context. It was a time of high partisanship and political rancor on Capitol Hill. The Arizona

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Trust’s January 2000 website posting, “Proposed Grand Canyon-Parashant National Monument,” copy in PARA general administrative files to Dec. 1999, PARA.

<sup>58</sup> “Babbitt pondering options for protecting vast wilderness in Northwestern Arizona,” *Color Country Spectrum* (St. George, Utah), November 29, 1998; “Babbitt ‘intent’ on monument,” *Color Country Spectrum* (St. George, Utah), June 2, 1999.

<sup>59</sup> Jane Dee Hull, John McCain, Jon Kyl, Bob Stump, Jim Koble, J. D. Hayworth, Matt Salmon, and John Shadegg to Bruce Babbitt, March 29, 1999, PARA general administrative files to Dec. 1999, PARA; Molly McUsic to Jill A. Peters, January 12, 1999, PARA general administrative files to Dec. 1999, PARA.

<sup>60</sup> Jane Dee Hull, John McCain, Jon Kyl, Bob Stump, Jim Koble, J. D. Hayworth, Matt Salmon, and John Shadegg to Bruce Babbitt, March 29, 1999, PARA general administrative files to Dec. 1999, PARA.

congressional delegation in November 1998 consisted of two Republican senators, John McCain and Jon Kyl, and six representatives, of whom five were Republican and one was a Democrat. All six Arizona representatives won re-election in the midterm election in November 1998, as did Senator McCain. Nationwide, the Republican Party lost five seats, causing Speaker Gingrich to resign the speakership. During the lame duck session of Congress in December, the House voted to impeach Clinton on grounds of perjury and obstruction of justice stemming from the Kenneth Starr investigation and Monica Lewinsky scandal. At the same time, Republican leadership in the House suffered a further setback when the person selected to follow Gingrich into the speaker's chair withdrew his candidacy and resigned his House seat amidst revelations that he himself had had extramarital affairs. As soon as the 106<sup>th</sup> Congress was seated in early January, the Senate took up the impeachment trial. After nearly a month and a half of deliberation, the Senate voted to acquit on February 12.

Senator McCain took an early interest in the proposal and appeared somewhat receptive to a national monument designation. He was a voice of moderation compared to others in the Arizona congressional delegation. But McCain backed away from the issue in the spring as he prepared to run for president in 2000. Senator Kyl stepped up instead. A strong conservative, Kyl would end his Senate career with an eight percent rating by the League of Conservation Voters. Concerning the future of the Shivwits Plateau, he was anxious to protect grazing and mining interests.<sup>61</sup>

On the House side, Representative Bob Stump responded promptly and vociferously to Babbitt's initiative, and by early spring he emerged as leader of a legislative counter-effort by the Republican members of the Arizona delegation. People and groups opposed to the designation began to direct their concerns to Stump's office, and by May a draft bill was in the works. Stump was an arch conservative from Phoenix who represented Arizona's 3<sup>rd</sup> Congressional District, which then encompassed most of the Arizona Strip along with a large swath of western Arizona and part of Phoenix. Besides rolling up one of the most conservative voting records of any member in Congress, Stump did little else to impress. The *Phoenix New Times* once referred to him unflatteringly as "the Stealth Congressman." He was known by fellow lawmakers as a "perpetual naysayer, casting votes against almost all spending programs." The League of Conservation Voters gave him a very low score. Grand Canyon National Park Superintendent Arnberger held him in very low esteem, saying "he had to be one of the biggest idiots I ever ran into in my entire government career."<sup>62</sup>

Stump and Kyl had help from Representative James V. Hansen of Utah, the powerful chair of the House Committee on Resources. As a strong opponent of the Grand Staircase-Escalante National Monument, Hansen was deeply concerned about the use of executive authority under the Antiquities Act. According to Hansen's

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<sup>61</sup> "Kyl to Visit Arizona Strip" (press release), May 19, 1999, PARA general administrative files to Dec. 1999, PARA; Dixie Brunner, "Babbitt proposes new monument – Arizona Strip to become Shivwits National Monument?" *Southern Utah News* (Kanab, Utah), January 19, 1999.

<sup>62</sup> Amy Silverman, "The Stealth Congressman," *Phoenix New Times*, October 13, 1993; Arnberger interview.

interpretation of the law and historical precedent surrounding the making of national monuments, he believed that any national monument proposal initiated by the Department of the Interior rather than by the Office of the President would require review under the National Environmental Policy Act (NEPA). Would Babbitt concede that the initiative was his own rather than the White House's? Hansen focused on a November 10, 1998 letter from Clinton to Babbitt asking the secretary for a list of recommendations for appropriate exercise of the presidential authority under the Antiquities Act. Apparently, Hansen thought the timing of Babbitt's trip to the Shivwits Plateau coming so soon after his receipt of the November 10 letter was suspicious. Hansen requested that Babbitt provide Congress, too, with a list of national monuments under consideration. Babbitt would not go along with Hansen's efforts to box in the president's authority under the Antiquities Act, nor would he commit to doing NEPA compliance on the Grand Canyon-Parashant National Monument proposal. Hansen raised another matter: according to an article in the *Arizona Daily Sun*, Babbitt stated that his real concern for the area was that ranchers would turn their property into subdivisions. Hansen wanted to know if Babbitt thought it was an appropriate use of the Antiquities Act to prevent property owners from subdividing their land.<sup>63</sup>

In the spring and early summer, Stump and his staff met several times with the Arizona Strip Regional Planning Task Force, and his bill came to embody the group's wishes for the most part. The task force came together specifically for the purpose of helping prepare a legislative counterproposal to Babbitt's national monument idea. It was made up of the county supervisors of Mohave and Coconino counties in Arizona and Washington, Garfield, and Kane counties in southern Utah, along with the town mayors of Colorado City, Arizona, and Hildale, Utah, and the tribal chairs of the Kaibab Band of Paiute Indians and the Paiute Tribe of Utah. The task force's primary focus was economic development. Their main objectives were to promote tourism around the remote Toroweap Overlook of the Grand Canyon, protect grazing interests, and allow future mining development.

As Stump reached out to local interests, he offered a carrot to the BLM. Instead of a national monument designation, maybe Congress would establish a national conservation area that would be less restrictive. And, instead of setting up an area under joint BLM and NPS management, maybe Congress would deauthorize a portion of Lake Mead National Recreation Area and put those lands under the BLM.<sup>64</sup>

Stump's idea acted as a wedge between the BLM and the NPS. O'Neill expressed grave concern to Taylor. "This proposal would be very problematic to the National Park Service (NPS), and we would strongly oppose such a solution," he wrote. "This sets a precedent that has national implication to the National Park System and would stand to kill the whole effort." O'Neill went on to say that if a legislative

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<sup>63</sup> Bruce Babbitt to James V. Hansen, January 15, 1999, Hansen, Bob Stump, and Barbara Cubin to Babbitt, January 19, 1999, and Hansen to Babbitt, April 21, 1999, PARA general administrative files to Dec. 1999, PARA.

<sup>64</sup> Superintendent to Arizona Strip Field Manager, May 12, 1999, PARA general administrative files to Dec. 1999, PARA.

solution was pursued, he could support designation of the BLM lands as a national conservation area, but he could not agree to include any portion of Lake Mead National Recreation Area within the new designation.<sup>65</sup>

Debate over the Grand Canyon-Parashant National Monument proposal tended to stoke fears within the NPS that putting the BLM in charge of national monuments was part of a trend toward minimizing differences between the various federal land management agencies. Where Babbitt talked about “greening up the BLM,” others saw the possibility that it would erode standards and undermine the sanctity of national parks. If it might seem progressive to add preservation to a multiple-use agency’s mission, it could also have the effect of diminishing the preservation idea itself. For those who took that hardline view the creation of Grand Staircase-Escalante National Monument was disturbing, but they imagined that the BLM national monument in southern Utah might be a one-off. Babbitt’s determination to establish more BLM national monuments, as revealed by the Grand Canyon-Parashant proposal, was yet more disturbing to them, and so they began to speak out.

An article in the *Salt Lake Tribune* in May 1999 quoted a number of NPS officials who voiced skepticism about putting national monuments under BLM management. Canyonlands National Park Superintendent Walt Dabney was very pointed about it. “There is a danger in where this is taking us,” he said. “These places of national significance should be managed by a single agency, so you don’t get inconsistencies in the approach. Why are we putting our national treasures into so many different treasure chests?” Similarly, Grand Teton National Park Superintendent Jack Neckels thought that national monuments should be exclusively the domain of the NPS. Each federal land managing agency needed to have its own base of public support. To blur the lines between the agencies would serve to weaken them all. “I don’t know if we can afford competition,” he said.<sup>66</sup>

Intermountain Regional Director John Cook argued that the national monument designation implied a level of protection that the Grand Staircase-Escalante National Monument simply did not have, because it was not part of the National Park System. Cook noted that the BLM national monument was not managed under the NPS Organic Act, but rather under the BLM’s more permissive organic act, the multiple-use oriented Federal Land Policy Management Act. Cook compared the government’s trying to sell the public on a BLM national monument to giving a person a placebo, for it misled the public into thinking the area was analogous to a national park when, in fact, the area was more a piece with other public lands managed by the BLM.<sup>67</sup>

Others in the NPS thought the BLM national monument designation was a warning to the NPS. It was like a thumb on the scales of preservation and use, cautioning the NPS against being hyper-protectionist. “We are arrogant in some

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<sup>65</sup> Superintendent to Arizona Strip Field Manager, May 12, 1999, PARA general administrative files to Dec. 1999, PARA.

<sup>66</sup> Christopher Smith, “Utah Monument a Grand Snub of Park Service?” *Salt Lake Tribune*, May 3, 1999.

<sup>67</sup> *Ibid.*

respects,” commented Glacier National Park Superintendent Dave Mihalic. “But we shouldn’t kill the messenger. If BLM was given a charge that we think was rightfully ours, we need to figure out why that happened.” Grand Canyon National Park Superintendent Rob Arnberger tended to agree with that statement. “It’s the people of this country who allowed this monument to go to the BLM,” he said. “It seems the public views parks in two ways, either as destination resorts or as places where you can’t go anywhere without a permit.”<sup>68</sup>

Those rumblings in the NPS presaged the NPS leadership’s ambivalence about Grand Canyon-Parashant National Monument once it was established. The question would arise: should the hybrid BLM and NPS national monument be counted as a new unit in the National Park System? Or should the area be treated as an adjunct of Lake Mead National Recreation Area? The choice would affect how budgets were made and how the area was staffed and administered, not to mention how the unit would be shown on NPS maps and referenced in other materials provided to the public. But in 1999 that choice lay in the future. What mattered in 1999 was that the hardline position voiced by some in the NPS already caused no little amount of discomfort for people in the BLM. The skepticism was mutual. Some BLM staff in the Arizona Strip Field Office regarded the prospect of joint management with the NPS as problematic at best.<sup>69</sup>

Representative Stump’s office sent a draft bill to the BLM on June 16. The draft bill was not shared with the NPS, because according to the bill the NPS would have no role in managing the designated national conservation area. Stump’s staff did, however, discuss the bill with Secretary Babbitt’s attorneys, Leshy and McUsic. Following their discussion, McUsic sent several pages of “suggested language for NCA or monument designation” to Stump’s office. Stump declined to incorporate any of the language into his bill, but he did delete two provisions that the Office of the Secretary found particularly objectionable because of their precedential nature. One provision would have precluded any further use of the Antiquities Act to proclaim a national monument in the state of Arizona. The second would have precluded any wilderness area designation under the Wilderness Act within the Shivwits National Conservation Area.<sup>70</sup>

Despite making those deletions, Stump retained the provision that O’Neill found unacceptable: the transfer of certain lands within Lake Mead National Recreation Area over to BLM ownership and management. The bill referenced a map entitled “Shivwits Plateau National Conservation Area” and stated that “the Secretary shall revise the boundaries of the Lake Mead National Recreation Area...to reflect the

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<sup>68</sup> Christopher Smith, “Utah Monument a Grand Snub of Park Service?” *Salt Lake Tribune*, May 3, 1999.

<sup>69</sup> See, for example, Dennis Curtis’s query to his team leaders about the Grand Canyon Trust’s proposed national monument (which would have excluded NPS lands) and the team leaders’ memos in reply. (Dennis Curtis to Files, no date, PARA general administrative files to Dec. 1999, PARA.)

<sup>70</sup> Scott Stewart to Roger Taylor, attaching “A Bill to establish the Shivwits Plateau National Conservation Area” (working draft), June 16, 1999, PARA general administrative files to Dec. 1999, PARA; Molly McUsic to Bob Stump, July 13, 1999, PARA general administrative files to Dec. 1999, PARA.

inclusion in the conservation area of lands excluded from the Lake Mead National Recreation Area by this subsection.”<sup>71</sup>

This feature of the bill not only alarmed the NPS, it bothered Babbitt. He had no intention of taking lands out of Lake Mead National Recreation Area and giving them to the BLM. Since the BLM was aware of Babbitt’s position on the issue, the BLM took the official position that it, too, opposed the transfer of those lands from Lake Mead National Recreation Area to the BLM.<sup>72</sup>

Stump introduced his bill, H. R. 2795, on August 5. The bill was about conservation in name only; really it was about promoting economic development of the area. Stump’s bill carried provisions that would have required the BLM to improve the primitive roads leading south to the Toroweap Overlook from Highway 389, manage grazing use at or above 1998 levels, and await results of a mineral survey before taking any further action to restrict mining development. It also would have allowed aircraft and helicopter overflights to continue at or above 1998 levels. Stump gathered twenty-five co-sponsors, all Republicans.<sup>73</sup>

In the meantime, Senator Kyl prepared a Senate bill. First, in May, Senator Kyl toured the Shivwits Plateau in a helicopter with staff from McCain’s office, his own office, and the governor’s office, together with the BLM’s Roger Taylor. The two-hour flight was followed by a meeting with ranchers in St. George. There, Kyl was joined by Utah’s Representative Hansen. In the discussion with ranchers, Kyl referred to Representative Stump’s draft bill. He highlighted the fact that Stump’s bill would leave the area open to mining until the government completed a mineral survey, and he noted that the bill’s mining provision would be a tough sell with the administration. Nevertheless, he supported the bill’s mining provision in principle.<sup>74</sup>

Senator Kyl introduced his bill in the Senate on the same day that Stump introduced his bill in the House. Kyl’s bill, S. 1560, was more perfunctory and quieter in tone than Stump’s, but it carried some of the same provisions. It provided for continued grazing use and included almost identical language concerning mineral survey and future mining development. It did not provide for road development to the Toroweap Overlook, nor did it mention overflights. It called for a smaller area of 381,800 acres, which would leave the Lake Mead National Recreation Area intact.<sup>75</sup>

The Senate bill was referred to the Senate Committee on Energy and Natural Resources; the House bill was referred to the House Committee on Resources. The

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<sup>71</sup> 106<sup>th</sup> Cong., 1<sup>st</sup> sess., H.R. 2795. The language was unchanged from the working draft dated June 16, 1999.

<sup>72</sup> Bureau of Land Management, “Questions and Answers pertaining to HR 2795 Proposed Legislation and/or Shivwits Plateau National Monument Designation (internal working document), October 6, 1999, PARA general administrative files to Dec. 1999, PARA; Babbitt interview.

<sup>73</sup> Testimony of Carol Anderson Before the U.S. House of Representatives, Committee on Resources, Subcommittee on National Parks and Public Lands,” October 19, 1999, PARA general administrative files to Dec. 1999, PARA; “A Bill to establish the Shivwits Plateau National Conservation Area” (working draft), June 16, 1999, PARA general administrative files to Dec. 1999, PARA.

<sup>74</sup> Roger G. Taylor, “Trip Report, Helicopter Flight of the Proposed Arizona National Monument on May 22, 1999,” May 24, 1999, PARA general administrative files to Dec. 1999, PARA.

<sup>75</sup> 106<sup>th</sup> Cong., 1<sup>st</sup> sess., S. 1560.

House Subcommittee on National Parks and Public Lands held a hearing on the House bill on October 19. Babbitt testified that he must oppose the bill as drafted and if passed he would recommend that the president veto it. Neither bill was advanced out of committee and no hearing was ever held on the Senate side. As Babbitt was determined to create a national monument that would truly strengthen environmental protections for the area, the legislative effort died with the October 19 hearing by the House subcommittee.

Babbitt used the opportunity of the hearing to describe his vision of what he sought to protect. He talked about the landscape with its “stunning vistas.” He noted the area’s biological resources, mentioned its ecosystems, referred to its archeological richness, and kept returning to the area’s western character and his key word, “landscape.”

The Plateau is defined most clearly as “Western” by open space. The vast space, with room for solitude and contemplation, is as much a part of experiencing the Shivwits as any species or artifact. The overwhelming diversity of landscape is seen in the distance, and on foot or horseback one moves only slowly to a place dramatically different from where one started. The combination of variety and vastness found is archtypically Western, increasingly rare, and worthy of protection.<sup>76</sup>

Babbitt testified that the bill fell short on two counts. First, it was inconsistent with the concept of a national conservation area and would muddy the BLM’s conservation mission. The bill contained no description of the important values and resources in the area and offered no management direction toward conservation, protection, or enhancement of the area’s resources. “The label ‘National Conservation Area’ ought not to be carelessly used,” he said. Second, he called out the bill for what it actually was – a prescription not for conservation but for exploitation. “Such weakenings and expansions are extraordinary in legislation that purports to create a National ‘Conservation’ Area,” he testified.

Babbitt’s strong criticism of the bill followed similar condemnations by the Grand Canyon Trust, the National Parks and Conservation Association, the Sierra Club, and the Wilderness Society. The Nature Conservancy and the Wilderness Land Trust, who were in discussions with the BLM over making helpful land purchases and exchanges if the area became a national monument, each informed the BLM that they would not go forward with the partnering agreement if the area became a national conservation area under the terms of the bill.<sup>77</sup>

The legislative effort fulfilled a valuable function in helping spark public debate. In contrast to the earlier Grand Staircase-Escalante scenario, it helped give Babbitt’s national monument proposal a thorough vetting. Babbitt’s national

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<sup>76</sup> “Statement of Bruce Babbitt Secretary of the Interior Before the House Resources Subcommittee on National Parks and Public Lands on H.R. 2795, The Shivwits Plateau National Conservation Area Establishment Act,” October 19, 1999, PARA general administrative files to Dec. 1999, PARA.

<sup>77</sup> Steve Yozwiak, “Conservation area near Canyon urged,” *Arizona Republic*, October 20, 1999; Joy Zeitelhack to Roger Taylor (email), August 18, 1999, PARA general administrative files to Dec. 1999, PARA.

monument proposal and Stump's national conservation area proposal provided two contrasting visions of land use and protection. Environmentalists, ranchers, mining interests, county supervisors, and town mayors joined in the debate. Two other important constituents who went on record during the course of 1999 should be noted. They were the Kaibab Band of Paiute Indians and the Arizona Department of Fish and Game.

The Kaibab Band of Paiute Indians took a strong interest in both proposals. Tribal chairwoman Carmen M. Bradley secured a face-to-face meeting with the secretary of the interior after each of the town hall meetings and expressed her tribe's feeling that the area was sacred to her people, being a part of their ancestral homeland. Bradley also participated as a member of the Arizona Strip Regional Planning Task Force in Stump's legislative initiative. The tribe was interested in ecological restoration, protection of archeological sites, and tourism development. Specifically, it hoped to partner with the federal government on the development of a new visitor center and cultural center at Pipe Spring National Monument, and it wanted tribal members to have opportunities to work with the NPS and the BLM on cultural resource management, interpretation, and environmental planning.<sup>78</sup>

The Arizona Game and Fish Department's primary interest in the area was to promote sport hunting and protect what it viewed as a state right to manage the wildlife resource. The department preferred the national conservation area designation to the national monument designation because it was leery of the area later being added to Grand Canyon National Park. National park status would end hunting. It opposed the Grand Canyon Wildland Council's proposal for a larger preserve extending north to the Virgin Mountains even though wildlife habitat protection was central to the proposal. It liked the idea of a land transfer from Lake Mead National Recreation Area to the BLM. The Arizona Game and Fish Department enjoyed good relations with the Arizona Strip Field Office, and it regarded the state's right as more secure on BLM lands than it was on NPS lands.<sup>79</sup>

### **The Final National Monument Proposal**

From mid-October to mid-December, Molly McUSIC oversaw the Department of the Interior's preparation of the final national monument proposal. While the Office of the Secretary, the BLM, and the NPS had largely worked out most of the provisions

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<sup>78</sup> Carmen M. Bradley to Bruce Babbitt, March 25, 1999, PARA general administrative files to Dec. 1999, PARA; Bradley to Babbitt, January 21, 2000, PARA general administrative files to Dec. 1999, PARA. Angie Bullets was on the tribal council. She remembered that Babbitt went to the tribe a couple of times, had lunch with the tribal council on one occasion, and invited members of the council to attend the public meeting in Flagstaff. (Angie Bullets, interview by Theodore Catton and Diane Krahe, April 26, 2016.)

<sup>79</sup> Duane L. Shroufe to Roger Taylor, March 24, 1999, and "Statement of W. Hays Gilstrap before the House Subcommittee on National Parks and Public Lands on H.R. 2795, The Shivwits Plateau National Conservation Area Establishment Act," October 19, 1999, PARA general administrative files to Dec. 1999, PARA; Yozwiak, "Conservation area near Canyon urged."

of the proposal by this time, two critical pieces remained to be hammered out: the boundary and a name.

In broad outline, the boundary was configured in two steps. First, Babbitt proposed an area of around half a million acres centered on the Shivwits Plateau. It took the canyon rim or the existing boundary between Lake Mead National Recreation Area and Grand Canyon National Park for its southern boundary, and it proposed a rather arbitrary east-west line across the Shivwits Plateau for its northern boundary. The eastern boundary wrapped around the Mount Trumbull area, while the western boundary followed the Arizona-Nevada state line. As noted above, Grand Canyon Wildlands Council advocated a larger area of around a million acres that would combine the Shivwits Plateau with the Grand Wash Cliffs and Grand Wash and extend north to the Virgin Mountains. The second step came when Babbitt decided to propose this larger area and the boundary was reconfigured accordingly.

Both the boundary proposed by Babbitt and the boundary proposed by Grand Canyon Wildlands Council were conceptual outlines rather than exact boundaries, so it fell to the federal team working on the proposal to develop exact boundaries. In the first instance, when the proposal was still centered on the Shivwits Plateau, the BLM proposed a somewhat saw-toothed boundary across the Shivwits Plateau in lieu of Babbitt's arbitrary straight line from east to west. The BLM's proposed boundary jagged around state-owned sections and other property divisions. In Taylor's words, this preferred boundary line "would serve the purpose of protecting the historic and scientific values of the area, while having the least impact on existing and traditional uses."<sup>80</sup> Much of that saw-toothed line was carried into the final boundary description, forming the present national monument boundary between Mount Trumbull and Poverty Mountain. The final boundary description took in some additional area northeast of Mount Trumbull, however, so as to include Witch Pool.<sup>81</sup>

West of Poverty Mountain, Grand Canyon Wildlands Council's conceptual boundary took the place of Babbitt's conceptual boundary, and it, too, had to be refined into an exact boundary. No written record of the federal team's deliberations over how it decided upon the final boundary description has been found, but the thinking is fairly evident. The final boundary differed from Grand Canyon Wildlands Council's recommendation in two respects. In the north, Grand Canyon Wildlands Council proposed to extend the national monument to the Utah border. It would have taken in the northern unit of the Paiute Wilderness and the Arizona portion of the Beaver Dam Mountains Wilderness together with the whole north slope of the Virgin Mountains, including an area of desert tortoise habitat south of the Virgin River. Grand Canyon Wildlands Council argued that those areas provided connectivity for migratory wildlife and a buffer against the growing urban development around St. George, Utah, and Mesquite, Nevada. Evidently, the federal team believed that the existing wilderness areas would suffice to protect the wildlife corridor (the interruption of Interstate 15 through the Virgin River Gorge notwithstanding), while

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<sup>80</sup> Field Manager to Acting Arizona State Director (map attached), December 2, 1998, PARA general administrative files to Dec. 1999, PARA.

<sup>81</sup> Tom Folks, interview by Diane L. Krahe, April 22, 2016.

the crest of the Virgin Mountains would make an appropriate boundary for protecting the vast scenic landscape vistas associated with the Grand Canyon. The final boundary in the north, therefore, traced the boundary of the watershed northward from Poverty Mountain to the southern unit of the Paiute Wilderness, then followed the wilderness boundary northwestward to the crest of the Virgin Mountains, and then followed the crest of the Virgin Mountains southwestward to the Nevada state line.

On the west, Grand Canyon Wildlands Council proposed to extend the national monument into Nevada, principally to include more Basin and Range topography and bighorn sheep habitat. The federal team drew the line at the state border instead. Babbitt, when interviewed for this history, was asked if Nevada lands were ever considered for inclusion in the national monument. He said no. “We were not eager to take on protesters from two states,” he said.<sup>82</sup>

Grand Canyon Wildlands Council conducted a survey of springs in the area and prepared a report under the title “An Ecological Assessment of the Shivwits Plateau Region.” The report, produced in the last quarter of 1999, further buttressed the concept of a larger protected area both from a standpoint of Ecosystem Management and landscape connectivity. The science-based analysis by Grand Canyon Wildlands Council certainly contributed to the conceptualization of the national monument area as described in the proclamation. For example, the report described the area of the national monument as centering on “one of the most profound geological boundaries in the United States, bridging the Basin and Range Geologic Province with the Colorado Plateau to the east.” The landforms along this geological boundary underlay “one of the nation’s most distinctive ecotones, an ecological transition from the Mojave Desert to boreal coniferous forests.”<sup>83</sup> These concepts were carried into the proclamation, as revealed in the headlining statements that “the monument is a geological treasure” with its north-south escarpments forming “a spectacular boundary between the basin and range and the Colorado Plateau geologic provinces,” and further, that “the monument is [at] the junction of two physiographic ecoregions: the Mojave Desert and the Colorado Plateau. . . . This intersection of these biomes is a distinctive and remarkable feature.” Following the proclamation, the BLM officially recognized the Grand Canyon Trust as “an active participant in determining the size and shape of the monument,” but it might have been more accurate to say that the Grand Canyon Wildlands Council, mostly communicating with the federal team through its close partnership with the Grand Canyon Trust, played a significant role in determining the size and shape of the monument.<sup>84</sup>

Many possible names were floated for the national monument. It began as “Shivwits National Monument,” named for its central geographic feature, the Shivwits Plateau. Staff at Lake Mead National Recreation Area tried to give it the name

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<sup>82</sup> Babbitt interview.

<sup>83</sup> Grand Canyon Wildlands Council, “An Ecological Assessment of the Shivwits Plateau Region,” no date, PARA general administrative files to Dec. 1999, PARA.

<sup>84</sup> Bureau of Land Management, “Grand Canyon-Parashant” (fact sheet), February 27, 2001, PARA general administrative files to Dec. 1999, PARA.

“Shivwits Plateau National Monument.” The BLM’s Roger Taylor wanted it to be named “Arizona Strip National Monument” or simply “Arizona National Monument.” Environmentalists generally favored a hyphenated name with Grand Canyon in it. At least one person suggested recycling the name Grand Canyon National Monument – the first Grand Canyon National Monument became Grand Canyon National Park, and a second one was subsequently added to the national park. Proponents of a Grand Canyon moniker said it would raise the area’s profile and give greater assurance that the area would remain protected. Some in the NPS did not want Grand Canyon in the name because it would be confused with Grand Canyon National Park. Some skeptics outside the NPS opposed having Grand Canyon in the name because – if history was a guide – it would pave the way for the national monument’s later absorption into Grand Canyon National Park.<sup>85</sup>

The name Grand Canyon-Parashant National Monument was finally selected late in the process. Recounting the decision seventeen years later, Babbitt stated that he and his staff wanted to associate the area with the Grand Canyon. He could not remember who suggested Parashant but would only remark that “there are probably ten people who would say it was their idea,” and that he thought it was right and proper to use a name that was already on the land. He referred, of course, to Parashant Canyon.<sup>86</sup> Less important but intriguing nonetheless was the fact that the name Parashant first appeared in the annals of federal conservation when the Forest Service administered the area during Teddy Roosevelt’s time.

The name displeased some, especially Paiutes.<sup>87</sup> There is a Shivwits Paiute family with the name Parashonts. It raised suspicion among other Paiutes over whether a prominent member of the family, Travis Parashonts, had pulled strings to have the family name attached to the designation. It also renewed an old complaint that the Parashant in Parashant Canyon was misspelled. Some said the proper spelling was Parashont, the English spelling of the Paiute word Pawtuh’ee oasoant, which was translated as “elk skin tanning.” Travis Parashonts pointed out that the proper spelling should be Parashont without a final “s” since the Paiutes often added an “s” to the end of a word when it was used as a surname. Besides the irritation over the spelling, some in the BLM and the NPS found the hyphenated name a bit cumbersome. Apparently, many in the general public did as well, for in common usage the name was usually

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<sup>85</sup> Lake Mead National Recreation Area, “Proposed Shivwits Plateau National Monument,” October 4, 1999, PARA general administrative files to Dec. 1999, PARA; Arizona Strip Field Office, “Fact Sheet, New Monument Proposal,” December 2, 1998, PARA general administrative files to Dec. 1999, PARA; Jeffrey Ingram to Bruce Babbitt, June 14, 1999, PARA general administrative files to Dec. 1999, PARA; Taylor interview.

<sup>86</sup> Babbitt interview.

<sup>87</sup> Several meetings were held between federal officials and the cultural resource staff of the Kaibab Band of Paiute Indians and representatives of the Shivwits Band of Paiutes. The Southern Paiutes proposed a variant on the Paiute name for the Shivwits Band to acknowledge the people who were displaced from the Shivwits Plateau. When their idea was finally rejected they were angry as it seemed like the government did what it always did by asking them what they wanted and then overruling them. (Gloria Benson comment on draft report, June 2018.)

shortened to Parashant.<sup>88</sup> But these differences over the name mostly arose after the national monument was established. Once Babbitt's team had settled upon the name and the boundary, the national monument proposal was transmitted from the Department of the Interior to the White House for the president to consider and sign.<sup>89</sup>

On December 14, 1999, President Clinton met with the press in the Roosevelt Room of the White House to announce some land protection initiatives. Flanked by Secretary Babbitt and George Frampton, chairman of the Council on Environmental Quality (CEQ), the president unveiled two initiatives he was taking for the protection of public lands. His first announcement was that he had just sent to Congress a list of eighteen natural and historic sites that he proposed to protect under a new Lands Legacy Initiative. His second announcement – and the one the media headlined – was that he had just received Secretary Babbitt's recommendation to establish three new national monuments and significantly enlarge a fourth. Grand Canyon-Parashant National Monument headed the list at over a million acres. The others included another area in Arizona (the 71,000-acre Agua Fria National Monument north of Phoenix) and two in California.<sup>90</sup>

Hoping to avert the backlash that followed the Grand Staircase-Escalante proclamation, Clinton underscored the open process the administration had followed in preparing the national monument proposals. "Secretary Babbitt's recommendations come as a result of careful analysis and extensive discussions with local citizen, state and local officials, and with members of Congress," he said. "And I will take them very seriously. I expect to make a decision on the sites early next year." This was an adroit way of saying that he was hitting the pause button so as to make it harder for opponents to claim later on that the proclamation had been sprung on them.<sup>91</sup>

Arizona's two Republican senators and five Republican congressmen immediately issued a joint statement bashing the secretary's proposal and urging the president to "listen to the people of the State of Arizona and follow the legislative process in dealing with our public lands." They contested the administration's claim that it was using an open, judicious process, issuing their counterclaim that the administration's actions were "unilateral" and "hasty." They threw down the gauntlet on Clinton's executive authority to make more national monuments: "The Antiquities

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<sup>88</sup> Angelita S. Bullets to Molly McUSIC (email), January 7, 2000, Field Manager to State Director, no date, and John Herron, untitled note on the spelling, February 1, 2000, PARA general administrative files Jan. 2000 to 2010, PARA; Gloria Bullets Benson, interview by Diane L. Krahe, April 27, 2016; Taylor interview.

<sup>89</sup> Disagreement over the name continued after the Monument was established. Senator Kyl considered entering a bill to shorten the name to Parashant National Monument. The NPS generally did shorten the name to Parashant while the BLM maintained the hyphenated long version. The public were often confused by it. Queries about Grand Canyon National Park sometimes were sent to the Monument by mistake. Some people attempted to drive into the Monument in recreational vehicles in the mistaken idea that they were driving into the national park. Even congressional staffers could get confused, as when one inquiry that was meant for the Grand Canyon-Parashant staff was sent to the Grand Canyon National Park superintendent by mistake.

<sup>90</sup> The White House, Office of the Press Secretary, "Remarks by the President on Land Protection" (press release), December 14, 1999, PARA general administrative files to Dec. 1999, PARA.

<sup>91</sup> Ibid.

At was never intended to allow one person to set aside a million acres of public lands with the stroke of a pen.”<sup>92</sup>

Four environmental groups – Natural Resources Defense Council, the Sierra Club, The Wilderness Society, and the Southwest Forest Alliance – jointly commissioned a study of public opinion “to gauge voter awareness and attitudes” on the president’s use of the Antiquities Act to protect the two areas in Arizona. The polling was done between December 27, 1999 and January 3, 2000, during the month-long pause after Clinton’s announcement. The issue was put to a random sample of Arizona voters. The study found that 78 percent of Arizona voters favored or strongly favored the establishment of Grand Canyon-Parashant National Monument while 18 percent opposed or strongly opposed it. Republican voters supported it by 73 percent to 22 percent, while Democratic voters supported it by 82 percent to 15 percent. The strongest support for the establishment of the national monument came from Independent voters and suburban voters (83 percent in favor in both cases), while among small town/rural voters, 77 percent were in favor and 19 percent were opposed. When the question was asked whether the president should use the executive authority under the Antiquities Act to establish national monuments in Arizona, 68 percent of Arizona voters were in favor while 24 percent were opposed. The margin of error for all data was given as 4.4 percent. The study was conducted by the Behavior Research Center of Phoenix.<sup>93</sup>

John Leshy, the Department of the Interior’s solicitor, later made a brief for the administration’s open process in developing the Grand Canyon-Parashant National Monument proposal and all the national monument proposals that followed it. “Opponents of President Clinton’s uses of executive authority to conserve federal lands have focused not nearly so much on what he has done as on how he has done it,” Leshy wrote. “The most vehemently asserted criticism is that the President acted precipitously, without adequately consulting the public and public officials.” Leshy summarized the steps Babbitt took in making the Grand Canyon-Parashant National Monument as follows:

He announced his interest in seeing the area protected more than a year in advance, and made several well-publicized trips to the area to meet with local interests. He testified about the area before Congress, and his representatives spent months meeting with interested individuals and working with members of Congress to design protective legislation. The legislative effort went nowhere. The local congressman did introduce a bill to make the area a national conservation area, but its details were counterfeit; remarkably, it would have weakened conservation protections in existing law. When it became clear that the delegation was not serious about moving protective legislation, Secretary Babbitt forwarded his recommendation for national

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<sup>92</sup> “Statement by U.S. Senators Jon Kyl and John McCain and U.S. Reps. J.D. Hayworth, Jim Kolbe, Matt Salmon, John Shadegg, and Bob Stump” (press release), December 14, 1999, PARA general administrative files to Dec. 1999, PARA.

<sup>93</sup> Behavior Research Center, “Survey of Arizona Voters on National Monument Designation for Grand Canyon-Parashant and Perry Mesa/Agua Fria Areas,” December 1999-January 2000, PARA general administrative files Jan. 2000 to 2010, PARA.

monument designation to the White House, which publicly announced its receipt. It was only after an additional month of public discussion that President Clinton acted.<sup>94</sup>

The Grand Canyon-Parashant National Monument proposal that Babbitt sent to the White House became a template for subsequent national monument proposals. It contained a draft proclamation, which went into considerable detail about the specific historic and scientific objects being protected. It explicitly withdrew the lands “from all forms of entry, location, selection, sale, or leasing or other disposition under the public land laws,” including the mining and mineral leasing laws. It prohibited “all motorized and mechanized vehicle use off road,” except for emergency or administrative purposes. It stipulated how the national monument would affect water rights. This was more detail than had been the pattern in previous administrations, when proclamations under the Antiquities Act tended to be brief. A map was included in the proposal, along with a detailed memorandum further explaining the rationale for the national monument, and a bibliography of sources consulted. Fact sheets for public distribution were prepared as well.<sup>95</sup>

### **The Proclamation Signing**

The proclamation signing ceremony took place in the Tuweep Valley on January 11, 2000. The big day began at Grand Canyon Village where the president, the secretary, and accompanying dignitaries and guests spent the night of January 10 in the historic El Tovar. Besides Clinton and Babbitt, others invited to attend the ceremony included the BLM and NPS principles Taylor, O’Neill, and Arnberger, the CEQ’s George Frampton, the president’s Chief of Staff John Podesta, Congressman Ed Pastor of Arizona (the state congressional delegation’s lone Democrat), Congressman Sam Farr of California (Democrat), and former Arizona Congresswoman Karen English (Democrat). Conspicuous by her absence was the Republican governor of Arizona, Jane Dee Hull.<sup>96</sup>

At 7:15 a.m., Superintendent Arnberger picked up Taylor and O’Neill at the Maswik Lodge and took them to the El Tovar lobby where the president’s party was assembling. About 8:00 a.m., the whole group, including White House staffers, Secret Service agents, and members of the press corps, was transported by motorcade to the South Rim Heli-base, where Marine One, the president’s helicopter fleet, was standing by to transport the group across the Grand Canyon to the Tuweep Valley. Three Marine One helicopters had been flown in on C-130 Hercules aircraft for the presidential visit. All three had identical markings, and rumor had it that the multiple helicopters were a security measure, with two functioning as decoys for the third one carrying the president. Arnberger and Taylor climbed onboard Nighthawk 3 with the

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<sup>94</sup> Leshy, “Shaping the Modern West: The Role of the Executive Branch,” 306-07.

<sup>95</sup> Squillace, “The Antiquities Act and the Exercise of Presidential Power: The Clinton Monuments,” 114-17.

<sup>96</sup> The White House, “Remarks by the President at Announcement of the New National Monuments” (press release), January 11, 2000, PARA general administrative files Jan. 2000 to 2010, PARA; Taylor interview; Arnberger interview.

president and secretary and other dignitaries, and O'Neill got onboard Nighthawk 4 with the press corps. The helicopters were supposed to be "skids up" at 8:20 a.m. for the 55-minute flight across the canyon, with Babbitt briefing the dignitaries while they were in flight.<sup>97</sup>

The site selected by the BLM for the signing ceremony was in a desolate spot near the Tuweep Airstrip. The closest paved road was fifty miles away near the Utah state line. In preparation for the president's visit and photo op, the BLM had taken an executive desk and chair from the old Toroweap Ranger Station and set them on the open ground in the desert scrub vegetation. Desk and chair were arranged facing east so there would be good morning light on the subject, with twin buttes on the west side of the valley presenting a scenic backdrop.<sup>98</sup>

When the helicopters arrived, there were around a dozen BLM and Secret Service personnel and a solitary Marine in dress uniform waiting at the airstrip, all having traveled to the site by car from St. George. The BLM had a shade shelter, drinking water, a portable toilet, and ranger medics on hand. The Marine stood by himself in a patch of salt bush. The Secret Service agents had nowhere to hide in that lonesome setting and looked a tad obvious: their vehicles were parked out in the scrub on all the high points around the site, the men crouched beside their vehicles, assault rifles at the ready.<sup>99</sup>

Taylor recalled a personal memory from the event. As called for in the president's tightly scripted itinerary, Taylor was to give Clinton a quick orientation to the national monument upon arrival. He and Clinton were to have a few minutes to walk around in the desert scrub while Taylor pointed out landforms on the horizon and said a bit about the area's geology and human history. This lightning-fast presidential tour of the national monument started out as planned, but Clinton listened to Taylor for just a few minutes and then stopped him in mid-sentence with a casual question, "How long have you been working for BLM?" Not interested in hearing any more about the national monument, Clinton made small talk with him as the two walked back to the desk.<sup>100</sup>

The president sat at the desk and signed the proclamation using multiple pens and handing the pens out as he went. O'Neill and Taylor, together with Babbitt and the two congressmen, stood behind the seated president for a photo.

Then Clinton took a few questions from reporters. Asked to comment on the view that he was overstepping his presidential authority with this proclamation, Clinton said:

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<sup>97</sup> "Dignitary Visit Itinerary – January 10-11, 2000, Grand Canyon National Park," January 10, 2000, copy provided by Roger Taylor; Taylor interview; Arnberger interview; O'Neill interview.

<sup>98</sup> Jerry Kammer, "Monuments created: Clinton frees 2 areas in state from threat of development, sprawl," *Arizona Republic*, January 12, 2000; Taylor interview.

<sup>99</sup> Taylor interview; Bruce Babbitt, "From Grand Staircase to Grand Canyon Parashant: Is There a Monumental Future for the BLM?" (transcript of remarks at the University of Denver Law School), February 17, 2000, PARA general administrative files Jan. 2000 to 2010, PARA.

<sup>100</sup> Taylor interview.

Well, I don't agree with that. This is the law. I'm acting pursuant to an act of Congress established in the early part of the last century and used since the time of Theodore Roosevelt by every single American president except for three – Presidents Bush and Reagan and Nixon didn't use it. Every other Republican and Democratic president in the 20<sup>th</sup> century has used the law. And I have used it and I believe that I've used it well.<sup>101</sup>

After the press conference, the time was 9:37 a.m. By the time everyone was back aboard the helicopters, it was nearly 10 a.m. They were supposed to be “skids up” at 9:35 a.m., in order to be back on the South Rim at Hopi Point for a second public ceremony at 10:30 a.m. With almost a half hour to make up, the trio of Marine One helicopters roared back across the canyon, flying at a speed and altitude and taking a beeline route that were all outside the parameters of the Grand Canyon overflight rules. (Technically, there was no violation since the rules applied to all commercial and private aircraft but not to government aircraft on official business).<sup>102</sup>

At Hopi Point, they were joined by other dignitaries, including Vice President Al Gore and Hollywood actor and environmental activist Robert Redford. Clinton made some remarks, signed two more national monument proclamations, and held another press conference. This time Clinton stood behind a podium with the presidential seal on it and the Grand Canyon behind him – a perfect photo op. It was the same site used for the presidential signing of the proclamation of Grand Staircase-Escalante National Monument a little more than three years earlier. Clinton began his remarks by quipping, “I know we're doing the right thing, because look at the day we've got. We've got the good Lord's stamp of approval on this great day.” As he grinned and gestured to the canyon and cloudless blue sky at his back the camera shutters clicked.<sup>103</sup>

At precisely 11:35 a.m. the second press conference ended, and the president and his entourage got into their motorcade for the short drive to the Grand Canyon National Park Airport. Superintendent Arnberger saw the presidential party off as it boarded Air Force One. He watched as the Boeing 747 jumbo jet got up to speed. And he looked on as the powerful blast of exhaust from the aircraft's outside jet engines blew out all the landing lights on either side of the little airport runway.<sup>104</sup>

### **Babbitt's Reform of the BLM**

Soon after the signing ceremony, Babbitt sent a letter of instruction to the directors of the BLM and the NPS to commence teamwork on administering what he grandly described as “the first National Monument in history for which joint

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<sup>101</sup> The White House, “Remarks by the President During Tour of Grand Canyon Tuweep Valley” (press release), January 11, 2000, PARA general administrative files Jan. 2000 to 2010, PARA. Clinton's summary of the presidential record was historically accurate.

<sup>102</sup> Taylor interview; Arnberger interview.

<sup>103</sup> The White House, “Remarks by the President at Announcement of New National Monuments” (press release), January 11, 2000, PARA general administrative files Jan. 2000 to 2010, PARA.

<sup>104</sup> Arnberger interview.

management responsibilities are given to the Bureau of Land Management (BLM) and the National Park Service (NPS).” Management of the federal land in the Monument would continue under the BLM’s and NPS’s existing authorities, but subject to the overriding purpose of protecting the scientific and historic objects described in the proclamation. While the NPS would continue to have management authority over the portion of the Monument in Lake Mead National Recreation Area and the BLM would continue to have primary management authority over the rest, the two agencies “should work to provide seamless service to the public.” Furthermore, the proclamation stipulated that the BLM and the NPS should manage the Monument cooperatively. Babbitt left it to the agencies to define an appropriate administrative structure for the Monument, only providing his assurance that the Department would fully support the effort by eliminating impediments to their collaboration. This letter of instruction from the secretary was, after the proclamation itself, the most important guidance the field managers received. The words “seamless service” became a catchphrase that helped keep the goal of cooperative management clearly in view.<sup>105</sup>

Five weeks after the signing ceremony, Babbitt gave a talk at the University of Denver School of Law, which he titled “From Grand Staircase to Grand Canyon Parashant: Is There a Monumental Future for the BLM?” In this talk he articulated his vision for reforming the BLM. Giving the BLM responsibility to manage national monuments would inspire and foster a culture change in the agency. The reform effort had begun with Grand Staircase-Escalante, and it would jell with the recent establishment of Grand Canyon-Parashant and more BLM national monuments to follow. The BLM national monuments were a decisive break with the traditional formula of designating a conservation unit and then handing those public lands off to another agency to manage. The BLM would no longer be the Bureau of Leftovers, Babbitt declared. It was inconsistent, he said, to give the BLM a conservation mission and at the same time to continue the old practice of transferring conservation lands out of the BLM’s control. By keeping the new national monuments in the BLM, it would protect the agency’s pride and “induce a new sense of the relationships on the landscape.” In other words, it would sow an ecosystem-management ethic into the BLM’s traditional culture of multiple-use management.<sup>106</sup>

And here Babbitt came to the key point in his talk. He referred to the BLM-administered lands, the so-called public lands, as the “matrix” surrounding the West’s cities and national parks, national forests, and national wildlife refuges. In case after case, he pointed out, it had become necessary to manage the matrix in relation to other designated lands as part of a larger ecosystem, “and that is the relationship that I think is now beginning to come upon the landscape.” So, it was vital that the BLM join the

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<sup>105</sup> The Secretary to Director, Bureau of Land Management and Director, National Park Service, no date, PARA general administrative files Jan. 2000 to 2010, PARA.

<sup>106</sup> Bruce Babbitt, “From Grand Staircase to Grand Canyon Parashant: Is There a Monumental Future for the BLM?” (transcript of remarks at the University of Denver Law School), February 17, 2000, PARA general administrative files Jan. 2000 to 2010, PARA.

NPS and the U.S. Fish and Wildlife Service in managing protected conservation units within the new paradigm of Ecosystem Management.<sup>107</sup>

Babbitt directed his remarks to a packed auditorium on the University of Denver campus. From talking about the national monuments in Utah and Arizona, he pivoted to a discussion of his plans for the San Luis Valley in Colorado, which he described as a cultural landscape of old communities with Great Sand Dunes National Monument in its midst. “How do communities live in spiritual and ecological equilibrium in the landscape?” he asked. This was the problem at the heart of his vision and the basis for his later book, *Cities in the Wilderness*.<sup>108</sup>

In the last year of the Clinton administration, Babbitt instigated the establishment of a dozen more BLM national monuments (including one more, Craters of the Moon, that would involve joint management with the NPS). In June 2000, he announced a new program called the National Landscape Conservation System (NLCS). It encompassed the BLM national monuments as well as that agency’s national conservation areas and wilderness areas. The NLCS was aimed at elevating the profile and prestige of the BLM’s protected conservation units. As James R. Skillen has written in *The Nation’s Largest Landlord: The Bureau of Land Management in the American West*, “Secretary Babbitt wanted NLCS areas to become the flagships of BLM management and to slowly change the management standards and practices of other public land areas.”<sup>109</sup>

To ensure that the BLM national monuments played their intended role in giving the agency a new direction, Babbitt insisted that they have their own annual budgets and staffs, analogous to units in the National Park System. He wanted the BLM to develop new career paths and allow monument managers and resource specialists to cultivate the new ethos from within the BLM rank and file. Babbitt’s first two BLM directors, James Baca (1993-1994) and Michael Dombeck (acting director, 1994-1997), sought to cultivate the new ethos from the top down, appointing state directors with backgrounds in recreation, planning, or some other discipline other than the traditional range management emphasis. Among the twelve BLM state director positions in the West, three came to be filled by women. Before the 1970s, very few women held professional jobs in the BLM. By the 1990s, women in the BLM were moving into higher positions in all professional disciplines, further challenging the good-old-boy culture within the agency.<sup>110</sup>

How successful was Babbitt in “greening up” the BLM? Skillen reckons that Babbitt’s reform of the BLM was less impactful than two other periods of reform in the agency’s history: the early to mid-1960s when the BLM professionalized under Secretary Udall’s influence, and the early to mid-1980s when the BLM swung behind

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<sup>107</sup> Bruce Babbitt, “From Grand Staircase to Grand Canyon Parashant: Is There a Monumental Future for the BLM?” (transcript of remarks at the University of Denver Law School), February 17, 2000, PARA general administrative files Jan. 2000 to 2010, PARA.

<sup>108</sup> Meghan Howes, “Bruce Babbitt’s Call to Action,” *Campus Notes and Notables: College of Law University of Denver Alumni Magazine* 7, no. 3 (August 2000), 10.

<sup>109</sup> Skillen, *The Nation’s Largest Landlord*, 155.

<sup>110</sup> *Ibid*, 158-59.

grazing and mining interests under Secretary Watt's leadership. Skillen characterizes the Clinton era as a "tumultuous" time for the BLM as it got caught in the middle of the western states' increasingly polarized politics surrounding the public lands and the urban/rural cultural divide. Furthermore, Skillen points out, much of Babbitt's effort to strengthen the BLM was undercut by the overall Clinton plan for reforming the federal government, with its emphasis on downsizing the federal workforce and leveraging help from outside.<sup>111</sup>

Skillen was writing his book near the end of the second Bush presidency, by which time many of the Clinton administration's environmental policies had been reversed and Babbitt's legacy had been diminished by some eight years of Republican rule.<sup>112</sup> In the year after Skillen's book was published, when the Democratic Party once again had control of the White House and both houses of Congress, the NLCS finally acquired statutory authority with passage of the National Landscape Conservation System Act. During the nine years that elapsed from Babbitt's making of the BLM National Conservation Lands by administrative action to its consolidation by federal statute, there was too little confidence that the system would be permanent. In retrospect, it can be seen that Babbitt's efforts to reform the BLM leaned heavily on actions taken in the final year of the Clinton presidency, and that his vision hung in the balance when the next administration did not follow through in ways he hoped. During that final year of the Clinton presidency, it should be recalled, Vice President Al Gore was the presumptive Democratic nominee for president, and Gore shared Babbitt's strong commitment to Ecosystem Management. Babbitt acted in the hope and expectation that a friendly Gore administration would carry on the work he had begun.

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<sup>111</sup> Skillen, *The Nation's Largest Landlord*, 156-62.

<sup>112</sup> *Ibid.*, 176-77.



# 3

## The Planning Years

In this chapter the narrative shifts from the political arena to the administrative arena, from Secretary of the Interior Bruce Babbitt's ideas and actions to the BLM's and NPS's efforts toward implementation. In following up the proclamation, the main actors were the heads and staffs of the Arizona Strip Field Office and Lake Mead National Recreation Area. Big concepts had to be translated into detailed policy on the ground. The 2,000-word proclamation had to be elaborated into management guidelines.

The staff work began with an involved planning effort. A process that was supposed to take two to three years continued for many more. The substance of the planning effort and the twists and turns it took form the main threads of this chapter because it was through the planning effort that the meaning and purposes of Grand Canyon-Parashant National Monument became fully fleshed out. The planning effort helped define what it meant to protect such culturally-defined qualities as open space, remoteness, and traditional use. A major component of the planning effort included an inventory and evaluation of all roads in the area. The roads analysis fed into a central feature of the final Grand Canyon-Parashant National Monument Plan (called the Approved Plan): the zoning of the Monument into three management units defined around travel management. These were: 1) a corridors management unit (accessible to cars and trucks), 2) a backroads management unit (accessible to ORVs), and 3) an outback management unit (accessible to non-motorized use only). The planning effort also covered the whole gamut of resource management issues, including wildlife management of game and non-game species, protection of sensitive species, grazing allotments, vegetation treatments, and cultural resources management.

The planning effort also addressed how the two agencies would cooperate, share resources, and combine personnel into one Monument staff. Working out the administrative structure of the Monument was integral to the planning effort even though the administrative structure was not part of the public process nor was it described at all in the Approved Plan. The challenges of formulating and implementing cooperative management did not end with the completion of the Approved Plan, but it did transition from a formative period into the next phase after the planning effort concluded.

This chapter focuses on the years 2000-2008 when the management plan was in development. Some operational activities that started in this period are not addressed until Chapter 4.

### **The Last Year of the Clinton Administration**

About thirty staff members of Lake Mead National Recreation Area and the Arizona Strip Field Office convened their first “coordination meeting” on January 24, 2000. Subsequently, the group met formally once per month through most of the first year and quarterly after that. Initially, Superintendent Alan O’Neill headed the NPS team while District Manager Roger Taylor headed the BLM team. Other key officials included Bill Dickinson, assistant superintendent at Lake Mead; John Hiscock, superintendent of Pipe Spring National Monument; and Dennis Curtis, non-renewable resource manager for the Arizona Strip Field Office, who gradually assumed duties as Grand Canyon-Parashant’s first Monument manager as the year went on.<sup>1</sup>

The group’s first task was to review the Monument’s “Interim Guidance” and provide comments to higher-ups. The Interim Guidance referred to a BLM-issued memorandum, “Interim Management Policy for Newly Created National Monuments” (Instruction Memorandum No. 2000-062). The policy was to form a bridge until the Monument had its own management plan, and the policy was set to expire on September 30, 2001. In general, the policy required conservative, conservation-oriented management. For example, it disallowed the practice of chaining to manipulate vegetation.<sup>2</sup>

The January 11 proclamation and the Interim Guidance raised two immediate questions for the BLM and NPS managers on the ground: how would the Monument be funded and how would the Monument staff be organized? The planning group made a first stab at these problems at its first two meetings on January 24 and February 25. The tone of the meetings was positive. O’Neill gave the BLM credit for being better prepared for the proclamation than his agency. It was agreed by all that the two agencies had “a high trust relationship and that “both agencies want the public to see us united.”<sup>3</sup>

Regarding funding, there was both a near-term issue and a long-term issue. For the near term, the BLM had made a request in time for the FY 2001 budget cycle, and Taylor anticipated that around \$3.1 million would be available for the Monument starting on October 1, whereas the NPS had not done so, and O’Neill anticipated that the NPS would get by for the first year and a half of operations on reprogrammed

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<sup>1</sup> “Grand Canyon Parashant Monument Coordination Meeting” (minutes), January 24, 2000, PARA general administrative files Jan. 2000 to 2010, PARA; Dennis Curtis, interview by Diane L. Krahe, April 25, 2016.

<sup>2</sup> Robert Sandberg to Arlin Hughes, February 29, 2000, PARA general administrative files Jan. 2000 to 2010, PARA; Ted Zukoski to Friends of BLM National Monuments, November 29, 2001, PARA general administrative files Jan. 2000 to 2010, PARA.

<sup>3</sup> “Grand Canyon Parashant Monument Coordination Meeting,” January 24, 2000, and “Parashant Monument Meeting Notes,” February 25, 2000, PARA general administrative files Jan. 2000 to 2010, PARA.

funds. So, the BLM would be the major source of Monument funding until FY 2002. Over the long term, Taylor wondered how the two agencies would share responsibility for the Monument's overall budget. Would it be based on the land resource? An 80-20 split reflecting the relative amount of land ownership? Or would it be outcome based? For instance, even though NPS lands made up just 20 percent of the Monument area, most Monument visitors traveled across BLM lands to reach NPS lands and obtain a view of the Grand Canyon. Out of this discussion came an early decision that the Monument would have to develop a single budget for the area, which would then be shared by the two agencies.<sup>4</sup>

Discussion of the staff organization revealed some differences of perspective. The NPS favored establishing a Management Council comprised of the BLM Arizona District manager, the Lake Mead superintendent, the Pipe Spring National Monument superintendent, a science advisor, and a tribal liaison. Possibly the last two roles would be combined in one position. Directly under the Management Council would be a Core Group of the permanent Monument staff. The Core Group would be comprised of six team leads covering emergency services, information, cultural resources, resource utilization, science, and ecological restoration. The BLM, meanwhile, proposed to have a Monument manager who would report to the Arizona District manager. Taylor thought it was important to have a point person focused on the whole Monument. The BLM thought just three core groups ought to compose the Monument staff, with the organization having a more interdisciplinary flavor.<sup>5</sup>

At the second meeting, more thoughts emerged on what the Monument structure should look like. There should be a "mixture of uniforms" at the Monument. The NPS needed to have an individual stationed in St. George. Grand Canyon National Park should be represented on the Management Council, the NPS suggested – or perhaps not, the BLM responded. A preliminary list of Monument staff positions prepared by the BLM began to circulate between the BLM and the NPS. Some BLM positions might be shared between the Monument and the Arizona Strip. However, the Monument staff should be located in St. George in its own building, not inside the Arizona Strip Field Office. The Management Council should meet once per year to establish a work program for the next year.<sup>6</sup>

The BLM and the NPS agreed on a model for how the Monument staff would be organized. An Executive Council would be comprised of just two people, the Arizona District manager and the Lake Mead superintendent, but it would liaise directly with the superintendents of Grand Canyon National Park, Pipe Spring National Monument, and it would coordinate with the Paiute tribes through a tribal liaison. Below the Executive Council would be a Monument Manager. And below the Monument Manager would be six Focus Program Areas, as follows: 1)

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<sup>4</sup> "Grand Canyon Parashant Monument Coordination Meeting," January 24, 2000, and "Parashant Monument Meeting Notes," February 25, 2000, PARA general administrative files Jan. 2000 to 2010, PARA.

<sup>5</sup> "Grand Canyon Parashant Monument Coordination Meeting," January 24, 2000, PARA general administrative files Jan. 2000 to 2010, PARA.

<sup>6</sup> "Parashant Monument Meeting Notes," February 25, 2000, PARA general administrative files Jan. 2000 to 2010, PARA.

Enforcement/Emergency Services and Resource Protection, 2) Support Services, 3) Visitor Services, 4) Cultural and Earth Sciences, 5) Biological Sciences, and 6) Planning.<sup>7</sup>

### *Vision Statement*

Early on, the BLM and NPS determined a need to craft a vision statement for the Monument. Starting in the summer of 1999 and continuing through 2000, the joint statement went through many iterations. The vision statement embodied an intentional blending of the two agency cultures within the framework of the national monument proclamation, while the goals aimed to “capitalize on the strengths of each agency.” As finally agreed upon and approved by the Office of the Secretary, it read as follows:

*Vision.* Grand Canyon-Parashant National Monument is a model of land management that conserves the natural, scientific, and historic resources, and includes ecological restoration, rugged recreation, and ranching, while honoring the history and living traditions of the people who came before us – “The Place Where the West Stays Wild.”

*Goals.* In all activities undertaken to reach the goals of the monument, the first priority is to achieve the overriding purpose: the conservation and protection of the historic and scientific objects described in the proclamation.

- The monument serves as a model of efficient interagency coordination and cooperation, incorporating the strengths of each agency.
- The monument plan will be developed within a regional context, building upon existing plans, and using a collaborative planning process that will provide clear direction for Parashant’s management.
- Natural and social settings will be managed to preserve the remote and unspoiled landscape character while providing opportunities for visitors to experience adventure, beautiful vistas, and a sense of discovery through a variety of sustainable backcountry activities.
- Protection of cultural, social, biological, and physical resources for which the monument was created will remain the highest priority in planning and management.
- Existing land use authorizations will be monitored and no new mineral sales, leases or mining claims, or non-scientific vegetative sale permits will be issued, so as to maintain the sustainability of the resource and aesthetics of the landscape.
- Through a system of designated routes, a variety of backcountry driving experiences and access to key destinations and features will be provided, while managing to protect resource values.
- Cooperation with all affected stakeholders will be sought by involving the public in monument planning and management. The

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<sup>7</sup> “Parashant Monument Meeting Notes,” February 25, 2000, PARA general administrative files Jan. 2000 to 2010, PARA.

monument acts as a model of scientifically based, ecological restoration. Research and investigative studies will guide in the restoration of healthy native ecosystems, natural fire regimes, and cultural landscapes.

- The infrastructure footprint will be the minimum necessary to provide for public safety and enjoyment and to protect the values upon which the monument is based.
- Design standards will be developed for signs, kiosks, facilities, and other developments across the monument to help ensure energy efficiency, sustainability, quality, and consistency with the purposes of the monument proclamation.
- Sustained, well-managed ranching operations and associated interpretive activities will showcase the monument's historical living and working landscape and enhance visitor experience.
- Conservation and restoration of a habitat mosaic that supports sustainable levels of a full range of native species, including predators, will be emphasized. The recovery and protection of special-status species will remain a primary focus.
- A proactive information and education program will provide diverse audiences with information about the monument. Audiences will understand the purpose of the monument and the resources and receive the information they need to have a safe and enjoyable experience.
- The preservation of natural quiet will be emphasized in areas identified as key recreational destination points and other concentrated-use areas possessing this value.<sup>8</sup>

On a parallel track, the BLM and the NPS crafted an interagency agreement for co-management. This document responded to the directive contained in the Proclamation and in Babbitt's letter of instruction that the agencies "prepare an agreement to share, consistent with applicable laws, whatever resources are necessary to properly manage the Monument."<sup>9</sup> It provided specific guidelines for how the BLM and the NPS would determine annual budgets and transfer funds. An addendum to the agreement, signed by the parties in July 2000, stipulated to the agreed upon organizational structure. It further stipulated that the Executive Council would meet

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<sup>8</sup> Darla Sidles and Dennis Curtis, "Co-Managed Monuments: A Field Report on the First Years of Grand Canyon-Parashant National Monument," in *The Antiquities Act: A Century of Archaeology, Historic Preservation, and Nature Conservation*, edited by David Harmon, Francis P. McManamon, and Dwight T. Pitcaithley (Tucson: University of Arizona Press, 2006), 240-42. A very different earlier version is attached to Bill Dickinson to Roy Wright, December 16, 1999, PARA general administrative files to Dec. 1999, PARA. Another iteration is contained within "Parashant National Monument Coordination Meeting Notes," August 17-18, 2000, PARA general administrative files Jan. 2000 to 2010, PARA. Input by the Office of the Secretary is discussed in "Parashant National Monument Coordination Meeting," November 16, 2000, PARA general administrative files Jan. 2000 to 2010, PARA.

<sup>9</sup> The Secretary to Director, Bureau of Land Management and Director, National Park Service, no date, PARA general administrative files Jan. 2000 to 2010, PARA. The Proclamation contains identical wording.

annually to assess the effectiveness of the organizational structure, and the heads and staffs of the Arizona Strip Field Office and Lake Mead National Recreation Area would hold coordination meetings quarterly to assess progress on the annual work plan.<sup>10</sup>

### *Staffing*

All through the year 2000, the BLM and the NPS worked on hiring a Monument staff. The goal was to get the staff in place by the start of 2001. There were a number of moving pieces that had to get locked in before most positions could be advertised and filled: an organization chart and position descriptions needed approval by two agencies; sponsorship of certain positions was claimed first by one agency and then the other; consideration was given to funding several positions jointly; and startup funding levels needed confirmation. The last item was perhaps most critical, for the hiring plan had to be tweaked over and over as the BLM's funding level for the Monument was trimmed back from \$3.1 million to \$2.8 million to \$2.2 million, to \$1.7 million, to \$1.3 million. The amount of NPS funding finally came in at \$790,000. As the funding level fell, the projected number of staff had to be scaled back from around 50 to around 30, and ultimately still fewer.<sup>11</sup>

The science advisor and tribal liaison positions, originally conceived as Monument positions, were moved to the Arizona Strip Field Office. The BLM agreed to pay the full salary for both those positions. Five positions were classified as jointly funded positions: a GIS specialist, a botanist, a historian, a physical science specialist, and a range management specialist. Of these jointly funded positions, the NPS committed to hiring the first three (the third position, historian, was advertised but never filled) and the BLM committed to hiring the last two. Joint funding was viewed as a potential strength: "employees may approach the job differently and behave differently if dependent on both agencies for funding."<sup>12</sup> It was also agreed that three BLM range specialist or physical science specialist positions from the Arizona Strip Field Office and three NPS law enforcement ranger positions at Lake Mead National Recreation Area would be transferred to the Monument at the start of 2001.<sup>13</sup>

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<sup>10</sup> "Grand Canyon-Parashant National Monument Agreement" (draft), no date, PARA general administrative files Jan. 2000 to 2010, PARA, and "Addendum to the Grand Canyon-Parashant National Monument Agreement," July 2000, PARA general administrative files Jan. 2000 to 2010, PARA.

<sup>11</sup> Superintendent to Manager (agreement, org chart, and positions and agency support chart attached), July 10, 2000, PARA general administrative files Jan. 2000 to 2010, PARA; "National Monuments Request," February 2, 2000, PARA general administrative files Jan. 2000 to 2010, PARA; "Parashant National Monument Coordination Meeting," November 16, 2000, and "Parashant National Monument Coordination Meeting," January 23, 2001, PARA general administrative files Jan. 2000 to 2010, PARA.

<sup>12</sup> "Parashant National Monument Coordination Meeting," November 16, 2000, PARA general administrative files Jan. 2000 to 2010, PARA.

<sup>13</sup> Paul Krumland recalls that the original organization chart showed a supervisory law enforcement ranger in addition to three other law enforcement rangers. Krumland was the first NPS ranger transferred to the Monument, entering on the Monument payroll on April 22, 2001. Supervisory Park Ranger Ray Klein transferred to the Monument soon thereafter. (Paul Krumland, comments on draft report, June 2018.)

The BLM and the NPS jointly developed a list of resource inventories and research studies that they wanted to initiate in the coming year. In July 2000, the list of items and the estimated cost for each item was presented as follows:

Cultural inventory	\$137,000
Historic Structures Assessment	\$109,000
Historic/ethnographic studies	\$64,000
Monument history project	\$60,000
Visitor use assessment	\$12,000
Route inventory	\$152,000
Geologic mapping and inventory	\$55,000
Physical science inventory	\$51,000
Riparian/hydrological inventory	\$30,000
Ecological site & weed inventory	\$107,000
Wildlife, T&E, Vegetation and wildlife habitat inventories	\$78,000
Inventory and assessment, range, wildlife improvement	\$37,000
Fuels inventory	\$14,000
Mt. Trumbull research	\$184,000
Northern Arizona University agreement	\$300,000
Arizona Fish and Game research agreement	\$76,000
Pinon-juniper research	\$184,000
Vehicle costs	<u>\$40,000</u>

The total estimated cost for all these studies was \$1,700,000. While not all of these studies could be accomplished in one year, the BLM and the NPS wanted to make a strong start on them in order to collect baseline data for the remote area as soon as possible. The cost of preparing the Monument's management plan was estimated to be another \$938,000. Other major costs for Monument operations – these reckoned on an annual basis – were \$984,000 for law enforcement and visitor services, and \$206,000 for communications.<sup>14</sup>

### *Planning Differences*

The scope and cost of the Monument planning effort posed the first stumbling block for interagency cooperation. Planning was deeply engrained in the NPS culture, with its roots in landscape architecture and the master plans of the New Deal era. Planning for the BLM dated back to FLPMA and highlighted the agency's multiple-

<sup>14</sup> "Arizona Strip Regional Task Force Briefing, Budget 2001," June 27, 2000, PARA general administrative files Jan. 2000 to 2010, PARA.

use mission. Planners in the NPS and the BLM followed different processes and used different nomenclatures. At the apex of NPS planning was the general management plan (GMP) for each park. Descended from the master plan of earlier times, the GMP provided a holistic plan of development and preservation. The equivalent overarching plan for the BLM was the resource management plan (RMP) for each district. The latter had a much broader geographic scope, and as its name suggested it focused more on resource use and protection. To make things still more confusing, in the NPS the resource management plan was a lesser item in the hierarchy of management plans; it tiered off the general management plan and dealt exclusively with natural resources, not such other matters as transportation routes and visitor access. Joining the two planning systems had the potential to confound the planners and completely flummox the public.<sup>15</sup>

At the August coordination meeting, the BLM announced that with the anticipated proclamation of Vermilion Cliffs National Monument in the eastern half of the Arizona Strip, the BLM wanted to combine preparation of a management plan for Grand Canyon-Parashant National Monument Plan with preparing one for that national monument as well. The NPS acceded to that request. Clinton proclaimed Vermilion Cliffs National Monument, an area about one fourth the size of Grand Canyon-Parashant, on November 9, 2000. At the coordination meeting in mid-November, Dennis Curtis announced that the BLM, with two national monuments on the Arizona Strip now, wanted to prepare a third plan next to the other two that would cover the remaining lands in the Arizona Strip. It was a surprise decision since the Arizona Strip District had gone through a major planning process not many years prior, culminating in its Resource Management Plan of 1992 for all BLM lands in the Arizona Strip. Curtis assured the NPS that the BLM's only aim was to consolidate all the public meetings in one process; at the end of the process each of the three plans would stand on its own with a separate record of decision. The NPS indicated that things could begin to "move out of the NPS comfort range" if the scope of the planning effort widened out to include those other BLM areas, for it would be hard to obtain an adequate level of NPS funding to match the BLM's. With the BLM driving the process, the NPS would not be fairly represented in it.<sup>16</sup>

### *Planning and the Public*

It was clear that the planning process for the Monument would need to address a wide spectrum of views from the public. Though the Monument designation had broad public support in the state of Arizona, it still faced strong opposition from many area ranchers and nearby communities and their elected representatives in government.

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<sup>15</sup> Comparison of BLM and NPS planning requirements and a plan for combining the two processes for Grand Canyon-Parashant is described in an 8-page undated memo, "Statement of the Project," attached to Alan O'Neill to Warren Brown, July 11, 2000, PARA general administrative files Jan. 2000 to 2010, PARA.

<sup>16</sup> "Parashant National Monument Coordination Meeting," August 17-18, 2000, and "Parashant National Monument Coordination Meeting," November 16, 2000, PARA general administrative files Jan. 2000 to 2010, PARA.

Ranchers stood to lose some of their customary uses of the public domain; for example, they would not be allowed to cut juniper for firewood or fencing material. Many shared the concerns of rancher Wally Mathis that the Monument designation would attract a horde of recreationists who would come onto their private land as well as their grazing allotments and vandalize their private property and range improvements. Some feared that they would be prevented from subdividing their private inholdings and selling lots for cabin sites. The only way the federal government could prevent private lands from being subdivided was by acquiring them through the power of eminent domain (condemnation). Still, it was not unreasonable for ranchers to assume that the Monument designation would lead to condemnation or, short of that, would simply quash the real estate market for cabin sites and render their inholdings almost valueless.<sup>17</sup>

Some ranchers in the area, including Howard Whitmore and Marilyn Nay, sympathized with Nevada rancher Cliven Bundy, who was already known in the 1990s for his outspoken defiance of the BLM. Bundy was a resident of Bunkerville, Nevada, an unincorporated, dispersed community of about 1,000 people located south of Mesquite in Clark County. Bundy was a descendant of Mormon settler Edward Bunker who homesteaded in the area in 1877. Bundy's tensions with the BLM first became public in the early 1990s when he refused to comply with the BLM's mandated grazing reductions to protect desert tortoise habitat, saying the grazing reductions would ruin the family's longtime ranching operation and the federal government had no right. In response to his noncompliance, the BLM revoked Bundy's grazing permit. Bundy persisted in running his cattle on the public domain as if the land belonged to him, paying no grazing fees to the government and making no concessions to the endangered species. Bundy and his allies made threats against anyone who might remove cattle from the Bundy or Mosby-Nay allotments. The Bundy allotment was in Nevada, while the Mosby-Nay allotment was over the state line in Arizona and lay within the Monument area. Bundy trespassed with his cattle on BLM and NPS lands in the Monument as well as on what was putatively his own grazing allotment in Nevada.<sup>18</sup>

The town of Fredonia, Arizona objected to the national monument designation for similar reasons. The townspeople did not want to lose access to lands that they were accustomed to regarding as their commons. In particular, they did not want to lose the privilege of taking their off-highway vehicles (OHVs) wherever they pleased. (They objected not only to Grand Canyon-Parashant National Monument, but also to Vermilion Cliffs National Monument, which was closer to home for them.) A town council member asked Secretary Babbitt if the Department of the Interior would

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<sup>17</sup> Wally Mathis to Tom Fry, April 24, 2000, and Denise P. Meredith to Mathis, May 23, 2000, PARA general administrative files Jan. 2000 to 2010, PARA. Rancher Terry Esplin, for one, thought "the next step is a national park," according to the National Geographic Society's John G. Mitchell, who reported on a one-hour conversation he had with Esplin to Roger Taylor. (Mitchell to Taylor, May 30, 2000, PARA general administrative files Jan. 2000 to 2010, PARA.)

<sup>18</sup> Jaime Fuller, "The long fight between the Bundys and the federal government, from 1989 to today," *Washington Post*, January 4, 2016; "Parashant National Monument Coordination Meeting," January 23, 2001, PARA general administrative files Jan. 2000 to 2010, PARA; Curtis interview.

prevent American Indians from going wherever they pleased during the pine nut gathering season. Babbitt said the federal government would not even try to control that activity. The mayor and town council of Fredonia objected that that would be “discrimination against the American public.” In other words, they did not see any difference between traditional gathering by the indigenous people and their own use of the commons for recreation.<sup>19</sup>

Another objection to the Monument designation, which the rural community shared with many urban residents of St. George, was a sense that the proclamation was unnecessary because the lands on the Arizona Strip were so remote they did not need more federal protection. In this view, designating the area as a national monument only served to make the area better known to outsiders as a place to recreate. These local people were not anxious to share their recreational commons with outsiders, nor were they pleased about the restrictions that would come with increased recreational use.<sup>20</sup>

Some area ranchers immediately brought suit against the government. They were joined in the lawsuit by seven Republican state legislators. The case was filed in the U.S. District Court in Phoenix on January 26, 2000. The ranchers claimed they would suffer permanent harm to their livelihoods by the Monument designation. The legislators, meanwhile, claimed that the federal action was a usurpation of local and state authority and interfered with their sworn duty as state representatives to exercise the state’s authority. The complaint asked the court to enjoin the Department of the Interior from implementing the proclamation of January 11, 2000, and to declare the Antiquities Act unconstitutional. The court found that the plaintiffs lacked standing and dismissed the case on November 17, 2000.<sup>21</sup>

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<sup>19</sup> Town of Fredonia to President William J. Clinton, August 11, 2000, PARA general administrative files Jan. 2000 to 2010, PARA.

<sup>20</sup> Hafen interview.

<sup>21</sup> *Jeff and Tina Esplin et al. v. William J. Clinton et al.*, U.S. District Court for the District of Arizona; “N. Arizona monument sparks suit,” *Arizona Daily Star*, January 27, 2000; “Lawsuit aims to block new national monument,” *Arizona Republic*, January 27, 2000. U.S. attorneys for the Plaintiffs’ case for unconstitutionality rested mainly on the Equal Protection Clause of the Fourteenth Amendment, as they contended that the executive authority over the national monument placed an unequal burden on citizens of Arizona. U.S. attorneys for the Defendants filed a motion to dismiss, arguing that Plaintiffs failed to offer any set of facts showing how they had been treated differently than other citizens. District Court Judge Paul G. Rosenblatt agreed with Defendants’ arguments and concluded that Plaintiffs failed to show standing in the Court. Furthermore, the judge reviewed previous court rulings on the Antiquities Act, particularly around the proclamation that created Jackson Hole National Monument and found that Plaintiffs’ failed to show a set of facts that would support their argument for unconstitutionality. Another lawsuit was brought in 2001 by the Mountain States Legal Foundation on behalf of the Blue Ribbon Coalition, Inc., an organization of off-pavement vehicle users. This case lumped Grand Canyon-Parashant National Monument with five other national monuments established by Clinton in 2000. Attorneys for Mountain States argued in the complaint that the proclamations of those six national monuments, because of their size, were an overreach of the presidential authority in the Antiquities Act. They claimed that the president exceeded his authority because the Property Clause in the Constitution confers on Congress all power over federal lands. In U.S. District Court the judge dismissed the complaint on the basis that the Property Clause was not at issue and Plaintiffs had not shown how the Clinton proclamations exceeded the terms of the Antiquities Act. Mountain States appealed the case, arguing that judicial review of Clinton’s use of the Antiquities Act was warranted.

Governor Hull joined the Republican-dominated Arizona state legislature in registering the state's opposition to Grand Canyon-Parashant National Monument and Agua Fria National Monument. House Joint Resolution 2001, passed on April 4, 2000, was transmitted to President Clinton and the U.S. Congress. It denounced the designations, claiming that the president's action was a "misuse of the Antiquities Act" because it abused the act's requirement that the area be confined to the smallest area necessary for the protection of historic and scientific objects, and did not properly involve state and local government and citizens. The resolution claimed that the president's action represented "an arrogant usurpation by federal powers and a violation of states' rights."<sup>22</sup>

All of these objections were in the air as the BLM and the NPS worked on establishing a Monument budget and staff for 2001 and laid the groundwork for a planning process to commence soon thereafter. The furor over the president's use of the Antiquities Act even got a nod during the presidential election campaign, as Republican nominee George W. Bush's running mate Dick Cheney blistered President Clinton for exercising executive authority "willy-nilly all over the West," and suggested that Bush if elected would review the Clinton administration's national monument proclamations and possibly rescind some of them. No president had ever done that, so it was an open question whether a president could actually abolish a national monument under the law. But Cheney did not address the legal issue. In any case, with Cheney fanning hopes that a Republican administration would form a radical break with Clinton's and Babbitt's approach to the use of the Antiquities Act and the conservation of western landscapes, it was clear that the presidential election of 2000 would be profoundly consequential for Grand Canyon-Parashant National Monument.<sup>23</sup>

### **The Start of the George W. Bush Administration**

Following a cliffhanger election and a controversial vote count in Florida that put the presidential election in doubt until the Supreme Court ruled 5-4 in favor of the Republican candidate, the Bush administration began to take shape in January 2001.

Bush's pick for secretary of the interior was Gale Norton, a Denver-based attorney with long involvement in western states rights issues. From 1979 to 1983, Norton was a senior attorney with the Mountain States Legal Foundation. A onetime

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When U.S. attorneys in the Bush administration argued that the national monument proclamations were not subject to judicial review, environmental groups intervened in the suit, concerned to protect the principle of judicial review in case the Bush administration moved to countermand the national monument proclamations with its own. On October 18, 2002, the U.S. Court of Appeals in Washington, D.C. dismissed the Mountain States complaint and upheld the lower court's decision, finding that the Clinton proclamations had not exceeded the authority under the Antiquities Act so far as the Property Clause had any effect. (Joshua Zaffas, "Clinton-era monuments weather court challenge," *High Country News*, November 25, 2002; "Mountain States Legal Foundation v. Bush," *FindLaw* at [caselaw.findlaw.com/us-dc-circuit/1160787.html](http://caselaw.findlaw.com/us-dc-circuit/1160787.html) <February 1, 2018>).

<sup>22</sup> Betsey Bayless to Bruce Babbitt (transmitting House Joint Resolution 2001), April 5, 2000, PARA general administrative files Jan. 2000 to 2010, PARA.

<sup>23</sup> Joseph B. Frazier, "Cheney: Monuments May Be Rescinded," *Washington Post*, August 24, 2000.

Libertarian, she joined the Republican Party in 1980 and served in both the Reagan and George W. H. Bush administrations, first as an assistant to Deputy Assistant Secretary of Agriculture Richard Lyng and then as associate solicitor for the Department of the Interior. Through most of the 1990s, she served as attorney general for the state of Colorado. Her record indicated she was philosophically aligned with the area ranchers, not environmentalists. During her Senate confirmation hearing in January 2001, Norton was asked point blank what she thought of the twenty Clinton national monuments, and whether she would advocate repeal of the Antiquities Act. She responded that her main objection to the Clinton national monuments was that they were created through a “top-down process without consulting the people who are most affected.” She allowed that the Antiquities Act had been useful in the nation’s past and she would not advocate repeal, but she might be in favor of amending the statute to fix the designation process.<sup>24</sup>

At the end of March 2001, Secretary Norton sent a letter to western state governors, tribes, and local communities’ elected officials announcing the Bush administration’s review of the Clinton national monuments. She asked each recipient for their input on boundary adjustments, vehicle use, access to private inholdings, rights-of-way, grazing privileges, and water rights, “as well as the wide spectrum of other traditional multiple uses that might be appropriately applied to these lands.” She wrote to the Arizona governor: “I would like to hear from you about what role these monuments should play in Arizona. Are there boundary adjustments that the Department of the Interior should consider recommending? Are there existing uses inside the monuments that we should accommodate?”<sup>25</sup>

Governor Hull replied that she did not advocate abolishing or reducing in size any of the five national monuments established in Arizona by President Clinton. This surprising statement was practically opposite the position the governor had taken one year earlier when she signed House Joint Resolution 2001. In the intervening year, public opinion in Arizona swung solidly behind the national monuments, so she changed her position by coming to the national monuments’ support. Still, she suggested that boundaries needed adjustment in many places, and she reiterated the refrain that the Clinton administration had acted without sufficiently consulting Arizonans. She enclosed a list of concerns relative to each area, most of which concerned access to state lands.<sup>26</sup>

Responses to Norton’s March letter poured into the Office of the Secretary from other quarters. Tribes expressed their strong support for the national monuments.

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<sup>24</sup> “Secretary of the Interior Nominee Gale Norton’s Senate Confirmation Hearing,” January 18, 2001, *The American Presidency Project*, at [www.presidency.ucsb.edu/ws/index.php?pid=84912](http://www.presidency.ucsb.edu/ws/index.php?pid=84912) <February 9, 2018>.

<sup>25</sup> Letters quoted in Friends of the Earth, National Wildlife Federation, Sierra Club, The Wilderness Society, and U.S. Public Interest Research Group, “Thirty Thousand Americans Call for the Protection of New National Monuments” (press release), March 27, 2002, PARA general administrative files Jan. 2000 to 2010, PARA; Squillace, “The Antiquities Act and the Exercise of Presidential Power: The Clinton Monuments,” 131.

<sup>26</sup> Jane Dee Hull to Gale Norton, April 6, 2001, PARA general administrative files Jan. 2000 to 2010, PARA.

Geoffrey S. Barnard, president of the Grand Canyon Trust, took issue with Norton's frequent criticism of Babbitt for not consulting with local officials and stakeholders. "In Arizona, this is simply not true," Barnard wrote, and attached a brief summary of the public process that had been followed. One year later, a coalition of environmental groups wrote to Norton in response to her March 2001 letter, sending her 30,000 postcards containing messages of support for the national monuments. In the meantime, the Department received some 6,000 other responses to her letter. The overwhelming majority of messages were in support of preserving the national monuments. Bowing to that outpouring of support, Norton announced at the Western Governors Association meeting in the summer of 2001 that the Bush administration had no intention of abolishing any of the Clinton national monuments; rather, it was interested in finding innovative ways to involve local communities in getting them started on the right footing.<sup>27</sup>

Norton named two objectives, one addressed to the short term and the other to the long term. The first objective was to review, revise, and reissue the so-called "Interim Guidance" or interim management policy for the Clinton national monuments forged in the last year of the Clinton administration. The Arizona Fish and Game Department readily supplied the Department of the Interior with numerous suggested changes to both the proclamation and the interim guidelines. The Department of the Interior issued a new interim monument management policy on October 11, 2001. Environmental groups protested that the new policy weakened protections especially as it eased restrictions on off-pavement vehicle use, hunting of predators, and granting of rights-of-way for power lines.<sup>28</sup> Neither the BLM nor the NPS seems to have had a voice in the revision process, nor to have been very concerned about the new interim guidance once it emerged. Rather, agency officials were focused on Norton's second, longer-term objective, which addressed the planning process. Norton's strategy was to hit the reset button on the planning process so that local communities could organize and assume a more collaborative role with the federal agencies in developing each new area's long-range management plan.<sup>29</sup>

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<sup>27</sup> Wayne Taylor, Jr., to Gale A. Norton, May 3, 2001, Geoffrey S. Barnard to Norton, April 23, 2001, and Rebecca Wodder et al. to Norton, March 27, 2002, PARA general administrative files Jan. 2000 to 2010, PARA; Diana Hawks, interview by Diane L. Krahe, April 15, 2016.

<sup>28</sup> Duane L. Shroufe to Maria Baier, April 2, 2001, attaching "Arizona Game and Fish Department Comments on the Grand Canyon-Parashant National Monument," April 2, 2001, PARA general administrative files Jan. 2000 to 2010, PARA; Center for Biological Diversity, "Bush Administration Weakens Protections for New BLM National Monuments" (press release), November 28, 2001, PARA general administrative files Jan. 2000 to 2010, PARA.

<sup>29</sup> The Bush administration refrained from modifying the proclamation by presidential action, but apparently it did countenance the possibility of supporting changes to the proclamations through congressional action. The NPS offered language for such a bill in May 2001. Some expected Representative Stump to introduce a bill pertaining to the Arizona national monuments, perhaps transferring NPS lands to the BLM so the administration of Grand Canyon-Parashant National Monument would be unified under one agency, but no such bill emerged. (See Bill Dickinson to John Reynolds (email), May 2, 2001, and Dickinson to Bobbie Antonich et al. (email), May 23, 2001, PARA general administrative files Jan. 2000 to 2010, PARA.

*The Community-Based Planning Initiative*

Secretary Norton's community-based planning initiative harkened back to what she had told senators in her confirmation hearing in response to the question of where she stood on the Antiquities Act. She wanted to fix the "process" of national monument designation, and more, give local stakeholders more clout in federal land management. As Norton explained her community-based approach to Hopi Tribal Chairman Wayne Taylor, Jr., she aimed to provide "expanded opportunities for direct citizen participation in monument planning and stewardship management through citizen advisory councils, such as Resource Advisory Councils or other forms of local collaborative groups."<sup>30</sup>

Norton expected such councils to give greater voice to local concerns like protecting access to state lands and mineral claims located within each national monument and protecting traditional uses like grazing on public lands. She aimed to see more use of conservation easements to protect monument values while respecting private property interests. She hoped to achieve more reliance on local governments, volunteer groups, and businesses to provide essential services for each area, and she wanted to see partnership arrangements for management of ongoing, traditional activities, including grazing and recreation use. A transportation plan for each area should be developed with input from those who use the roads, Norton said.<sup>31</sup>

These sounded like worthy goals, but it remained to be seen whether the Bush administration's desire to empower local interests and curtail "top down" stewardship by federal land managers was truly democratic.

Norton's call for a community-based approach to planning got off to a brave start with the formation of the Alliance for Northern Arizona and Southern Utah in March 2001. The Alliance was supposed to consist of all those state and local members who took part in the Arizona Strip Regional Planning Task Force in 1999 and 2000, together with federal agencies who were not members in the former organization but were only called upon to share information. Thirty-four individuals convened the first meeting of the Alliance in the federal building in St. George on March 21. Thirteen of the attendees were with federal agencies and two were with staff persons to members of Congress. The Grand Canyon Trust was represented, while state and local government officials filled the rest of the seats at the first meeting.<sup>32</sup>

No tribal representatives came to the Alliance's first meeting, and no tribes were included in the Alliance's proposed council, which was to be made up of fourteen people representing four communities, four counties, two states, and four federal agencies. Three tribes – the Kaibab Band of Paiute Indians, the Paiute Indian Tribe of Utah, and the Moapa Band of Paiute Indians – were among the long list of entities included in the Alliance's draft memorandum of understanding but only the

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<sup>30</sup> Gale A. Norton to Wayne Taylor, Jr., April 24, 2002, PARA general administrative files Jan. 2000 to 2010, PARA.

<sup>31</sup> *Ibid.*

<sup>32</sup> Alliance for Northern Arizona and Southern Utah, "Minutes of Meeting held March 21, 2001," PARA general administrative files Jan. 2000 to 2010, PARA.

Hopi Tribe expressed much interest. No tribal representatives came to the Alliance's second meeting in August 2001, either.<sup>33</sup>

Three federal officials present at the Alliance's first meeting were to be prominent in the planning process going forward. They were Diana Hawks, Dennis Curtis, and Bill Dickinson. Diana Hawks was appointed to the Arizona Strip planning team in February 2001, and she would serve as the BLM team lead from then until the plan's completion in 2008. The BLM's Dennis Curtis would serve in the role of first monument manager until he retired in 2008. Bill Dickinson took the place of Alan O'Neill as superintendent of Lake Mead National Recreation Area after O'Neill retired in 2000. Dickinson, as former assistant superintendent at Lake Mead, was already involved with Grand Canyon-Parashant in 1999 and 2000. Starting in 2001, he became the senior NPS official involved in the planning process.<sup>34</sup>

With its nineteen national monuments established in 2000, the BLM received \$19 million for planning for the new areas in FY 2001. This represented an infusion of money into an agency accustomed to preparing multiple-use oriented plans on a district-wide level. A total of five new planning positions were created on the Arizona Strip District in the early months of 2001. Besides Diana Hawks, the BLM appointed Tom Folks as the planning team lead for recreation and wilderness, Mike Herder as the lead for wildlife, Laurie Ford for geological science and realty, and Linda Price for standards and guidelines. Altogether, ten people were assigned to the BLM core planning team and an additional 13 BLM specialists and 16 NPS specialists were listed as team members.<sup>35</sup>

To kick-start the Bush administration's community-based partnerships model for planning, the BLM sponsored a three-day community-based partnerships training event in May. The BLM invited ranchers, community leaders, and other local land users to enroll. The aim of the training was to cultivate local individuals who would go on to participate in a constructive dialogue with federal planners through the rest of the planning process. The three-day training, which was conducted in St. George, was deemed a success, and another was held in Kaibab Village, Arizona, in January 2002, and another in St. George in March. A slightly different version was conducted by a consultant, James Kent Associates, in St. George in November 2001 and another in Page, Arizona, in February 2002.<sup>36</sup>

In the last quarter of 2001, the BLM planning team also went to a number of rural communities to hold listening sessions where they could hear local people's concerns in advance of formal scoping. The planners went to some very small

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<sup>33</sup> Alliance for Northern Arizona and Southern Utah, "Minutes of Meeting held March 21, 2001," and "Notes, Alliance for Northern Arizona and Southern Utah Meeting, August 22, 2001," PARA general administrative files Jan. 2000 to 2010, PARA; Diana Hawks to Gregg Simmons (email), September 5, 2002, PARA general administrative files Jan. 2000 to 2010, PARA.

<sup>34</sup> Hawks interview; Curtis interview.

<sup>35</sup> Hawks interview; "Arizona Strip Planning Team," no date, ASRMP, 000196.

<sup>36</sup> Roger G. Taylor to Permittee, March 7, 2001, ASRMP, 001006; Taylor to \_\_\_\_\_, November 21, 2001, ASRMP, 001011; Bureau of Land Management and National Park Service, "Scoping Report for Arizona Strip Field Office, Bureau of Land Management, Lake Mead National Recreation Area, National Park Service," September 26, 2002, ASRMP, 058871.

community gathering places – a café, a food mart, a gas station – to hear from people whom they might not otherwise reach. As Hawks noted, this activity occurred prior to the BLM’s notice of intent to commence the planning process; it was part of Secretary Norton’s community-based partnerships initiative. Both the training workshops and the informal listening sessions were aimed at empowering local land users to speak up for their interests and engage with federal land managers at a new level. “The shift is away from the agency as an ‘expert’ and toward shared learning, trust and responsibility of all users of public lands,” Roger Taylor wrote in a letter to participants.<sup>37</sup>

The Alliance – the group founded at the beginning of 2001 to succeed the Arizona Strip Regional Task Force – was dealt a crippling blow in November of that year when municipal elections unseated a number of local elected officials who had shown a willingness to hold dialogue with the BLM. The winners in the Kanab, Utah election ran on a united Canyon Country Rural Alliance (CCRA) platform, which stood for fundamentalist private property rights and unrestricted public access to all federal lands. Drawing on the foment of the People for the USA movement, the CCRA targeted any local official who made a move to accept the BLM national monuments as a new fact of life in the region. CCRA candidates took control of the mayor’s office in Kanab, Utah and the town council in Fredonia, Arizona. The elections left the Alliance moribund; its future meetings were canceled and the Alliance’s MOU for federal, state, and local cooperation was never finalized.<sup>38</sup>

Ironically, Secretary Norton’s community-based planning initiative stood in danger of being sabotaged by the very people it sought to empower.

By the second quarter of 2002, the Bush administration had completed its reset of the planning process begun in the last year of the Clinton administration. It was now ready to move forward according to regulations. On April 24, 2002, the Department of the Interior published in the *Federal Register* its notice of intent to prepare a resource management plan for Grand Canyon-Parashant National Monument and Vermilion Cliffs National Monument, and to revise the Arizona Strip RMP of 1992.<sup>39</sup>

## Transportation Planning

As public scoping got underway in May and June of 2002, everyone knew that the biggest issue on the table was road access. The Monument plan would deal with many issues, but none would command more attention from the public, or put more at stake, than the transportation issue. The network of existing roads was so far-flung that

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<sup>37</sup> Roger Taylor to \_\_\_\_\_, January 25, 2002, ASRMP, 001034; Bureau of Land Management and National Park Service, “Scoping Report for Arizona Strip Field Office, Bureau of Land Management, Lake Mead National Recreation Area, National Park Service,” September 26, 2002, ASRMP, 058871; Hawks interview.

<sup>38</sup> Jim Matson to The Alliance (email), November 19, 2001, and John Hiscock to The Alliance (email), November 20, 2001, PARA general administrative files Jan. 2000 to 2010, PARA.

<sup>39</sup> Department of the Interior, “Grand Canyon Parashant National Monument,” *Federal Register* 67, no. 79 (April 24, 2002), 20155.

it impinged on virtually all other Monument values and resources. Leaving existing roads open could be a threat to scenic vistas, remoteness, archeological sites, and sensitive species. On the other hand, closing roads could be a problem for ecological restoration, wildfire management, grazing management, and hunting use. Above all, roads and road access were central to recreation management, for roads were anathema to wilderness advocates, yet essential to most visitors' enjoyment of the Monument. The vast majority of Monument users experienced the area by driving on backroads for pleasure. Though the exact percentage was not known, Monument staff believed it was easily over 90 percent.<sup>40</sup>

It did not require a crystal ball to see that the Monument plan would be challenged in court once it was completed, and that the most likely legal challenges would revolve around road access. Groups on both sides of the issue were poised to file suit. On one side, the Arizona Wilderness Coalition would likely complain that too many roads were left open; on the other side, the Blue Ribbon Coalition, Inc. would likely argue the opposite. The federal agencies' challenge was not so much to find a middle ground that would satisfy both sides, but to adhere to a process and establish a record that would be unassailable in court.

The BLM-NPS planning team entered the public scoping process with eyes wide open. The public scoping meetings gave the team a stronger understanding of who the user groups were. For example, team members were surprised by the large turnouts at scoping meetings held in Las Vegas and Mesquite, Nevada. The level of interest alerted them to the fact that urban Nevadans, like southern Utahns, regarded the Monument area as part of their recreational domain. The BLM learned, too, that a small but vociferous group of local airplane pilots, a group the BLM had scarcely ever dealt with before, did not want to lose access to backcountry airstrips.<sup>41</sup>

Transportation planning began with making an inventory of all roads in the area. It began with close examination of aerial photographs and making a record for each visible line. The next step was to go into the field and follow the line, determine if the road still existed, and use global positioning devices to capture location information. Through field observation, the inventory also captured what level and type of use the road received and whether it showed evidence of construction. The BLM brought on a consultant, Les Weeks of Advanced Resource Solutions, to assist with the road inventory and help design the next step, establishing route designations.<sup>42</sup>

Tom Folks and Roger Taylor had to defend the level of effort going into the transportation planning. Other BLM planning teams around the West were contracting out their road inventories to save money. The methodology that Folks and Weeks developed went well beyond the BLM's planning requirements. Taylor decided the greater level of effort was justified given the values and resources involved for Grand Canyon-Parashant National Monument. Taylor stood by his decision and sought

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<sup>40</sup> Roger G. Taylor to Elaine Zelinski, November 5, 2003, PARA general administrative files Jan. 2000 to 2010, PARA; Hawks interview; Folks interview; Jeff Axtell comment on draft report.

<sup>41</sup> Richard Spotts to Diana Hawks (email), May 13, 2004, ASRMP, 054664; Hawks interview.

<sup>42</sup> Folks interview.

additional funds for the route evaluation from the BLM state director. His judgment seemed to be borne out by later events. Whereas the management plan for Grand Canyon-Parashant would prevail in court, other BLM national monument plans did not fare as well against legal challenges. The BLM's plan for Upper Missouri River Breaks National Monument in Montana, for example, would be found deficient precisely because the BLM had not evaluated the area's existing roads adequately, and the BLM would be ordered by the court to go back and do it right.<sup>43</sup>

Tom Folks and Les Weeks developed a decision tree for evaluating routes. The decision tree's many branching questions revealed the importance of transportation planning to the overall Monument plan. "Does the route provide commercial, private, or administrative land access that is not already adequately met?" the decision tree asked, and "Does the route impact sensitive species or their occupied habitat?" and so on, through a wide range of considerations. Folks insisted on calling the decision tree the "route evaluation tree" because he did not want to convey the impression that the application led to decisions. "People make decisions," he said. "This is just a tool."<sup>44</sup>

Transportation planning brought out significant differences between the BLM and the NPS over off-highway-vehicle (OHV) use. On paper, the two agencies had similar policies. Both required that OHVs stay on roads. BLM regulations made allowance for OHVs to go off road for the retrieval of shot game. In practice, the NPS and BLM treated OHV use in different ways. NPS regulations required that OHVs be registered "street legal" according to Arizona state law in order to drive on park roads. (The state requires that OHV's be registered "street legal" to drive on county roads.) The general management plan for Lake Mead National Recreation Area showed all existing roads in the Shivwits area as "backcountry park roads," meaning they were approved for travel by all types of motor vehicles. Thus, the NPS did not recognize OHV use as a distinct form of recreational use; they were subject to the same restrictions as other motor vehicles.

BLM regulations, on the other hand, did not require that OHVs be registered "street legal." Under Arizona law, an OHV could be registered not "street legal" but rather "off-road," meaning they could only be operated on roads that were not maintained by the state of Arizona (such as BLM roads). Furthermore, BLM law enforcement rangers pointed out that BLM roads were not well defined prior to the transportation planning process. As a result, the BLM's enforcement of the stay-on-roads policy was lax prior to the proclamation. In contrast with the NPS, the BLM did recognize OHV use as a significant form of recreation on its lands.<sup>45</sup>

Behind the different law enforcement practices lay different aesthetics and management priorities. The NPS and the BLM held different perceptions about the

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<sup>43</sup> Roger G. Taylor to Elaine Zelinski, November 5, 2003, and "Arizona Strip Management Plans/EIS, Route Evaluation/Designation/Decision Tree Scope of Work," no date, PARA general administrative files Jan. 2000 to 2010, PARA; Hawks interview.

<sup>44</sup> Advanced Resource Solutions, "Route Designation Process" (draft), December 20, 2002, PARA general administrative files Jan. 2000 to 2010, PARA; Folks interview.

<sup>45</sup> William K. Dickinson to Ray Klein (email), March 24, 2005, attaching "ATV Regulation Matrix for Arizona, Utah and Nevada," and Raymond Klein and Scott Florence, "Briefing Statement," March 27, 2006, PARA general administrative files Jan. 2000 to 2010, PARA.

culture of OHV use. Dennis Curtis told an illustrative story about an occasion when BLM and NPS planners rode ATVs to investigate a remote mine site together. During a lunch break, the BLM people talked about what a great ATV ride it was, while the NPS people talked about what a great hiking trail it would be. Even though everyone was enjoying the day, they filtered the experience through different aesthetic sensibilities, each oriented to their agency's management philosophy.<sup>46</sup> Since the BLM managed for multiple use, people in the BLM tended to view OHV recreational use as simply dovetailing with the need to maintain motorized access for grazing use and administrative purposes. So, they held a permissive attitude toward OHV recreational use, even when their own field observations told them that OHV use had environmental impacts. The BLM "continually refers to OHV use as a 'need,'" the Grand Canyon Trust once complained. "While this may be true in some cases (ranching), recreation is *by far* the greatest use and *does not constitute a need but fulfills a desire.*"<sup>47</sup>

If the BLM could be accused of a pro-OHV bias, NPS planners had to wrestle with their own negative bias toward OHV use. As NPS planner Kent Turner observed, ATVs were actually less destructive on the landscape than 4 x 4 trucks or jeeps when used responsibly – but the agency had little confidence that, in fact, they would be used responsibly, because the culture of OHV use militated against it. As Turner wrote, "many people buy and use those vehicles on the premise that they can go pretty much anywhere."<sup>48</sup> The OHV industry certainly encouraged that thinking. Even the larger OHVs were by then being equipped with heavy-duty spring suspension, power winches, and other accessories aimed at enabling them to go off-road. Experience showed that wherever an OHV blazed a trail across the landscape, others followed. It did not take long for a new road to form.

People in the NPS found OHV recreational use to be problematic in a national park setting even when the users were law abiding, because the culture of OHV use did so much to frame the recreational experience as a contest between the machine and the natural environment. Many in the NPS questioned whether the rough-and-tough OHV ride was capable of inspiring quiet contemplation, or a reverence for nature, or a sense of wonder – the states of mind that national park management usually sought to encourage. The celebration of OHV hardware accessories perhaps said it all. Come and get it, enthused one local OHV outfitter: undercarriage lights "to see what you've run over," and off-road headlights that could "light up a mountainside a mile away."<sup>49</sup>

Information gathered about Monument visitors from a user survey presented a more moderate picture, however. In a study performed by Pamela E. Foti and Kerry Nodal of Northern Arizona University in 2003, a total of 1,394 Monument visitors

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<sup>46</sup> Curtis interview; Sidles and Curtis, "Co-Managed Monuments: A Field Report on the First Years of Grand Canyon-Parashant National Monument," 240.

<sup>47</sup> Christine L. Newell to National OHV Coordinator, December 20, 2000, ASRMP 054196. Emphasis in original.

<sup>48</sup> Kent Turner to William K. Dickinson, et al. (email), June 25, 2001, PARA general administrative files Jan. 2000 to 2010, PARA.

<sup>49</sup> Presentation by Milt Thompson of Dixie Four-Wheel Drive, BLM District Office Brown Bag, April 22, 2016.

were contacted and 766 responded to the survey. According to the study findings, a majority of visitors (55%) participated in OHV recreation in the Monument. A sizeable number of visitors (41%) did so three to five times per year. The most popular reason for visiting the Monument was to seek solitude and natural quiet. The next most popular reasons were to enjoy scenery and to escape from the urban environment. A majority of Monument visitors agreed that driving in unauthorized areas was “very much a problem,” as were damage to vegetation, disturbance of wildlife, and overall noise. Slightly fewer than half agreed that soil erosion and damage to riparian areas were “very much a problem” as well. When asked if they supported motorized use of “wildland” outdoor recreation environments, 51 percent responded, “Yes, with designated areas of ATV/OHV use,” 32 percent responded “No,” and 17 percent responded “Yes, with no restrictions.”<sup>50</sup>

Nearly contemporaneous with the survey of Monument visitors, the U.S. Forest Service conducted a national survey of OHV recreational users. The Forest Service promulgated national regulations for OHV use on the national forests in 2004, and the national survey, conducted that year and in 2007, addressed ongoing concerns about the impacts of OHV use on the environment. The survey contained some impressive numbers showing the upward trend in OHV use. From 1982 to 2001, the number of OHV users in the United States doubled as driving off-highway or off-pavement became one of the fastest growing outdoor activities in the nation. At the time of survey in 2007, Arizona had approximately 1,212,000 people over the age of sixteen participating in OHV recreational use, which amounted to 25 percent of the state’s population. Utah had approximately 604,400, or 32 percent of its population, and Nevada had approximately 466,300, or 24 percent of its population participating. The West had the highest OHV participation rate of any region in the United States at 28 percent. The survey divided the population of OHV users into five categories, distinguished primarily by age and income and to a lesser degree by education and ethnicity. The categories were defined as Middle of the Roaders (26%), Middle Age Actives (24%), Young Adventure Seekers (24%), Upper Middle-Class Nature Lovers (19%) and Seniors (7%). The West basically mirrored the nation, with somewhat more people in the Young Adventure Seeker category and somewhat higher percentages of people living in metropolitan areas.<sup>51</sup>

### *Wilderness Advocacy*

Wilderness advocates worried that that the BLM’s road inventory would favor OHV users over wilderness advocates’ interest in preserving more wilderness. The Wilderness Society pointed out that the BLM had not done a road inventory when

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<sup>50</sup> Pam Foti and Kerry Nodal, “Grand Canyon-Parashant National Monument Social Indicators Survey,” June 2003, PARA general administrative files Jan. 2000 to 2010, PARA.

<sup>51</sup> H. Ken Cordell, Carter J. Betz, Gary T. Green, and Becky Stephens, *Off-Highway Vehicle Recreation in the United States and its Regions and States: An Update National Report from the National Survey on Recreation and the Environment (NSRE)*, USDA Forest Service, Internet Research Information Series, February 2008, pp. 9, 20-22, 42-47, at <https://www.fs.fed.us/recreation/programs/ohv/IrisRec1rpt.pdf> <February 15, 2018>.

Grand Staircase-Escalante National Monument was established; rather, it had sought input from the public concerning access needs and had then developed a set of alternative transportation networks. Any roads not included in the final selected transportation scheme were then closed to travel and eliminated from the road net. The Wilderness Society objected that the BLM should inventory Grand Canyon-Parashant's objects of historic and scientific interest first, and only then consider which roads to retain. The group was concerned that by inventorying "every road, route, trail, and tire track in the National Monument" the BLM was making it harder to close roads and routes that should not be maintained.<sup>52</sup>

The Wilderness Society insisted that the BLM must decide on a definition of "road," and it reminded the BLM of the definition of "roadless" contained in the legislative history of FLPMA:

The word "roadless" refers to the absence of roads which have been improved and maintained by mechanical means to insure relatively regular and continuous use. A way maintained solely by the passage of vehicles does not constitute a road.<sup>53</sup>

Based on that definition, The Wilderness Society insisted that "tracks created by the repeated passage of vehicles" did not constitute a road; rather, there had to have been some mechanical improvement. When the BLM collected field data on whether a route was in use or disuse, that was not adequate information to determine that it was a "road."<sup>54</sup>

The BLM proposed separating all inventoried routes into three classifications: roads, primitive roads, and trails. Wilderness advocates opposed that idea, for they anticipated that nearly everything in the Monument would be lumped into the primitive roads category for the benefit of OHV users.<sup>55</sup>

Wilderness advocates wanted the BLM to inventory wilderness characteristics in the Monument area. It will be recalled that the BLM conducted a wilderness review from 1979 to 1982 as required by FLPMA. Congress passed the Arizona Wilderness Act of 1984, which designated four wilderness areas now encompassed within the Monument and directed the "soft release" of all Wilderness Study Areas (WSAs) identified by the BLM but not selected for wilderness designation. Soft release meant that they could be reconsidered for wilderness designation at a later time. The BLM planning manual was revised in 2001, with changes to wilderness evaluation criteria. Wilderness advocates argued that the establishment of the Monument provided a

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<sup>52</sup> Pamela Eaton to Dennis Curtis, April 22, 2002, PARA general administrative files Jan. 2000 to 2010, PARA.

<sup>53</sup> *Ibid.*, citing H. Rept. 94-1163 (1976) at page 17.

<sup>54</sup> Tom Folks remembered that environmentalists repeatedly cited this definition of "roadless" to define its inverse – what is a road on BLM lands – and he noted that the BLM did not necessarily accept the environmentalists' position on that point. (Folks interview.)

<sup>55</sup> Folks interview.

compelling reason for the BLM to reconsider wilderness characteristics in light of the new criteria and the values cited in the proclamation.<sup>56</sup>

The Arizona Wilderness Coalition submitted a wilderness proposal to the BLM in July 2002. Using the BLM's current criteria of "wilderness characteristics," it identified twenty-two units covering most of the Monument area. For each unit, the group provided a brief for why it had the requisite wilderness characteristics, a listing of objects of historic and scientific interest that were found in the area, and a description of "travel way closures" needed to protect its wilderness characteristics. The last feature bore directly on the BLM's route evaluation project.<sup>57</sup>

The BLM contended that the process should not be diverted into a narrow consideration of wilderness, and the NPS somewhat reluctantly fell in with the BLM on that formulation. Agency leaders well knew that the Bush administration was opposed to a new round of wilderness proposals. Taylor and Dickinson submitted a "Scoping Report" in September 2002 that evaluated where matters stood after all the public scoping meetings were concluded. While Taylor and Dickinson acknowledged the input by the Arizona Wilderness Coalition, they insisted that transportation/access remained the public's number one issue. Wilderness they listed second in importance, followed by protection of resources, grazing, recreation, and remoteness. Elsewhere in their lengthy report, Taylor and Dickinson stated that "wilderness, as a resource (setting), is really part of the broader Recreation Opportunity Spectrum (ROS) as described in the Remoteness topic." Clearly, Taylor and Dickinson wanted to treat roads and wilderness as two components in a larger matrix of issues. Doing so, they thought, was consistent with Babbitt's vision for protecting western landscapes, and it was faithful to the vision statement that the two agencies had carefully crafted together. Ultimately, the first five issues formed the basis for developing alternatives, while the sixth issue – remoteness – was recognized as a key component of recreation.<sup>58</sup>

In the spring of 2003, Secretary Norton clarified that the planning underway for the BLM national monuments would not get sidetracked into inventorying potential wilderness areas. The state of Utah sued Secretary Norton over the BLM's

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<sup>56</sup> Arizona Wilderness Coalition, "Grand Canyon-Parashant and Vermilion Cliffs National Monuments Wilderness Proposal," July 31, 2002, PARA general administrative files Jan. 2000 to 2010, PARA.

<sup>57</sup> Ibid.

<sup>58</sup> Bureau of Land Management and National Park Service, "Scoping Report for Arizona Strip Field Office, Bureau of Land Management, Lake Mead National Recreation Area, National Park Service," September 26, 2002, ASRMP, 058871. As stated in the Monument plan, "The Arizona Wilderness Coalition and members of the public provided recommendations on WSAs in the Monument. In addition, the planning team was working toward making recommendations for WSAs early in the planning process. However, guidance clarified that the BLM's authority to designate WSAs expired in 1993, resulting in the termination in any attempts to designate new WSAs. The BLM and NPS have, however, assessed wilderness characteristics (naturalness, solitude, and primitive recreation) on BLM and NPS lands in the Monument and proposed management actions regarding where, how, and to what extent these characteristics may be managed under Alternatives B, C, D, and E in the Proposed Plan/EIS." (*Grand Canyon-Parashant National Monument Approved Plan*, p. 1-9.) For the "guidance" see Assistant Director, Renewable Resources and Planning to All State Directors (Instruction Memorandum), September 29, 2003, PARA general administrative files Jan. 2000 to 2010, PARA.

actions on wilderness in southern Utah during the Clinton administration. Since Norton was sympathetic to Utah's position, the federal and state governments quickly filed a settlement agreement before environmental groups could intervene in the case. The settlement, known as the Utah Wilderness Settlement, terminated the BLM's authority under FLPMA to set aside wilderness study areas. With the settlement in place, Norton revoked the BLM's *Wilderness Inventory and Study Procedures Handbook*, which had been adopted near the end of the Clinton administration. One wilderness advocate called Norton's sleight of hand a "massive hit" to the wilderness preservation movement.<sup>59</sup>

With the door closed on new BLM wilderness proposals, wilderness advocates re-entered the fray with their own alternative to the preliminary concepts for Grand Canyon-Parashant National Monument put forth by the NPS and the BLM, calling their proposal the "Citizens' Conservation Alternative." Instead of seeking more wilderness designations, they proposed that Grand Canyon-Parashant National Monument be divided into two management classifications, a "Wilderness Character/Primitive Management Area" and a "General Monument Management Area." The former would include existing wilderness areas together with NPS proposed wilderness areas, citizen proposed wilderness areas, and BLM proposed primitive areas. The latter would include areas with extensive private parcels and areas that lacked some measure of solitude and remoteness found elsewhere. It was a core-and-periphery model, with the latter forming an integral part of the functioning ecosystem. Turning to the transportation system, the Citizens' Conservation Alternative proposed a network of main routes and primitive routes. Four main routes through the Monument would provide access to scenic overlooks of the Grand Canyon. Other main routes would provide access to Mount Trumbull and the Grand Wash. Primitive routes would be confined to the non-Monument portion of the Arizona Strip.<sup>60</sup>

The BLM and NPS planning team came up with three land management classifications and three travel management classifications. In terms of land management zoning, a Corridors Management Unit would take in swaths of land adjoining all major travel routes. A Back Roads Management Unit would take in about a quarter of the Monument where opportunities for OHV recreation were emphasized. And an Outback Management Unit would cover the remainder of the Monument where opportunities for undeveloped, primitive, and self-directed recreation were emphasized. The three land management zones would exactly align with three Travel Management Areas (TMAs) under the transportation scheme: a Backways TMA, a Specialized TMA, and a Primitive TMA. "Specialized" referred to OHV recreational use. Within the Primitive TMA, limited OHV use would be allowed for

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<sup>59</sup> Skillen, *The Nation's Largest Landlord*, 174-75; Matt Jenkins, "Wilderness Takes a Massive Hit," in *A People's History of Wilderness*, edited by Matt Jenkins (Paonia, Colo.: High Country News Books, 2004), 387-88; Jeff Bradybaugh, interview by Theodore Catton, April 20, 2016.

<sup>60</sup> The Wilderness Society, Sierra Club Grand Canyon Chapter, Arizona Wilderness Coalition, Grand Canyon Wildlands Council, and Grand Canyon Trust, "Citizens' Conservation Alternative for the Arizona Strip, Including Grand Canyon-Parashant & Vermilion Cliffs National Monuments," August 2003, PARA general administrative files Jan. 2000 to 2010, PARA.

administrative, grazing, and research purposes but not for recreation. While the land management and travel management zones were perfectly aligned and might have seemed redundant, in fact each one had its own characteristics and guidelines. The land management classifications, being oriented to the visitor experience, owed more to the NPS's planning culture, while the travel management classifications owed more to the BLM's.<sup>61</sup>

The route evaluation was extremely thorough. Reports were compiled on each road. GPS data and field notes were inputted into GIS mapping software. Aerial photos were checked and rechecked. This mountain of information, as Folks recalled, amounted to about 11,000 pages and some fifty to sixty GIS layers. The planning team took up each route in turn, with the BLM and NPS planners haggling over the merits and demerits. Often the issue was that there were two duplicative routes from Point A to Point B, so one would be retained and the other closed. In most cases, duplicative routes were on BLM lands; at the south end of the Shivwits Plateau the network thinned out to a few long routes, which generated much less discussion.<sup>62</sup>

Overall, the BLM wanted more roads and the NPS wanted fewer. Much of the debate came down to the desired road density across the area. Protecting the area's remoteness offered one set of considerations for road density, raising such issues as dust control that would affect the visitor experience. Protecting sensitive species and wildlife habitat posed another set of considerations. Environmental groups hammered away on the latter theme, arguing that roads caused habitat fragmentation and other types of harm to natural resources. But given the minimal nature of the roads and the light amount of use they received, the biological case for less road density was hard to make. The Arizona Game and Fish Department blasted a report by The Wilderness Society for distorting facts and misapplying findings in the scientific literature that pertained to major highways, not two-track roads miles from anywhere. The BLM was also unimpressed. The NPS admitted that the issue of road density was trickier than the environmental groups would allow. In an unguarded email, Bill Dickinson expressed his frustration with their reports: "Everyone recognizes road density as issue...how significant of an issue and impact on monument objects/purposes for which we were established is the questions...I had hoped their work would help us, but once again, I was disappointed."<sup>63</sup>

Wilderness advocates contributed to transportation planning by forcing the NPS and the BLM to sharpen their analysis, but they had little success in obtaining their main goal, a sizeable reduction in the road network. When all was said and done, the NPS closed eight miles of road out of some 120 to 130 miles in the inventory, and the BLM closed around twenty miles of road out of some 1,200 to 1,300 miles in the

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<sup>61</sup> U.S. Department of the Interior, Bureau of Land Management and National Park Service, *Grand Canyon-Parashant National Monument Records of Decision Approved Resource Management Plan* (St. George, Utah: Bureau of Land Management and National Park Service, 2008), 2-2, 2-97.

<sup>62</sup> Folks interview; Klein interview.

<sup>63</sup> Folks interview; Duane L. Shroufe to Elaine Zelinski, November 5, 2004, PARA general administrative files Jan. 2000 to 2010, PARA; Diana Hawks, "Meeting Record," August 20, 2003, and Bill Dickinson to Darla Sidles (email), September 28, 2004, PARA general administrative files Jan. 2000 to 2010, PARA.

inventory. About a third of all roads were closed to recreational use but retained for grazing or administrative use. Wilderness advocates wanted about two-thirds of all roads to be closed. In the course of the planning effort, it became evident to wilderness advocates that the BLM aimed to protect the wilderness character of certain Monument lands through the management plan. Recommendations for wilderness designations would have to wait. So, wilderness advocates waited to see what the plan's guidelines for protecting wilderness character would be, and whether the BLM would adhere to them.<sup>64</sup>

### *Final Analysis*

In the final analysis, the planning team came up with designated routes and road densities for four alternative plans labeled A, B, C, and D. Alternative plan A was the no-action alternative and was clearly not compatible with the Monument designation. Of the three contending alternatives, B proposed the fewest number of roads and trails, C proposed an intermediate number, and D proposed the largest number. Following public comment on the alternatives, the Monument managers, Dennis Curtis and Darla Sidles, decided jointly to recommend a blend of all three. Alternative B was used for the more remote sections of the Monument near the rim of the Grand Canyon. Alternative C was applied to most of the Monument west and north of Poverty Mountain. Alternative D, the most permissive alternative, was applied to the portion of the Shivwits Plateau from Poverty Mountain eastward to the Tuweep Valley mainly to accommodate ecological restoration around Mount Trumbull.<sup>65</sup>

Through the route evaluation process, the NPS overcame some of its aversion to ATVs being operated on NPS lands. As the NPS's Jeff Bradybaugh remarked, "There are some great ATV trips that are multi-day...camping along the way, which is a legitimate use, certainly...and that was just a different type of thing for the Park Service folks."<sup>66</sup> In the fall of 2004, the NPS took a small but significant step toward seamless co-management when it sent Ranger Ray Klein to Phoenix to attend a meeting on OHV issues in Arizona. All land management agencies in Arizona except the NPS were involved in developing a memorandum of understanding to coordinate policies on OHV use. Duane Shroufe of the Arizona Game and Fish Department was the group's chair. Klein went as an "observer." His attendance symbolized the fact that the NPS was accommodating itself to the idea of co-management, and more broadly, it was evolving away from the fortress Yellowstone mentality toward a fuller embrace of interagency stewardship of all public lands.<sup>67</sup>

The BLM, for its part, committed to taking a more intensive approach to recreation management than it had usually taken in the past. It would monitor effects of recreational use and impose restrictions as needed. The management plan for the

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<sup>64</sup> Folks interview; Bradybaugh interview; Tom Edgerton, interview by Theodore Catton, April 14, 2016.

<sup>65</sup> Folks interview.

<sup>66</sup> Bradybaugh interview.

<sup>67</sup> Darla Sidles to Rick Shireman (email), October 19, 2004, PARA general administrative files Jan. 2000 to 2010, PARA.

Monument stated, “Various monitoring frameworks will be available for BLM and its collaborating partners to implement specific planned monitoring actions.” Monitoring actions would include data collection within a Limits of Acceptable Change (LAC) framework, and monitoring results would be evaluated through an adaptive management strategy. Pamela E. Foti and Marci A. DeMillion, two social scientists who were positioned outside the BLM, wrote approvingly of the BLM’s enlightened approach to recreation management. When Grand Canyon-Parashant’s backways showed signs of overuse, they said, then “the BLM will institute additional recreational controls, such as permits, designated camping areas, or rest-rotation areas. In the long term, the [roads] inventory followed by subsequent monitoring will be used for planning to maintain recreational use that protects the integrity of the site.”<sup>68</sup>

### Grazing Use

By the terms of the proclamation, grazing use of Monument lands was to *continue*. Continue was the operative word. On NPS lands within the Monument, the BLM would continue to administer grazing allotments according to the Lake Mead National Recreation Area authorizing legislation. On BLM lands within the Monument, the BLM would continue to manage for grazing use according to multiple-use, sustained-yield principles. It would apply those principles in the same way they were applied on all other BLM lands.

In the lead-up to the proclamation, there was much talk about the ranching operations within the Monument being a part of a “cultural landscape.” During the discussions that took place from November 1998 through the following year, it was often implied or inferred that ranching operations within the Monument were a form of living history and that they might be privileged or “encouraged” as a piece of an honored tradition of hardscrabble ranching and homesteading on one of America’s last frontiers. Accordingly, grazing levels and range availability would be unaffected by the proclamation. Those ideas had to be walked back. In fact, as language for the proclamation was drafted and redrafted, the changes of phrasing showed a steady backtracking on what kind of treatment ranchers might expect from the Monument managers. “Economically sustainable livestock grazing” was changed to “ecologically sustainable livestock grazing.” “Ecologically sustainable livestock grazing” then became “sustained, well-managed ranching operations.” References to the ranching operations exhibiting a “traditional form” were lined out. Finally, a whole paragraph about the Monument’s cultural landscape that began with the words “a unique living and working landscape” was dropped altogether. In its final form, the proclamation

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<sup>68</sup> U.S. Department of the Interior, Bureau of Land Management and National Park Service, *Grand Canyon-Parashant National Monument Records of Decision Approved Resource Management Plan*, J-6; Pamela E. Foti and Marci A. DeMillion, “Human Impact Inventories on the Grand Canyon-Parashant, Vermilion Cliffs, and Grand Staircase-Escalante National Monuments,” in *The Colorado Plateau: Cultural, Biological, and Physical Research*, edited by Charles van Riper III and Kenneth L. Cole (Tucson: University of Arizona Press, 2004), 44.

was utterly colorless when it came to the matter of grazing use. “Shall continue as part of the cultural landscape” became simply “shall continue.”<sup>69</sup>

Consistent with the proclamation’s neutral tone on the matter of grazing use, the planning team ultimately came up with similarly colorless language to describe desired future conditions for livestock grazing in the Monument. The decision text in the Monument plan was phrased as follows:

Livestock use and associated management practices will be conducted in a manner consistent with other resource needs and objectives to ensure that the health of rangeland resources is preserved or improved so that they are productive of all rangeland values. Where needed, public rangeland ecosystems will be improved to meet objectives.<sup>70</sup>

Absent from these desired future conditions was any sense that ranching operations would be encouraged to continue as part of a preserved cultural landscape.

Secretary Bruce Babbitt was asked for this administrative history if he envisioned that the BLM would move toward a more conservative grazing use of Monument lands or if grazing use would be protected in status quo. He replied:

That was really left to the future. I think generally I felt that we should allow grazing to continue in many areas of national monument expansion. It didn’t happen everywhere. We did phase some out in monument proclamations up in Oregon where there were particular biological issues and in other areas where there were already efforts toward buy-outs of grazing permits. In most areas like Parashant, the issue was left open to the future I would say.<sup>71</sup>

The first test of how the Monument designation would affect grazing use came with the Interim Management Guidelines (IMG), which the Arizona Strip Field Office

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<sup>69</sup> “Proposed Cooperative Management Strategy for the Shivwits Plateau National Monument,” no date, PARA general administrative files Jan. 2000 to 2010, PARA; “Suggested Language for Monument/NCA Designation,” July 21, 1999, PARA general administrative files Jan. 2000 to 2010, PARA. The idea of ranching operations being a traditional lifestyle originally came from the ranchers themselves, who told planners in the mid- to late 1990s that they felt their traditional lifestyle was under threat. (See Arizona Strip Field Office and Lake Mead National Recreation Area, “Parashant Interdisciplinary Management Plan,” October 17, 1997, PARA library.) Even after the proclamation, federal officials remained sympathetic to the idea. In August 2000, there was a brainstorming discussion on what the Monument ought to look like five to ten years in the future. Among the many thoughts jotted down were these: “livestock grazing become part of the recreational experience – people would visit the area to experience and understand what all the facilities mean,” “place where visitors experience the remote and rugged character of the area’s traditional lifestyles and cultural landscape,” “model for livestock grazing, hunting and off-highway use can be managed – model of multiple use management,” and “protecting the working landscape – model of how people can live in harmony with nature.” There were also counterpoints: “but there is a huge percent of the visitors that are interested in the natural wildlife of the area not the livestock,” and “Native Americans and how they influenced the history of the area.” (See “Parashant National Monument Coordination Meeting Notes,” August 17-18, 2000, PARA general administrative files Jan. 2000 to 2010, PARA.)

<sup>70</sup> U.S. Department of the Interior, Bureau of Land Management and National Park Service, *Grand Canyon-Parashant National Monument Records of Decision Approved Resource Management Plan*, 2-74.

<sup>71</sup> Babbitt interview.

received from Washington, D.C. on the day after the proclamation signing. Range management specialists immediately reviewed twenty-five projects that were either in progress or funded in the current year to see if they were consistent with the IMG. Just one project was found to be out of compliance. The Grassy Mountain Burn and Seed Project called for approximately 800 acres of juniper-pinyon forest to be chained, the downed trees to be burned, and the area seeded from the air and then back-chained to cover the seed. Ranchers Arlin and Denice Hughes initiated the chaining project with the BLM's authorization and were about half done when the Monument was proclaimed. On January 14, 2000, two days after the IMG was received, the BLM's Whit Bunting telephoned Arlin Hughes with a request that he stop work until the BLM decided how to proceed. In a follow-up meeting, Hughes requested to see documentation behind the BLM's decision. The BLM answered by citing the IMG. In the section on Vegetation Manipulation the IMG stated: "Chaining and other methods that cause substantial surface disturbance shall not be permitted." The Grassy Mountain Burn and Seed Project was the only chaining project in progress.<sup>72</sup>

The next order of business was to terminate grazing use on NPS lands in the Monument where it was permitted prior to 2000. Altogether, twenty-nine grazing allotments overlapped the Monument area, of which just three – the Home Ranch, Tassi, and Parashaunt allotments – were made up substantially of NPS lands. Even before the Monument was established, the NPS was working with the BLM to phase out grazing use on the NPS lands within those three allotments. After the Monument was established, the NPS and the BLM merely continued on that course.<sup>73</sup>

The Home Ranch Allotment was already effectively closed. The U.S. government acquired title to the land in 1967, at which time the grazing privilege was grandfathered to the former ranch owners Jonathan and Mary Waring. After Jonathan Waring died, the NPS honored a verbal agreement with Mary Waring to allow grazing on the Home Ranch allotment to continue until her death. Sometime thereafter, rancher Terry Esplin was permitted use of the Home Ranch Allotment for his livestock together with use of the Wildcat Allotment. In 1997, Esplin asked how long he could expect the grazing privilege on the Home Ranch Allotment to continue. The NPS gave him a hard date of December 31, 2003. After the Monument came into existence, the NPS decided it wanted to close the Home Ranch Allotment permanently through the public planning process. So, it was declared in the Monument plan that the Home Ranch Allotment no longer existed.<sup>74</sup>

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<sup>72</sup> "Grand Canyon-Parashant National Monument F.Y. 2000 Project Work Compliance," no date, PARA general administrative files Jan. 2000 to 2010, PARA; Robert Sandberg to Arlin Hughes, February 29, 2000, PARA general administrative files Jan. 2000 to 2010, PARA.

<sup>73</sup> Bradybaugh interview; Jeff Bradybaugh to Dennis Schramm et al. (email), July 12, 2006, PARA general administrative files Jan. 2000 to 2010, PARA.

<sup>74</sup> David Spencer "Spence" Esplin, interview by Milton Hokanson, February 7, 2005; Alan O'Neill to Terry Esplin, September 9, 1997, PARA general administrative files Jan. 2000 to 2010, PARA; Bradybaugh interview; U.S. Department of the Interior, Bureau of Land Management and National Park Service, *Grand Canyon-Parashant National Monument Records of Decision Approved Resource Management Plan*, 2-74.

The Tassi Allotment was closed to grazing use in May 1999 to protect the desert tortoise, as noted in the previous chapter. The permit holder, Leland O. Whitmore, did not comply easily with the BLM's order to remove his cattle from the range. While Whitmore had cleared most of his cattle from NPS lands when the Monument was established, he continued to run cattle on the BLM portion of the allotment. He was given further notice to remove his livestock from those lands by March 2001. Aerial survey found approximately forty head were still within the closed area in October 2002. Finally, the remaining cattle had to be recognized as wild cattle and removed by the BLM. Following the termination of Whitmore's grazing privilege on the Tassi Allotment, the Monument plan stated that the NPS lands on the Tassi Allotment were closed to grazing in perpetuity and the allotment boundary was redrawn accordingly.<sup>75</sup>

On the Parashaunt Allotment, the NPS lands were closed to grazing in perpetuity in 1990. As with the Tassi Allotment, the allotment boundary was redrawn so as to permanently exclude the NPS portion, and the change was affirmed in the Monument plan.<sup>76</sup>

By the same public planning process, and in some cases working directly with the permittees and interested parties to develop a management plan specific to the case, the BLM restricted grazing use on the Parashaunt, Mosby-Nay, Pakoon Springs and Tuweep allotments.<sup>77</sup>

Other than putting an end to chaining, the Monument had negligible effect on grazing use. Changes in grazing levels in the above-mentioned allotments were mostly in response to concerns over the desert tortoise, irrespective of the Monument. Outside of the desert tortoise critical habitat areas, range management specialists went about their jobs on Monument lands virtually the same way that they did on the rest of the Arizona Strip. Numerous grazing allotments straddled the Monument boundary and contained both Monument lands and non-Monument lands. There were around five BLM range management specialists for the whole Arizona Strip. All 150 grazing allotments on the whole Arizona Strip were divvied up among the five positions. When two of those positions came to be located on the Monument staff, it became necessary for at least one of those two individuals to work primarily with grazing allotments located outside the Monument.<sup>78</sup>

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<sup>75</sup> "Parashant Coordination Meeting," March 22, 2001, PARA general administrative files Jan. 2000 to 2010, PARA; Linda Price to Leland O. Whitmore, November 15, 2002, PARA general administrative files Jan. 2000 to 2010, PARA; U.S. Department of the Interior, Bureau of Land Management and National Park Service, *Grand Canyon-Parashant National Monument Records of Decision Approved Resource Management Plan*, 2-74.

<sup>76</sup> Bradybaugh interview; U.S. Department of the Interior, Bureau of Land Management and National Park Service, *Grand Canyon-Parashant National Monument Records of Decision Approved Resource Management Plan*, 2-74.

<sup>77</sup> U.S. Department of the Interior, Bureau of Land Management and National Park Service, *Grand Canyon-Parashant National Monument Records of Decision Approved Resource Management Plan*, 2-74 through 2-76.

<sup>78</sup> Mark Wimmer, interview by Theodore Catton, April 15, 2016.

The range specialist's main task was to monitor the range conditions on all of the allotments under his or her purview to ensure that the rancher was complying with the permit and that the range was doing okay. Another part of the range specialist's job was to draw up a new permit whenever a permit came up for renewal. As every grazing allotment covered a ten-year term, and each range specialist looked after thirty or so grazing allotments, the range specialist might have to do around three new permits each year. Still another part of the job was to oversee that remedial steps were taken when a permittee was found to be out of compliance with the permit.<sup>79</sup>

BLM range specialists on the Arizona Strip applied the same rules whether the grazing allotment was inside or outside the Monument. The utilization standard was still 50 percent in most areas (unchanged since 1980), meaning that livestock should impact no more than 50 percent of forage biomass so that sufficient vegetative cover remained for wildlife. In desert tortoise critical habitat areas, the utilization standard was reduced to 45 percent. Range specialists aimed for holding utilization to 35 percent. Range specialists spot checked utilization of the livestock's forage species across the range. They looked for problem areas where livestock became concentrated, such as around waterholes and saltlicks and along fence lines. They recommended range improvements such as fences and ponds to help distribute the livestock across the grazing allotment, and they recommended rest-rotation systems where the utilization standard was prone to being exceeded.<sup>80</sup>

BLM range specialists on the Arizona Strip monitored range conditions using a set of protocols known as the "Arizona Standards for Rangeland Health and Guidelines for Grazing Administration." The standards and guidelines answered a rulemaking by the Department of the Interior in 1995 that called on BLM state directors to consult with Resource Advisory Councils, other agencies, and the public, and develop standards and guidelines tailored to a given state or region. The aim of the Arizona BLM standards and guidelines was to ensure that grazing use was ecologically sustainable, and that rangeland health was improving across four broad categories: (a) watersheds, (b) ecological processes, (c) water quality, and (d) habitats.<sup>81</sup>

The BLM monitored range conditions according to the Arizona BLM standards and guidelines, and it periodically made a formal report on what was being observed in the field. The formal reports were called land health assessments. By and large, the land health assessments provided full coverage of the Monument. Essentially the land health assessments gave the grazing program a clean bill of health. Established grazing levels appeared to be on target. The Monument plan listed Animal Unit Months (AUMs) for each grazing allotment. The caps for each grazing allotment added up to 41,387 AUMs for the whole Monument. Six years later, the official cap was actually about 200 AUM higher (owing to the fact that some AUMs in grazing

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<sup>79</sup> Wimmer interview.

<sup>80</sup> Ibid. For comparison with earlier practice on the Arizona Strip, see Chapter 1 and Hughes, "Thirty Years of Rotation Grazing in the Mojave Desert," 6-8.

<sup>81</sup> Bureau of Land Management, "Arizona Standards for Rangeland Health and Guidelines for Grazing Administration," no date, PARA general administrative files Jan. 2000 to 2010, PARA.

allotments situated along the boundary might be allocated to the Monument one year and allocated to the Arizona Strip Field Office the next year). Whatever idiosyncrasy in the tally caused the number to go up slightly, the point was that the number was not significantly reduced. The AUMs were a clear indication of the fact that the Monument designation did not affect grazing on BLM lands, at least for the time being.<sup>82</sup>

### **Tribal Relations and Cultural Resource Management**

As BLM and NPS personnel came together in 1999-2000 to advance Babbitt's initiative, they envisioned a management structure for the Monument in which local tribes would be active partners. One early proposal by the NPS on how the Monument staff might be structured suggested that the Monument manager would report directly to the BLM district manager as well as a Management Council composed of the BLM district manager, the Lake Mead superintendent, the Pipe Strings National Monument superintendent, and a "Paiute Nation Tribal Advisor/Science and Education Advisor." The thinking was that tribes would be involved at the top level and help set direction for the Monument. Their involvement would be wider than cultural resource management. The NPS was encouraged in this thinking by the strong interest shown by the Kaibab Band of Paiute Indians and Chairwoman Carmen Bradley. The BLM was influenced by its recent experience with tribal consultation in the planning effort for Grand Staircase-Escalante National Monument. Indeed, other federal land managing agencies, notably the NPS and the Forest Service, were then in the midst of adding tribal liaisons to field staffs in numerous locations and paying more attention to tribal concerns. The BLM's tribal relations program was not as forward leaning as the NPS's or the Forest Service's, but considering the BLM's long, close relationship with western livestock interests its newfound sensitivity to indigenous perspectives in Grand Staircase-Escalante was a refreshing change of direction.<sup>83</sup>

While the Management Council for Grand Canyon-Parashant did not take the precise form that was envisioned in early 2000, the BLM did establish a new tribal liaison position for the whole Arizona Strip in the following year. Gloria Bullets Benson was appointed to the position of Native American coordinator in October 2001. A member of the Kaibab Band of Paiute Indians, Benson had served two terms as tribal chairperson. Her position title changed to tribal liaison after 2005. When hired by the BLM in 2001 she became the agency's first tribal liaison in Arizona. Benson was well placed to encourage constructive dialogue between the BLM and local tribes. Altogether, thirty-two tribal entities represented by thirteen tribal governments were determined to be culturally associated with Grand Canyon-Parashant National Monument.<sup>84</sup>

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<sup>82</sup> Wimmer interview.

<sup>83</sup> "Grand Canyon Parashant Monument Coordination Meeting, January 24, 2000; Marietta W. Easton, "Consultation on Grand Staircase-Escalante National Monument from Planning to Implementation," *American Indian Quarterly* 25, no. 1 (Winter 2001), 28-34; Catton, *American Indians and National Forests*, 176-78.

<sup>84</sup> Benson interview; Rosie Pepito, communication with the author, April 5, 2016.

For the most part, local tribes were small, and their small tribal governments lacked cultural and natural resource departments, so they did not take as active a role in Monument planning as the federal planning team might have wished. Benson helped the BLM and local tribes forge arrangements for traditional use of Monument lands for gathering resources such as willow for basket weaving material and tobacco for ceremonial use. Gathering firewood was also permitted.<sup>85</sup>

Benson hired Dr. Richard Stoffle, a professor of anthropology at the University of Arizona, to direct an ethnographic study of the Southern Paiute homeland focusing on landscapes and place names. Contracted through the university's Bureau of Applied Research and Anthropology (BARA) and funded by the BLM Arizona State Office cultural resource program, the four-year study brought together a team of ethnographers from the University of Arizona and twenty-two participants from four Paiute bands. The ethnographers conducted interviews with the tribal people at distinct geographic locations on the Arizona Strip, including Monument lands. The study yielded ethnographic data on food gathering places, dance sites, vision quest sites, and other places of cultural interest. However, the study also revealed how indigenous traditional use of Monument lands had largely ceased when livestock ranching moved in during the late nineteenth and early twentieth centuries. The Paiutes' familiarity with specific places in the Monument was a fading cultural memory at the beginning of the twenty-first century.<sup>86</sup>

All lands in the Monument – indeed, all lands in the Arizona Strip – were in a sense the Southern Paiute's sacred ground because the whole area was part of the people's ancestral homeland and the Paiute cultural identity as an indigenous people was intimately bound to the land. Nevertheless, local tribes chose not to claim specific traditional use areas or identify specific sacred sites within the Monument, at least initially. In the late 1990s, the NPS developed the Traditional Cultural Property (TCP) as a type of listing under the National Historic Preservation Act to recognize and preserve local community's important connections to specific places. In the years immediately after Grand Canyon-Parashant National Monument was established, no movement toward the listing of TCPs or recording of sacred sites emerged among the area's culturally associated tribes.<sup>87</sup>

The local tribes' silence on TCPs and sacred sites certainly did not preclude the tribes or federal managers from initiating those discussions at a later time. The management plan for the Monument contained the following statements: "Traditional Cultural Properties will be identified and associated socio-cultural values will be documented," and "Mutually acceptable methods of protecting and preserving areas of

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<sup>85</sup> Benson interview; Van Alfen interview.

<sup>86</sup> Richard W. Stoffle, Kathleen Van Vlack, Alex K. Carroll, Fletcher Chmara-Huff, and Aja Martinez, "Yanawant: Paiute Places and Landscapes in the Arizona Strip, Volume One of the Arizona Strip Landscapes and Place Name Study," final draft report prepared for Bureau of Land Management by Bureau of Applied Research in Anthropology, University of Arizona, Tucson, Arizona, 2005; Benson interview.

<sup>87</sup> Benson interview.

sacred and traditional importance will be adopted.”<sup>88</sup> Local tribes did indicate a keen interest in protecting archeological resources in the area.

Staffing the Monument for cultural resource management in the planning years was mostly accomplished by assigning personnel who were located in nearby offices and who already studied the region. Rosie Pepito was chief of cultural resources for Lake Mead National Recreation Area in the late 1990s and early 2000s (before she stepped into the role of Monument superintendent in 2009). She and her staff already managed cultural resources on NPS lands on the Shivwits Plateau when Grand Canyon-Parashant National Monument was established. While still at Lake Mead, she was tasked with developing a cultural resource program for the new Monument. Efforts to inventory cultural resources on Monument lands intensified after the Monument was established, but Pepito continued to run other cultural resource programs elsewhere as well, including Lake Mead’s CRM program and that of the NPS Submerged Resources Center.<sup>89</sup>

John G. Herron was archeologist for the BLM’s Arizona Strip District Office. In August 2001, he was listed as the BLM archeologist for the Monument, though he continued to serve as archeologist for the rest of the Arizona Strip besides.<sup>90</sup>

David Van Alfen was hired as the Monument’s first archeologist in July 2006. Van Alfen had more than a decade of previous archeology experience on the Arizona Strip and southwest Utah. Immediately prior to being hired by the BLM to serve Grand Canyon-Parashant National Monument exclusively, Van Alfen was on the staff at Zion National Park and conducted a six-month study at Pipe Spring National Monument.<sup>91</sup>

A major thrust of the Monument’s CRM program during the planning years was to survey and inventory archeological sites so that Monument managers would know what they were dealing with. Archeologists believed the area contained an abundance of archeological resources, but the inventory of sites was still in its infancy. At the time of establishment, the NPS lands had been partially surveyed but the BLM lands had received only very limited attention. Overall, only about 2 to 3 percent of the area had been inventoried. The general view among archeologists in the early 2000s was that most prehistoric archeological resources would withstand most wildfire, but they might not hold up well to cattle grazing or increased ATV use, and they would certainly not hold up to an increase in looting. It was necessary to record sites to obtain baseline data so that those impacts could be better understood.<sup>92</sup>

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<sup>88</sup> U.S. Department of the Interior, Bureau of Land Management and National Park Service, *Grand Canyon-Parashant National Monument Records of Decision Approved Resource Management Plan*, 2-108.

<sup>89</sup> National Park Service, “National Park Service employees honored for cultural resources work” (press release), September 3, 2008, at <https://www.nps.gov/aboutus/news/release.htm?id=815> <February 27, 2018>; Rosie Pepito, interview by Theodore Catton and Diane L Krahe, April 14, 2016.

<sup>90</sup> “Parashant Coordination Meeting,” August 9, 2001, PARA general administrative files Jan. 2000 to 2010, PARA; Rothman and Holder, *Balancing the Mandates*, 173-74.

<sup>91</sup> Van Alfen interview.

<sup>92</sup> Diana Hawks, “Grand Canyon-Parashant,” within William H. Doelle, “Preserving Archaeology on an Unprecedented Scale,” *Archaeology Southwest* 15, no. 1 (Winter 2001), 6-7; Bradybaugh interview.

The sense of urgency concerning the area's archeological resources was compounded by the fact that Grand Canyon-Parashant National Monument was not the only new BLM national monument that stood in need of archeological survey and inventory. No fewer than seven new BLM national monuments in the Southwest contained significant archeological resources. Altogether, they contained more than three million acres. The Monument archeologist coordinated with a volunteer Site Stewards program (Arizona State Parks) to patrol and monitor sites in the Monument for signs of vandalism.<sup>93</sup>

NPS archeologists with the Western Archeological and Conservation Center in Tucson conducted an archeological survey of Monument lands in 2001 that focused on the area around Mount Dellenbaugh, Whitmore Canyon, and the Grand Gulch Mine site. They recorded 55 sites, of which 51 were determined eligible for listing on the National Register. The sites were a mix of Archaic, Virgin Anasazi and Southern Paiute, together with the one historic mine site. The prehistoric sites included numerous multi-room habitation sites and one rock art site. The authors of the study suggested that vandalism was not as big a threat to archeological resources as previously supposed. Still, they recommended that recorded sites should not be publicized, and that conservation should be the primary focus of archeological resource management. Two sites were vulnerable to vandalism because they were already known to the public: a rock art site in the Whitmore Wash area and the Grand Gulch Mine site.<sup>94</sup>

The BLM also worked with Dr. Mark Elson of Desert Archaeology, Inc. in Tucson to conduct field research on volcanic-prehistoric Indian associations in the area south of Mount Trumbull bordering Grand Canyon National Park. The Uinkaret volcanic field encompasses an area of numerous lava flows that once spilled into Grand Canyon, periodically damming the Colorado River. (The famous Lava Falls is a remnant feature of one of these.) The Little Springs lava flow is a relatively small formation within the larger complex which dates from relatively recent times or around 1100 years ago. In a multidisciplinary study extending over four years, Elson's team investigated the nature of the Little Spring volcanic eruption and lava flow and the effects of the eruption on surrounding human settlement.<sup>95</sup>

Seven archeological sites (five BLM, two NPS), were already identified as public use sites before the Monument was established. Cultural resource management specialists had to protect the cultural resources at these sites even though they were

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<sup>93</sup> "Grand Canyon-Parashant National Monument Superintendent's Report Fiscal Year 2003," PARA general administrative files Jan. 2000 to 2010, PARA. The seven were: Grand Staircase-Escalante, Grand Canyon-Parashant, Agua Fria, Vermilion Cliffs, Ironwood Forest (Ariz.), Canyon of the Ancients (Colo.), and Sonoran Desert (Ariz.).

<sup>94</sup> Arthur C. MacWilliams, Laura S. Bergstresser, and John S. Langan, *Shivwits Plateau Survey 2001: Archeological Inventory Survey, Parashant National Monument*, Publications in Anthropology (Tucson: Western Archeological and Conservation Center, 2006), 125-29.

<sup>95</sup> "Grand Canyon-Parashant National Monument Superintendent's Report Fiscal Year 2003," PARA general administrative files Jan. 2000 to 2010, PARA; "FY 2006 Manager's Update NLCS Accomplishment Report," October 11, 2006, PARA general administrative files Jan. 2000 to 2010, PARA.

known to the public and saw heavy use. These seven Public Use sites were Uinkaret Pueblo, Nampaweap, Sawmill Site, Temple Trail, Witch Pool, Tassi Ranch, and Waring Ranch.

Uinkaret Pueblo is an Ancestral Pueblo village site located across the road from the Mount Trumbull Administrative Site. Having been vandalized in the early 1980s, the BLM felt that its location near the administrative site and an increased public presence would help deter any future looting attempts.

Nampaweap is a long basalt drainage that drains from a lower bench of the Pine Mountains east into the Tuweep Valley and features a large collection of petroglyphs. Archeologists believe that the abundance of petroglyphs indicate that this drainage served as a major travel route. More than 3,000 petroglyphs were recorded within a stretch of 300 meters, with additional glyphs found throughout the canyon in occasional sparser or denser clusters. The BLM administratively closed the water pipeline road that runs along part of the canyon and used the roadbed as the foot trail to the site.

A third site that drew considerable public use was Witch Pool, also in the Mount Trumbull area. Witch Pool is best known as a campsite of John Wesley Powell and contains a large white cross painted on the rocks. While many have mistakenly believed the cross indicated it was an earlier Spanish campsite, the cross most likely is associated with the Kent family who built the Tuweep Church that was destroyed by arson in 2000.<sup>96</sup>

The best-known historic sites in the Monument are the Nixon Sawmill and Grand Gulch Mine sites. The Nixon Sawmill site, located on the south side of Mount Trumbull, nearly overlaps the Uinkaret Pueblo site. There is practically no trace of the sawmill other than wooden posts sticking up out of the ground that once supported the mill and the pit excavated for the blade. The BLM constructed an interpretive trail to the site in 2007. The Grand Gulch Mine site, though more remote, saw considerable public use as well. It was a popular destination for OHV users and back-country pilots. In 2010, a Parashant Native American Youth Internship crew stabilized one building, a wooden bunkhouse, in the Grand Gulch Mine complex.

Historic ranch properties included the Tassi Ranch, Waring Ranch, and Pine Ranch. An NPS crew performed restoration work on the Waring Ranch buildings in 2001 and stabilization work on the main house at Tassi Ranch in 2004. The Parashant Native American Youth Internship conducted stabilization work at Pine Ranch between 2011-2014.

## **Law Enforcement and Visitor Safety**

Planning for law enforcement built on a foundation of cooperative law enforcement that was laid in the late 1990s. Kevin Hendricks, the Lake Mead Northshore district ranger, stationed at Echo Bay, was involved in pre-Monument planning. NPS lands that were included in the Monument were still the responsibility

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<sup>96</sup> Van Alfen interview.

of the Echo Bay rangers prior to the Monument's establishment. Ray Klein served two details adding up to six months during the year 2000, working out of the BLM district office in St. George. When Klein was not in St. George he was stationed at Lake Mead's Temple Bar area. Klein acted as Superintendent O'Neill's official liaison to the BLM on all matters relating to the Shivwits Ranger District. With Klein's encouragement, there was movement toward cross-deputizing BLM and NPS rangers who worked in the Parashant area.<sup>97</sup>

As soon as Babbitt announced his initiative to establish a national monument, Superintendent O'Neill pushed harder to improve cooperation by the two agencies in the law enforcement arena. Lake Mead National Recreation Area's chief ranger, Dale Antonich, consulting with his counterparts in St. George, drafted an interagency agreement under the title "Cross-Designation of Law Enforcement Authorities." The heart of the agreement provided for cross-training of all NPS and BLM rangers who worked in the Parashant area so that they would know the other agency's regulations. Soon after the proclamation of the Monument, the agreement was sent up the chain for approval. It encountered resistance in both agencies, the main objection being that the NPS and the BLM had law enforcement agreements in place at the national level already. The argument for making a separate agreement specific to Grand Canyon-Parashant National Monument was that there was a heightened need for cross-training of law enforcement personnel who worked in the co-managed area. Although the agreement had the support of local administrators, it never got the necessary signatures at higher levels to make it official.<sup>98</sup>

In a related matter, Mohave County, Arizona offered to change the jurisdiction on BLM lands within the Monument from proprietary to concurrent jurisdiction. NPS lands in the Monument were already under concurrent jurisdiction. The proposed change was not well received by BLM officials at the local, state, or Washington level, and so it was not adopted. While the NPS had concurrent jurisdiction with state law enforcement in many units within the National Park System, the BLM did not have concurrent jurisdiction anywhere and it was not interested in setting a new precedent with the BLM lands in Grand Canyon-Parashant National Monument.<sup>99</sup>

NPS and BLM law enforcement regulations differed in many respects. They differed with respect to possession of firearms, target shooting, shed collecting, and keeping dogs on leashes. Where the differences mattered most was with respect to ATV use. When rangers Ray Klein and Paul Krumland patrolled the backroads and encountered people riding ATVs, they were inclined to engage with the people, confirm that they were not lost or otherwise in distress, and inform them about NPS regulations, checking on whether the ATVs were licensed street-legal. If they were not, the rangers normally gave the ATV users a warning while advising them where they could go to ride on BLM roads. Sometimes, the conversation led to pulling out a

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<sup>97</sup> Klein interview; Dale Antonich interview.

<sup>98</sup> "Parashant National Monument Meeting Notes," February 25, 2000, PARA general administrative files Jan. 2000 to 2010, PARA; "Parashant National Monument Coordination Meeting Notes," August 17-18, 2000, PARA general administrative files Jan. 2000 to 2010, PARA; Dale Antonich interview; Klein interview.

<sup>99</sup> Krumland comments.

map and showing the people literally how they could expeditiously get from the purple area on the map to the yellow area – even though it was all within one national monument. As Klein had more and more such exchanges, he came to question whether the NPS and the BLM would ever be able to achieve “seamless management” when the line between NPS and BLM lands was, in fact, so crucial to the visitor experience of driving OHVs around the Monument.

Meanwhile, BLM rangers were less inclined than NPS rangers to go out of their way to engage with ATV users, for the BLM lacked the NPS rangers’ strong orientation to visitor safety and visitor contact. When BLM rangers did talk to ATV users, they were less inclined to check if the vehicles were licensed street-legal, or to inform the ATV users that BLM and NPS lands had different rules. The purpose of cross-training was aimed precisely at educating rangers about those different rules. Over time, the NPS and BLM rangers did adopt similar protocols for getting the message to the public. Yet on the BLM side there remained an undercurrent of resistance to hitting the public with NPS rules when the culture in the BLM was to let the ATV users continue their activities without interacting with them.<sup>100</sup>

Rangers were concerned that the Monument would attract visitors who were ignorant about safety precautions in a remote desert environment. The question was how to inform recreational users of basic desert survival technique to avoid problems. One answer was to erect kiosks at the various entrances to the Monument that would impart basic travel and safety information. Another was to get the message out in brochures. The first official brochure for the Monument stated that the BLM and the NPS “invite exploration...but visitors are reminded that they need to come prepared in order to have a safe and enjoyable visit.” It went on to emphasize that the Monument’s rough roads could become impassable when wet. If stranded, a person’s “best chance for being found and for survival” was to stay with the vehicle. The brochure stated that carrying extra drinking water was imperative, and it listed eight other items of safety and survival equipment.<sup>101</sup>

As visitor use of the Monument increased, the BLM and the NPS worked to improve road signage. There were a few missteps. Too quick off the mark when Babbitt announced his initiative, the BLM put up signs to inform visitors they were entering the new national monument as soon as the land was withdrawn from entry. Unfortunately, the signs read “Grand Canyon National Monument” and had to be immediately taken down again.<sup>102</sup> Then there were efforts to develop a distinctive logo for the joint BLM and NPS unit and incorporate the logo into road signage. Those efforts, too, proved to be premature as the agencies would not agree on a logo until 2005, when a sign management plan was at last adopted.<sup>103</sup> In the meantime, with the

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<sup>100</sup> Klein interview; Curtis interview.

<sup>101</sup> Jonathan H. Lee to William J. Burke and William K. Dickinson (email), August 3, 2001, attaching draft brochure.

<sup>102</sup> “Parashant Monument Meeting Notes,” February 25, 2000, PARA general administrative files Jan. 2000 to 2010, PARA.

<sup>103</sup> “Parashant National Monument Coordinating Meeting Notes, August 17-18, 2000,” PARA general administrative files Jan. 2000 to 2010, PARA. A logo was developed in conjunction with NPS and BLM staff at Craters of the Moon National Monument.

route evaluation process going forward, the two agencies discussed how they might revise road numbers so that the numbers would not change when the roads crossed over between NPS and BLM lands. Ranger Krumland devised a road numbering system that included adopting some BLM road numbers for NPS roads and also departed from the old Lake Mead road numbering system. (All NPS road numbers are four-digit numbers starting with 12 while all BLM road numbers are four-digit numbers starting with 10 except in few cases where the road number is continuous such as BLM 1019 and NPS 1019 out to Twin Point.) Finally, with the completion of the sign management plan, the Monument had sign standards that successfully combined elements from each agency. Road signs were brown on white on BLM lands, and they were green on white on NPS lands. All signs stating, “Lake Mead National Recreation Area” were replaced with signs stating, “entering NPS lands within Grand Canyon-Parashant National Monument.” The numbered, carsonite road markers helped visitors stay on roads and keep from getting lost.<sup>104</sup>

Rangers networked with neighboring agencies and institutions to form a search and rescue and emergency medical services program for the Monument. The program included helicopter ambulance service. Rangers sometimes teamed with Grand Canyon National Park in search and rescue operations to locate overdue backpackers who started their trips within the Monument and hiked into the Park.<sup>105</sup>

Recreational OHV-use created another issue for law enforcement pertaining to concessions. The question soon arose: would the BLM and the NPS allow guided tours on national monument lands under special recreation permits? While the BLM consented, the NPS refused to consider it – at least until the management plan was done. NPS rangers soon found that a particular company based out of Las Vegas was operating in disregard for NPS rules concession management. The company was officially notified. The company responded that it had hired a lawyer and that it maintained it had authority to operate on Lake Mead National Recreation Area lands. There is no record of how the dispute was resolved. The company is still in operation, and now advertises ATV tours around Good Springs and Primm, Nevada, nowhere near the Monument. It was not the only instance of a guided tour company being notified.<sup>106</sup>

NPS rangers soon began to encounter other groups of ATV users (as well as people riding UTVs, the term for a two- to six-seater in which passengers sit side by side) that looked suspiciously like guided commercial groups. In those encounters the rangers would talk to the person who was obviously leading the group, but if the person was a commercial guide operating without a permit it was hard to prove it. The rangers saw some of those guides again and again, and those cat-and-mouse games went on for years without any charges being made. One suspicious individual

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<sup>104</sup> Krumland interview; “Grand Canyon-Parashant National Monument Superintendent’s Report, Fiscal Year 2003,” PARA general administrative files Jan. 2000 to 2010, PARA.

<sup>105</sup> “Grand Canyon-Parashant National Monument Superintendent’s Report, Fiscal Year 2003,” PARA general administrative files Jan. 2000 to 2010, PARA.

<sup>106</sup> “Parashant Coordination Meeting, August 9, 2001, and Kya Thibodeau to Rick Wyatt, August 29, 2001, PARA general administrative files Jan. 2000 to 2010, PARA; “American Adventure Tours,” at [www.americanadventuretours.com](http://www.americanadventuretours.com) <February 22, 2018>.

advertised commercial guided trips on the internet, and rangers found a photo on the internet that appeared to show his group on a road in the national monument that was closed to motorized recreational use. But the photographic evidence was inconclusive.<sup>107</sup>

During fall hunting season, the NPS sometimes stepped up ranger patrols on the Shivwits Plateau. NPS rangers were concerned about potential poaching as well as other violations that might occur in connection with hunting, such as off-road driving and vandalism. For the hunting season, the Monument sometimes received one or two additional rangers from Lake Mead National Recreation Area on temporary reassignment. NPS rangers checked hunting licenses of hunters encountered on NPS lands, and also patrolled along the boundary with Grand Canyon National Park, where hunting over the line was strictly prohibited. As the boundary followed the canyon rim, in many places the boundary line was a difficult one to recognize, mark, and enforce. On BLM lands, meanwhile, enforcement of state game law fell to state game managers working for the Arizona Game and Fish Department. BLM rangers generally did not check hunting licenses because the BLM decided that that was a state responsibility.<sup>108</sup>

There was big money in the deer hunt for both the state and the Arizona hunting guides. The Shivwits Plateau was famous for its trophy-size buck mule deer. The Arizona Game and Fish Department designated most of the area as game management unit 13B. The eastern part of the Monument fell within game management 13A. The state sold a select number of mule deer tags per game management unit, and the 13B tags were highly-prized. After forking out considerable money for a tag, a wealthy sport hunter would pay much more on top to have a good hunting guide who could practically assure him of bagging his trophy. The small number of hunting guides competed for an even smaller number of wealthy clients holding 13B mule deer tags. The guides had to work hard to compete in that small market. As soon as the deer shed their antlers in the spring, the guides went out to look for the “sheds.” When they found them, they tracked the big buck deer throughout the summer and fall, learning the animals’ haunts so they would know where to take their clients when the time came in late fall.<sup>109</sup>

Tracking and photographing a buck through the summer and fall was in no way illegal, but the big money at stake led to minor infractions. For example, the guides sometimes made their camp in one spot and overstayed the 14-day limit. Whichever guide got the wealthy client with the auction-tag, that guide became the alpha guide for the year. The alpha guide might pay a handful of other guides to tip him off on where the trophy bucks were to be found. This system, not illegal in and of itself, led to another type of infraction. Rangers suspected that guides were double dipping – taking their own paying clients into the area at the same time they worked for the alpha guide. Rangers got wise to the fact that guides took clients into the area

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<sup>107</sup> Kris Meredith to Karen Mendoza (email), June 25, 2001, PARA general administrative files Jan. 2000 to 2010, PARA; Klein interview.

<sup>108</sup> Klein interview; Krumland interview.

<sup>109</sup> Klein interview; Krumland interview.

during hunting season without having paid for their own guiding permits, prepared to say, if asked, that they were working for the alpha guide under his permit.<sup>110</sup>

Rangers also kept on the lookout for “pot hunters” or people intent on stealing artifacts from archeological sites. The archeological sites were so widely scattered that rangers faced long odds in catching anyone in the act of vandalizing them. Even if a parked vehicle on a certain stretch of backroad raised a suspicion, the ranger could spend all day hiking around the area without being able to find the person, let alone catch the person in the act. So, in practice, rangers might check on known archeological sites and take photographs if they saw signs of vandalism but there was not much else they could do. It remained unknown if the ranger presence was an effective deterrent against pot hunting. For one reason or another, archeological sites appeared to have suffered more vandalism in the 1980s than they did after the Monument was established.<sup>111</sup>

Occasionally the Monument manager and superintendent, rangers, and range management specialists sat down with permit holders and the Monument’s few inholders to discuss matters of mutual interest. The meetings were not frequent, and the actual matters discussed were not necessarily as significant as the mere fact of having a dialogue. Most of the permit holders and inholders had a lot of family history tied up in the area and it was easy for emotions or hurt feelings to get in the way of a smooth working relationship, so dialogue could be an important aid to keeping good neighborly relations on track.<sup>112</sup>

Tony Heaton, owner of the Bar 10 Ranch, was one of the few inholders in the Monument, so Monument managers valued maintaining a good relationship with him as well as his descendants. He was a fourth-generation cattle rancher on the Arizona Strip. Tony and his wife Ruby acquired the Bar 10 Ranch property in the early 1970s. The ranch covered 10,000 acres of private land and the Heaton family had grazing privileges on another 200,000 acres of BLM and state lands. A few years after buying the ranch, the Heaton family saw an opportunity to supplement their ranch income by catering to the growing number of river rafters on the Colorado River. Tony Heaton built a small airstrip on nearby BLM land so that river rafters could take out at the mouth of Whitmore Wash, get transported up the road by mule and an old school bus to the Bar 10 Ranch, and flown out from there. Despite the isolation of the Bar 10 Ranch (eighty miles from paved road) the take-out point was a valuable option for river rafters and rafting companies who could thereby shave two days off of a nine-day river trip that otherwise ended in Lake Mead. In the first summer of operation, the Heaton family served about 125 river rafters. The number grew to 1,000 in 1983. They built a lodge, improved the airstrip, and introduced helicopter transport in place of the mule and school bus arrangement, and the number of river rafters using the take out increased to about 6,000 per summer. By the time the Monument was established, the Bar 10 Ranch and its helicopter operation was embedded in the overall scheme of Grand Canyon river trips. Several raft companies partnered with the Heaton family, while the

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<sup>110</sup> Klein interview; Krumland interview.

<sup>111</sup> Klein interview; Van Alfen interview.

<sup>112</sup> McAlpin interview.

Hualapai Tribe established Whitmore Helipad Camp on the opposite side of the river from the Whitmore Wash takeout. The Bar 10 Ranch passed to the next generation of Heaton's when Tony died in 2005. Kelly and Gavin, the grown sons of Tony and Ruby, took over running the business.<sup>113</sup>

The Heaton's and the Monument managers mostly tried to be good neighbors. The BLM leased the airstrip to the Bar 10 Ranch so that aircraft could not only transport river rafters to Las Vegas but could also bring guests to the Bar 10 Ranch seven days a week from April 1 to mid-November. Tony Heaton, for his part, was proud of being “pro-active” in upgrading from mules and a bus to helicopter transport, as the mule operation created problems with manure, weed infested feed, trail dust, and impacts on the river edge, whereas the helicopter noise was limited to about 28 minutes per day during the tourist season.<sup>114</sup>

When Grand Canyon National Park revised its Colorado River Management Plan in the mid-2000s, the Monument managers came to the Heaton's' support. The takeout point was a valuable amenity for river rafters and rafting companies. The only alternative to the short helicopter lift and airplane flight out of the Bar 10 Ranch was to improve 80 miles of road, which would lead to still more road traffic and river impacts at the river access point. When the Grand Canyon National Park planning team posed the idea of restricting helicopter use to the busiest four months, and capping it at 5,000 rides in either direction, Monument managers pointed out that that would not do: the helicopter ride was necessary for the full six-month duration of the season, they said, and capping the number at 5,000 appeared to be arbitrary and capricious because currently the number taking out at that point was greater than 5,000 while the number putting in (rafting downriver from there to Lake Mead) was well under 5,000. Monument managers did not want to encourage greater recreational use of the lower stretch of canyon.<sup>115</sup>

The Heaton's along with other area ranchers objected when the NPS or the BLM gated certain roads and closed them to recreational use. Kelly and Gavin Heaton objected to new fences erected by the NPS in Whitmore Canyon. Gavin Heaton complained when Ranger Klein informed him that the Pa's Pocket Cabin had been vandalized and needed to be recorded and protected. To Heaton's way of thinking, the cabin was part of his family's heritage and it was in the family's rights to take care of it or remove it if the family so elected. Gavin Heaton did not accept the NPS argument

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<sup>113</sup> Verdon Heaton, interview by Milton Hokanson, February 28, 2005; “About the Ranch,” *Bar 10 Ranch* at <https://www.bar10.com/about-the-ranch> <February 23, 2018>.

<sup>114</sup> Tony Heaton to CRM Project, Grand Canyon National Park, undated, PARA general administrative files Jan. 2000 to 2010, PARA.

<sup>115</sup> “Whitmore Helicopter Exchange Discussion,” June 10, 2003, PARA general administrative files Jan. 2000 to 2010, PARA; Darla Sidles to William K. Dickinson et al., December 29, 2004, and “Colorado River Management Plan – Comments from Grand Canyon-Parashant National Monument,” undated (attached to an email dated January 24, 2005), PARA general administrative files Jan. 2000 to 2010, PARA.

that the cabin stood on public land and was now deemed to be a historic resource in the public trust.<sup>116</sup>

### **Co-Management's Beginnings**

No one had any illusions that co-management would be easy. Requiring two land managing agencies to co-manage the area challenged the agencies' cultures on multiple levels. All land managing agencies guard their turf. They cultivate their employees' loyalty and instill in them a shared land ethic and vision. They protect their brand with strict adherence to uniforms, shields, logos, and signage. All agencies are idiosyncratic, developing their own bureaucratic processes for planning, budgeting, internal communications, and so on. When Grand Canyon-Parashant National Monument was set up to be co-managed by the BLM and the NPS, it was done on the basis of a calculated risk that the hard work of co-management would be worth the trouble.

There appears to have been both a practical and a more visionary aspect to the experiment. The practical aspect was that the area's natural boundaries took in both BLM and NPS lands and it was politically inadvisable to transfer lands from either agency to the other, so those geographic and political circumstances left co-management as the only alternative. The more visionary aspect was that the experiment in co-management would be enriching for both agencies. Each agency had recognized strengths. As each agency's strengths were brought to bear in managing the area, the other agency would stand to benefit from the exposure. A kind of cross-pollination of agency strengths would ensue. Managers generally acknowledged both the practical and visionary aspects of their charge and as time went on the visionary part got stronger.

From the outset, the experiment in co-management had its supporters and its skeptics. Support tended to be focused in two places: at the highest level in the Department of the Interior and at the field level in the Monument management team. Skepticism tended to pool in two other places: at the regional or district level in each agency, and among rank and file NPS and BLM staff, especially among support staff at the Arizona Strip Field Office and Lake Mead National Recreation Area.

Babbitt pointedly described Grand Canyon-Parashant as "the first National Monument in history for which joint management responsibilities are given to the Bureau of Land Management (BLM) and the National Park Service (NPS)." Such a working partnership between the BLM and the NPS was uncharted territory. The planning team looked for other co-managed areas that could be viewed as models for Grand Canyon-Parashant and the NPS-BLM partnership. Redwood National Park presented itself as one example. The boundaries of that national park adjoin two California state parks and encapsulate a third, and the whole area is managed under a partnership agreement. A ranger at Redwood National Park cautioned Ray Klein that the NPS and California State Parks had attempted to institute cross supervision of

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<sup>116</sup> Gavin Heaton to Jeff Bradybaugh and William K. Dickinson (email), October 18, 2010, PARA general administrative files Jan. 2000 to 2010, PARA.

employees of one agency by supervisors from the other agency and the experiment had failed. Differences in agency mission, employee responsibilities, and employee evaluation systems had made an unworkable system. “For your combined management system to be effective,” this ranger advised, “you will need all employees to actually buy into and agree on a common mission.”<sup>117</sup>

Another potential model was the new partnering arrangement between the BLM and the Forest Service that allowed reciprocal delegation of the two agencies’ respective authorities for permitting and leasing programs. Known as “Service First,” the experiment was only getting started when Grand Canyon-Parashant National Monument was established. The Service First initiative included such innovations as the making of “Transfer Appropriation Accounts” (allocation accounts) for the smooth transfer of funds from one agency to the other. Unlike the Grand Canyon-Parashant experiment in co-management, Service First had a legislative underpinning and it brought together two multiple-use agencies in different departments (Interior and Agriculture). Additionally, it was program-based rather than area-based. Still, it reinforced the concept of “seamless” federal service to the public or “seamless management.” Alan O’Neill went to Washington, D.C. in June 2000 and received a pep talk on “seamless management” from Assistant Secretary of the Interior Don Barry. O’Neill, in turn, conveyed the importance of seamless management to the rest of the management team.<sup>118</sup> Like the NPS mission of preserving nature while providing for visitor enjoyment, seamless management was an unachievable goal in an ideal sense. You cannot involve two different agencies in one project and get total uniformity across the two agencies’ approaches. Yet, the assistant secretary’s message was clear enough; it pointed the management team in an unmistakable direction.

One other example of co-management that was pertinent to Grand Canyon-Parashant was Craters of the Moon National Monument in Idaho. There, a BLM national monument was established on November 9, 2000 made up of lands surrounding the existing NPS national monument of the same name. Co-management of the BLM and NPS national monuments in this case was nominal. The original national monument had been in existence since 1924. The new BLM national monument was administered by a separate staff in separate building many miles away. The “other” BLM-NPS co-managed national monument mainly served as a negative example for Grand Canyon-Parashant inasmuch as the management team at Grand Canyon-Parashant determined that it was vitally important to mingle BLM and NPS personnel in a single Monument staff organization and co-locate the agencies in a single building.

Consequently, at the end of the summer of 2001, the Grand Canyon-Parashant National Monument staff of twenty-one (fourteen BLM and seven NPS employees) moved into a rented office space on the west edge of St. George, a little over one mile

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<sup>117</sup> Curt M. Vade Bon Coeur to Raymond Klein (email), October 15, 2000, PARA general administrative files Jan. 2000 to 2010, PARA.

<sup>118</sup> USDA Forest Service and USDI Bureau of Land Management, “Service First Legislation” (printed webpage, <http://www.fs.fed.us/servicefirst/legislation.htm> <July 1, 2003>), September 23, 2002, PARA general administrative files Jan. 2000 to 2010, PARA; “Parashant Coordination Meeting,” June 29, 2000, PARA general administrative files Jan. 2000 to 2010, PARA.

west of the Arizona Strip Field Office located on East Riverside Drive.<sup>119</sup> The separate Monument headquarters location provided space for Monument staff to pursue the co-management model away from the distraction of other BLM staff of the Arizona Strip District. The building was mostly out of the public eye, as the federal building on East Riverside Drive served as the Monument's street address and visitor reception area. Putting the BLM and NPS staff together in one building was an important step in defining the Monument as a distinct administrative unit.<sup>120</sup>

Another innovation, which developed soon thereafter, was jointly funded positions. These few positions set a valuable precedent. When an employee occupied a jointly funded position, he or she automatically became familiar with both agencies' personnel management policies and procedures. That "cultural bilingualism" was an important asset to the staff. Moreover, the employee whose salary came from two sources became personally invested in the co-managed Monument. If the key directive coming from the highest levels was to make co-management appear "seamless" to the public, then the key directive that field managers put to their staff was to think in terms of the Monument's interests first, and the agency's interests second. "Monument first, agency second" became a kind of ethic unique to the co-managed area. Joint-funded positions helped to inculcate that Monument-first ethic in the staff.

After much deliberation, the BLM and the NPS agreed on an organizational structure in which an executive council, co-chaired by the Arizona Strip field manager and the Lake Mead National Recreation Area superintendent, had oversight of the Monument. The Monument staff was composed of a monument manager (BLM), an assistant monument manager for biological and earth sciences (BLM), an assistant monument manager for visitor services and cultural resources (NPS), and administrative and technical staff together with a cadre of four or more law enforcement rangers. Placement of the law enforcement rangers within this organizational structure remained somewhat problematic. Rather than reporting to the Monument manager, BLM rangers reported to a supervisory law enforcement ranger with the Arizona Strip Field Office and NPS rangers reported to the chief ranger at Lake Mead National Recreation Area.<sup>121</sup>

In the third year of operation, the co-management model broke down under strain from asymmetries between the two agencies. The first asymmetry appeared in how each agency treated the Monument. For the BLM, Grand Canyon-Parashant was one of fourteen new BLM national monuments. The BLM recognized the national monuments as separate administrative units, each with its own monument manager, staff, and budget. Moreover, the fourteen national monuments were the flagship units in the new National Landscape Conservation System. As the BLM geared up to prepare a management plan for each of the fourteen national monuments, it also

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<sup>119</sup> "Draft Agenda: Interagency Coordination Meeting," August 9-10, 2001, PARA general administrative files Jan. 2000 to 2010, PARA.

<sup>120</sup> Sidles and Curtis, "Co-Managed Monuments: A Field Report on the First Years of Grand Canyon-Parashant National Monument," 238.

<sup>121</sup> Sidles and Curtis, "Co-Managed Monuments: A Field Report on the First Years of Grand Canyon-Parashant National Monument," 238; BLM, "Grand Canyon-Parashant National Monument Target Organization," August 23, 2002, copy provided by Shirley Kodele, PARA.

developed a “target organization” or TO for each unit. The TO consisted of a list of desired positions and an organization chart for the unit, sometimes accompanied by cost estimates and a hiring schedule. The TO for Grand Canyon-Parashant National Monument differed from the other TOs only in the fact that it included some NPS-funded positions. The NPS, meanwhile, barely acknowledged Grand Canyon-Parashant National Monument as a new entity. The NPS did not show Grand Canyon-Parashant National Monument on maps of the National Park System. It did not give the area a serial number as it did new units as they were added to the National Park System. Rather, it emphasized that the NPS lands within Grand Canyon-Parashant National Monument were still, by statute, part of Lake Mead National Recreation Area. The way the NPS viewed the Monument staff organization, the NPS assistant monument manager reported to the Lake Mead National Recreation Area superintendent, not to the monument manager, who was a BLM employee. This was contrary to the BLM view of the Monument staff organization, which had the NPS assistant monument manager in a subordinate role to the Monument manager.<sup>122</sup>

The second asymmetry emerged in the form of budget cutbacks falling more heavily on the BLM than they did on the NPS. In July 2003, a BLM reorganization planning team visited St. George to investigate the possibility of merging two BLM field offices, one overseeing the Arizona Strip and the other overseeing BLM lands in southern Utah. Among the proposals considered was to consolidate management of Vermilion Cliffs National Monument with Grand Canyon-Parashant National Monument under a single monument manager. NPS officials had concerns about how the impending BLM reorganization would impact the Monument. Not only would the BLM likely lose capacity and efficiency through the consolidation, NPS relationships could get more complicated. If the BLM field manager in St. George had to report to the Utah state director as well as the Arizona state director then the NPS, too, would be working with the Utah state director on Monument issues. Utah’s conservative politics would come to bear more heavily on the BLM’s position in the Arizona Strip, including the Monument.<sup>123</sup>

The uncertainties on the BLM side fueled a growing unease on the NPS side that the co-management model was not working. At bottom, NPS officials worried that the partnership with the BLM would lower national monument standards such that the NPS would violate its own policies. Superintendent Dickinson and Assistant Monument Manager Darla Sidles put together an issue paper for Regional Director Jon Jarvis in which they laid out the problems with the present organization and proposed a realignment. This was a hard-hitting document. It began:

National Park Service (NPS) officials believe the existing organizational alignment for the Grand Canyon-Parashant National Monument:

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<sup>122</sup> William K. Dickinson to Darla Sidles (email), June 9, 2003, Sidles to Dickinson (email) July 21, 2003, and Sidles, “Parashant Lack of Coordination Issues/Things that Aren’t Working,” July 18, 2003, PARA general administrative files Jan. 2000 to 2010, PARA.

<sup>123</sup> State Director to All Arizona BLM Employees, January 29, 2004, PARA general administrative files Jan. 2000 to 2010, PARA; William K. Dickinson to Jon Jarvis (email), July 25, 2003, and “Organizational Study of the Saint George and Arizona Strip Field Offices,” July 2003, PARA general administrative files Jan. 2000 to 2010, PARA.

1. Does not recognize the NPS shared responsibility for Monument Management as an equal partner.
2. Does not recognize NPS primary management authority over that portion of the Monument within Lake Mead National Recreation Area
3. Does not represent the most efficient operational framework.
4. Could result in resource protection and management that is inconsistent with NPS laws, regulations, policies, and procedures, thereby violating the intent of the Monument Proclamation.<sup>124</sup>

The main recommendation was that the NPS establish a monument superintendent position to serve as co-equal with the BLM monument manager. The NPS monument superintendent would report to the Lake Mead National Recreation Area superintendent while the BLM monument manager would continue to report to the BLM Arizona Strip field manager. The NPS cited Redwood National Park and Craters of the Moon National Monument as two co-managed areas where a similar arrangement existed.

The BLM's budget woes added urgency to Sidles and Dickinson's request for a realignment. The Monument needed its own superintendent to garner it a place in the NPS Green Book, the central register for all annual appropriations requests. Without the superintendent position, the NPS budget for Grand Canyon-Parashant National Monument was treated as part of the budget for Lake Mead National Recreation Area. The NPS staff at Grand Canyon-Parashant was still putatively part of the Lake Mead National Recreation Area staff though it was duty-stationed in St. George. NPS funding allocations for Grand Canyon-Parashant National Monument up to that time (\$790,000 in FY 2001, similar sums in '02 and '03) were for planning; they were not base operating funds. Until the Monument had a superintendent and a general management plan, it was still considered to be in a custodial or pre-operational stage of management. Consequently, with the BLM's funding for the Monument starting to falter, it became vital to elevate the unit's status with the designation of a superintendent so that it could obtain more funding.<sup>125</sup>

BLM officials resisted the NPS push for a realignment, because they thought it would only sharpen differences between the BLM and NPS portions of the Monument. Furthermore, they argued that Grand Canyon-Parashant, with its OHV recreational use pattern, exemplified the "new model" of landscape conservation, which was to be more preservation-oriented than the traditional form of BLM public-lands stewardship but not as preservation-oriented as lands in the National Park System. For some BLM staff, the NPS push for a realignment revived their suspicion that Grand Canyon-

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<sup>124</sup> "Grand Canyon-Parashant National Monument Organizational Realignment Issue," October 2003, PARA general administrative files Jan. 2000 to 2010, PARA.

<sup>125</sup> Pepito interview, April 14, 2016. See also "Grand Canyon-Parashant National Monument Justification to Recognize the NPS Lands Within the Monument As An NPS Unit," no date, PARA general administrative files Jan. 2000 to 2010, PARA.

Parashant National Monument would eventually be transferred from the BLM to the NPS and probably added to Grand Canyon National Park.<sup>126</sup>

The realignment issue was extremely taxing and divisive. Assistant Monument Manager Sidles worked overtime to expose and weigh the problems for Superintendent Dickinson. Dickinson devoted considerable time and energy to it, and finally enlisted the help of Regional Director Jon Jarvis. Jarvis took the NPS's proposal to the BLM, meeting with Associate State Director Carl Rountree in May 2004. Rountree agreed with Jarvis on the need to resolve the Monument's "growing pains." He summarized the recommendations as agreed upon in eleven points. Besides establishing the NPS monument superintendent position on an equal footing with the BLM monument manager, the other ten points were aimed at repairing lines of communication, heading off future problems, and team-building. Sidles was appointed superintendent in mid-2004. Monument Manager Dennis Curtis accepted the realignment with no hard feelings whatsoever; however, at least one other key BLM staff member was very unhappy about it. At the end of 2004, Sidles left on a sixty-day detail to serve as a special assistant to the NPS director. Jeff Bradybaugh, chief of resource management at Zion National Park, served as acting superintendent while Sidles was away. Sidles returned to the Monument for one more year and then moved on, and Bradybaugh was appointed in her place.<sup>127</sup>

The realignment affected the law enforcement organization as well. As soon as the realignment was put in effect, Ray Klein was appointed chief ranger and reported to the Monument superintendent rather than the chief ranger at Lake Mead National Recreation Area as he had done formerly.<sup>128</sup>

Following the realignment, the rancor and resentments gradually dissipated. In 2005, Curtis and Sidles wrote about their experience in an essay which they contributed to a historical anthology on the Antiquities Act (commemorating the one hundredth anniversary of the 1906 statute). Their chapter was titled, "Co-Managed Monuments: A Field Report on the First Years of Grand Canyon-Parashant National Monument." It included a fairly candid though brief recounting of the realignment

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<sup>126</sup> "Grand Canyon-Parashant National Monument Organizational Realignment Issue," January 2004, PARA general administrative files Jan. 2000 to 2010, PARA; Kathleen Harcksen, "Grand Canyon-Parashant National Monument Organizational Realignment Issue Review of January 2004 Issue Paper," May 13, 2004, updated June 1, 2004, PARA general administrative files Jan. 2000 to 2010, PARA; Sidles and Curtis, "Co-Managed Monuments: A Field Report on the First Years of Grand Canyon-Parashant National Monument," 239.

<sup>127</sup> William K. Dickinson to Darla Sidles (email), June 9, 2003, and Sidles to Dickinson, July 21, 2003, PARA general administrative files Jan. 2000 to 2010, PARA; Jon Jarvis to Dickinson (email), December 3, 2003, and Dickinson to Jarvis, December 4, 2003, PARA general administrative files Jan. 2000 to 2010, PARA; Dennis Curtis, "Organization Realignment Issue," undated, PARA general administrative files Jan. 2000 to 2010, PARA; Carl Rountree to Jon Jarvis, undated, PARA general administrative files Jan. 2000 to 2010, PARA; William K. Dickinson and Roger Taylor, untitled memo, (about meeting in Mesquite, Nevada, October 21, 2004), November 3, 2004, PARA general administrative files Jan. 2000 to 2010, PARA; Gary Warshefski to Jeff Bradybaugh (email), December 29, 2004, and Bradybaugh to Warshefski (email), December 30, 2004, PARA general administrative files Jan. 2000 to 2010, PARA; Curtis interview; Bradybaugh interview.

<sup>128</sup> Klein interview.

episode. In the final section of the chapter on “Lessons Learned” the authors returned to the realignment issue:

One of the mistakes we made was not adequately orienting new employees who joined the monument staff several years after it was created. As a result, these newer employees lack personal involvement and understanding about managing Parashant under this new model, and about the benefits of a jointly managed monument. Consequently, their feelings about joint management are less than enthusiastic.

Another mistake concerns upper management support. Shortly after monument designation, a meeting should have been held between the Arizona BLM state director and the Pacific West Region NPS director to help them understand the ramifications of a jointly managed monument. Getting support and understanding at that level early on would have resolved some of the later problems of receiving one-sided directions from each agency.<sup>129</sup>

After the realignment, co-management was gradually strengthened through deliberate hiring practices. Former superintendent Bradybaugh said that as the Monument staff slowly turned over, the managers actively sought new employees who would be a good fit with co-management. “As we were recruiting new people we were looking for the skills in their subject-matter discipline, but also one of the principal things we were looking at was how good of a collaborator or team player they were,” Bradybaugh said. He and his BLM counterpart taught Monument employees the habit of thinking “Monument first, agency second.”<sup>130</sup>

When Curtis was interviewed for this history, he observed that the attitudes on the part of the Monument staff improved through a process of self-selection as well. BLM employees like him who warmed to the BLM’s new conservation mission gravitated to the Monument staff, while those who were skeptical about teaming with the NPS stayed away. The BLM was still somewhat divided internally about the agency’s changing approach to recreation on the public lands. He remembered an occasion early in his career when he was in a meeting with the BLM’s Utah state director and there was a proposal to do some work in the Escalante area and the state director said, “Well, it’s got recreational values, so we need to get rid of it.” That was the old mindset, Curtis explained, whereas Babbitt’s “new model” of BLM national monuments – in which recreational and biodiversity values were elevated within the overall multiple-use context – represented a break with the past. Curtis said that he had embraced the “new model” as monument manager and now in retirement he still hoped that Grand Canyon-Parashant National Monument would continue in that vein and not get turned into a “traditional Park Service national monument.” During his tenure at Grand Canyon-Parashant he was aware of the growing recreational use, and appreciative of the NPS’s greater expertise in managing that use. “I enjoyed working

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<sup>129</sup> Sidles and Curtis, “Co-Managed Monuments: A Field Report on the First Years of Grand Canyon-Parashant National Monument,” 248.

<sup>130</sup> Bradybaugh interview.

with the Park Service,” Curtis said. “To me, it made a great partnership, and also helped us to appreciate where we’re going in the future.”<sup>131</sup>

### **The Resource Management Plan Challenged and Upheld**

In March 2006, the Center for Biological Diversity (CBD) submitted comments on the Draft Resource Management Plan and Draft Environmental Impact Statement for the Arizona Strip, Grand Canyon-Parashant National Monument, and Vermilion Cliffs National Monument. Its strong criticism of the document signaled that it would likely challenge the approved plan in court. As one of the major criticisms of the plan involved the harmful effects of grazing on desert tortoises and other sensitive species, the BLM requested a formal consultation with the U.S. Fish and Wildlife Service pursuant to Section 7 of the Endangered Species Act. The Fish and Wildlife Service received the request on May 9, 2007 and provided its biological opinion six months later on November 7, 2007. As the biological opinion did not seriously undermine the combined plans, the BLM issued its record of decision in January 2008 and the NPS issued the Grand Canyon-Parashant National Monument plan in February 2008. The CBD notified the BLM and the NPS of its intent to sue in December 2008 and filed suit in the following month. The Wilderness Society and other groups filed a companion suit at the same time. Both lawsuits were directed at the BLM alone; the NPS was not a party. The CBD’s lawsuit challenged all three management plans (Arizona Strip, Vermilion Cliffs National Monument and Grand Canyon-Parashant National Monument), while the other was specific to the two national monument plans. The CBD filed a first amended complaint in March 2009 and a second amended complaint in June 2010. The plaintiffs wanted to have the management plans tossed out and new ones prepared in their place. The plaintiffs’ attorneys filed a motion for summary judgment and federal attorneys for the U.S. defendants filed a cross-motion for summary judgment. On September 30, 2011, Judge Paul G. Rosenblatt of the U.S. District Court for the District of Arizona ruled in favor of the United States. Thus, the Grand Canyon-Parashant management plan and the other two plans stood.<sup>132</sup>

The litigation brought out issues that managers would need to address in coming years. The CBD put the BLM on notice that it and other environmental groups

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<sup>131</sup> Curtis interview.

<sup>132</sup> Greta Anderson to Planning Team, March 16, 2006, PARA general administrative files Jan. 2000 to 2010, PARA; Field Supervisor to Field Manager, November 7, 2007, in binder labeled “Arizona Strip BO 11/2007,” PARA library; Jeff Bradybaugh to William K. Dickinson et al. (email), April 8, 2009; Center for Biological Diversity to Lorraine M. Christian et al., December 9, 2008, PARA general administrative files Jan. 2000 to 2010, PARA; Bradybaugh to Dickinson (email, attaching article by April Reese, “Endangered Species: Group to Sue NPS, BLM over Arizona Strip management plans,” December 11, 2008), December 11, 2008, PARA general administrative files Jan. 2000 to 2010, PARA; “Groups Sue Over Plans Harmful to Arizona Strip National Monuments,” (Wilderness Society news release), January 26, 2009, copy in PARA general administrative files Jan. 2000 to 2010, PARA; *Wilderness Society v. US Bureau of Land Mgmt.*, 822 F. Supp. 2d 933 (D. Ariz. 2011); Scott Florence, interview by Diane L. Krahe, May 4, 2016.

found grazing use to be incompatible with the purposes of the Monument. The CBD cited scientific literature that indicated that livestock grazing harmed native species and promoted growth of invasive species. Livestock trampling contributed to soil erosion and degradation of riparian habitat. Through trampling and compaction, livestock negatively impacted biological soil crusts. The Fish and Wildlife Service's biological opinion averred that livestock grazing had both direct and indirect effects on desert tortoises; direct effects included trampling of desert tortoises as well as their eggs, burrows, and shelter sites. Indirect effects included competition between cattle and tortoises for the same forage species, and livestock grazing's encouragement of invasive plant species that were not helpful to tortoises' dietary needs. The Fish and Wildlife Service characterized the likely impacts of livestock grazing on desert tortoise as an incidental take. Although the biological opinion ostensibly buttressed the BLM's case for allowing continued grazing use, it raised as many issues as it settled.<sup>133</sup>

The desert tortoise was the best-known sensitive species in Grand Canyon-Parashant National Monument but there were numerous others. When the BLM sought a biological opinion, it specifically requested that the Fish and Wildlife Service address effects of the proposed action on no fewer than a dozen animal and plant species. That was a long list of sensitive species for managers to monitor or protect through mitigative measures, and it did not even include several species of bats, the relict leopard frog, and other species of concern to managers.<sup>134</sup>

The litigation took a peculiar turn with regard to protection of the California condor. The management plan stated that the BLM and the NPS would continue to support efforts to reintroduce the endangered birds in the Monument. Condors were reintroduced on the Arizona Strip (in the Vermilion Cliffs area) in 1996. There were some 67 free-flying condors in all of Arizona in 2008, with some birds occasionally visiting the Monument area. According to one study, a leading source of condor mortality was from lead poisoning as a result of the scavenger birds ingesting bullets in carcasses of animals shot by hunters. To counter the impact of lead bullets on wildlife, conservationists sought to replace lead ammunition with copper ammunition. The CBD cited the condor study in its complaint and argued that the BLM failed to give the lead-ammunition issue sufficient consideration. This brought the National Rifle Association into the fray. It intervened in the suit for the narrow purpose of refuting the scientific study and deflecting the CBD's specific allegation regarding the condor.<sup>135</sup>

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<sup>133</sup> Field Supervisor to Field Manager, November 7, 2007, in binder labeled "Arizona Strip BO 11/2007," PARA library; Center for Biological Diversity to Lorraine M. Christian et al., December 9, 2008, PARA general administrative files Jan. 2000 to 2010, PARA.

<sup>134</sup> Those species addressed in the biological opinion in addition to the desert tortoise were the California condor, Mexican spotted owl, southwestern willow flycatcher, Yuma clapper rail, Virgin River chub, woundfin, Brady pincushion cactus, Holmgren milk vetch, Jones' Cycladenia, Siler pincushion cactus, and Welsh's milkweed.

<sup>135</sup> Felicia Fonseca, "Utah lead a threat to condors?" *Deseret News*, December 29, 2008; Center for Biological Diversity, Plaintiff, v. U.S. Bureau of Land Management et al., Defendants, 266 F.R.D. 369 (2011).

# 4

## Operations

With completion of the management plan in 2008 Grand Canyon-Parashant National Monument became fully operational. This chapter focuses on staff operations and program accomplishments since 2001 with an emphasis on the years from 2008 through 2017. Most operations in the last decade reflected consistency with Babbitt's original conception of the national monument in 1998-2000 as well as continuity with the groundwork performed by the BLM and the NPS during the early 2000s. There were some new developments as well, notably an initiative to protect the area's night sky.

This chapter also addresses the ongoing experiment in co-management.

Lastly, the chapter considers Grand Canyon-Parashant National Monument in relation to two recent challenges to federal conservation from the political right. The first challenge came from the sovereign citizen movement and area rancher Cliven Bundy and his supporters. The second challenge came from the Donald Trump administration when Secretary of the Interior Ryan Zinke was commissioned by the president to scrutinize so-called "federal overreach" in past presidents' use of the Antiquities Act.

### **Continuity and Change in Monument Staffing**

When the Monument staff was first constituted in 2001 it was made up of twenty-one positions. Three of those positions soon became vacant and did not get filled for several years due to lack of funds, but the Monument retained the positions in its table of organization. In recent years, the Monument staff was back to its full complement of twenty-one.<sup>1</sup> An organization chart dated October 2015 showed a total of 22 full-time positions, two of which were vacant, plus a seasonal park interpretive ranger position (also vacant) and 14 intern positions.

From 2005 to 2015, several position titles and descriptions changed while most stayed the same. The positions of NPS superintendent and BLM manager continued without change, as did the positions of NPS budget technician and BLM administrative assistant, NPS chief ranger, BLM archeologist, BLM outdoor

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<sup>1</sup> Staff numbers are given in annual reports of the superintendent or monument manager for 2005, 2006, 2013, 2014, and 2015.

recreation planner, BLM law-enforcement ranger, and BLM range conservationist (two). The BLM wildlife biologist was upgraded to district lead, while the BLM natural resource specialist position was eliminated. The position of NPS botanist changed to ecologist. The position of NPS physical science technician was upgraded to physical scientist. The position of NPS interpretive specialist was upgraded to chief of interpretation and two park interpretive ranger positions were added (one part-time). Two new NPS law-enforcement ranger positions were added along with a facility manager and maintenance worker. An NPS archeological technician position was added. A BLM assistant monument manager position was converted to project manager after the NPS superintendent position was established and then it was eliminated after the employee transferred to the district office. Two BLM forester positions were also eliminated. Two NPS term positions were added for a period: a GIS technician and an oral historian.

The jointly funded positions were phased out. At the end of 2006, only two jointly funded positions remained: the archeologist and the physical scientist. To simplify budgeting and accounting, a decision was made to assign the archeologist position to BLM and the physical scientist position to the NPS.<sup>2</sup>

The Monument's total annual operating budget (BLM and NPS combined) held fairly steady at around \$3 million through the years. However, the BLM's contribution to the budget tended to fluctuate up and down while the NPS portion remained fairly steady at around \$800,000 through the Bush administration and then began to increase under the Obama administration. Moreover, there was another component to the asymmetry between the BLM and NPS budgets that proved to be a crucial difference and a strain on the co-management model. Whereas the NPS committed to an annual budget for the Monument and held to its commitment, the BLM did not have that same level of institutional commitment to its conservation units. The BLM portion of the Monument budget was part of the Arizona Strip District budget and it could be increased or decreased during the year as the district manager saw fit. Monument managers originally hoped to escape this problem by developing a single budget for the Monument through a joint funding allocation, but they could never get such an arrangement approved at higher levels in the BLM. So, it was necessary to make up shortfalls on the BLM side by transferring money between agencies.<sup>3</sup>

During the Monument's first decade, the BLM funded about two-thirds of Monument staff positions and the NPS funded the remainder. Once it became clear that the BLM's funding allotments were flagging while the NPS was contributing a larger share year after year, there was another realignment of sorts as the NPS took over funding of around seven staff positions previously funded by the BLM. This second realignment, or "reorganization," took place in 2010 and was accomplished without acrimony. Thereafter, the NPS funded about two-thirds of Monument staff positions. Some management needs were transferred out of the Monument to BLM

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<sup>2</sup> David Van Alfen comments on draft report, June 2018.

<sup>3</sup> Shirley Kodele, interview by Diane L. Krahe, April 27, 2016; Dori Miller, interview by Diane L. Krahe, April 27, 2016.

support staff located in the Arizona Strip Field Office. Notably, GIS technical support as well as administrative services, tribal relations, public affairs, and law enforcement were partially outsourced to the BLM field office. Also, with the loss of the BLM ranger position in September 2004, NPS rangers stepped up their patrols on BLM lands within the Monument.<sup>4</sup>

From 2001 through 2017, the Monument staff was headed by four BLM monument managers and three NPS superintendents. Dennis Curtis served as the first monument manager from 2001 to 2008. Tom Edgerton served as monument manager from May 2008 to November 2010. Pamela McAlpin immediately stepped in as acting monument manager and was appointed to the position in March 2011. She retired at the end of 2014, and Mark Wimmer was appointed in August 2015. On the NPS side, Darla Sidles stepped up to superintendent in 2005 and transferred out in 2006 after serving a total of five years on the Monument staff. Jeff Bradybaugh served as the Monument's next superintendent until October 2010. Rosie Pepito served as acting superintendent for two stints in 2009 and 2010 and then became the Monument's third superintendent in February 2011. She retired in April 2017.

Operating with dual managers had certain benefits. When one manager stepped down or was temporarily absent from the Monument, the other one covered for both positions for the short run. Each management duo – Curtis and Sidles, then Edgerton and Bradybaugh, and then McAlpin and Pepito – soon discovered a division of labor that suited the duo's complementary skill sets. Over time, BLM and NPS managers have gotten more comfortable and adept at supervising employees of the other agency. When Wimmer was hired in 2015, Pepito had more than four years of experience in the job and could, to some extent, provide mentoring for her new BLM counterpart.<sup>5</sup>

After more than a decade and a half of planning and operations, it was possible to speak of an emerging Monument culture that was a direct outgrowth of the experiment in co-management. Nowhere else was there such an effort being made to hybridize BLM and NPS staffing. First and foremost, the Monument culture demanded patience with the unavoidable frictions, redundancies, and compromises that were the inevitable pitfalls of co-management. New people who came into the staff were quickly indoctrinated into the ethic of "Monument first, agency second," and if they did not like that framework then they soon left. Besides the need for patience, an ability to collaborate became one of the most highly valued skills in the Monument employee. Collaboration engenders innovation, and certainly part of the original thinking about Grand Canyon-Parashant National Monument was that each agency would benefit from its collaboration with the other. For those benefits to accrue and receive wider application in each agency, it would result from employees drawing lessons from the experience at Grand Canyon-Parashant and taking that wisdom elsewhere. So, little by little, the Monument staff began to show a

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<sup>4</sup> "Grand Canyon-Parashant National Monument Annual Report FY 2015," Franklin files; Jeff Bradybaugh to William K. Dickinson (email), October 20, 2010, PARA general administrative files Jan. 2000 to 2010, PARA; Pepito interview; Florence interview; Tim Burke, interview by Theodore Catton, April 25, 2016. The only part of public affairs that was outsourced was that to do with fires on BLM lands in the Monument.

<sup>5</sup> Curtis interview; Bradybaugh interview; Edgerton interview; McAlpin interview; Wimmer interview.

concentration of younger people who were in the early stages of their careers and nimble in their jobs, and who were prepared to serve as “pollinators” in their respective agency when they moved on to another position at another park or field office. In 2001, the Monument staff included a number of seasoned agency employees such as Dennis Curtis and Ray Klein who transitioned from the planning team to the Monument staff. A decade and a half later, it was a decidedly younger group. The turnover of older to younger staff led to a third element in the Monument’s emerging culture: an emphasis on mentoring. By the time the Monument was a decade and a half old, the relatively youthful staff was augmented by a robust internship program. During the summer months, a dozen or more high school and college students worked as interns for the archeologist, the outdoor recreation planner, the chief of interpretation, the ecologist, and the physical scientist. Because of the hybrid nature of the Monument staff, those interns were uniquely prepared to go into jobs in either the BLM or the NPS or another federal agency.<sup>6</sup>

### **Natural Resource Management**

Since its inception Grand Canyon-Parashant National Monument has had a proportionally large natural resource management staff. In 2001, the target organization for Grand Canyon-Parashant National Monument included twenty-seven positions with no fewer than eleven of those in natural resource management. When the actual number of hired staff leveled off at twenty-one, the staff included eight people in natural resource management positions. They were: Ken Moore as restoration team leader, Jodi Bauman and Bob Davis as foresters, Tim Duck as ecologist, Kyle Voyles as physical science technician, Whit Bunting and Phil Seegmiller as range management specialists, and Mike Small as wildlife biologist.<sup>7</sup> After the staff reorganization of 2010, the number of people in natural resource management was reduced, and by 2015 there were just five: Jennifer Fox as ecologist, Eathan McIntyre as physical scientist, Jannice Cutler and Mike Cutler as range management specialists, and Jeff Young as wildlife biologist. Still, the proportion of staff dedicated to natural resource management remained large relative to other similar field units in the BLM and most units in the NPS. The emphasis on natural resource management was in keeping with Grand Canyon-Parashant’s remote character and big expanse of land and resources.

The vision statement forged by the BLM and NPS planning team carried this directive for natural resource management:

Conservation and restoration of a habitat mosaic that supports sustainable levels of a full range of native species, including predators, will be emphasized. The recovery and protection of special-status species will remain a primary focus.<sup>8</sup>

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<sup>6</sup> Kodele interview; Miller interview; Edgerton interview; Pepito interview.

<sup>7</sup> “Arizona Strip Field Office Target Organization,” August 8, 2001, Kodele files.

<sup>8</sup> Sidles and Curtis, “Co-Managed Monuments: A Field Report on the First Years of Grand Canyon-Parashant National Monument,” 242.

This vision statement reflected the dominant ideas underlying natural resource management in both the NPS and the BLM at the start of the twenty-first century, namely Ecosystem Management and conservation biology. EM stressed the need to protect and maintain ecological processes so that any given ecosystem continued to function and show resilience in the face of unpredictable disturbances such as drought. Conservation biology, meanwhile, focused on saving threatened species from extirpation. Conservation biology held that the loss of species in any given area was a diminishment of biodiversity for the area, and that loss of biodiversity contributed to further environmental decline. EM and conservation biology were complementary systems of thought. They reflected trends in scientific knowledge pointing to the complexity and unpredictability of nature. They also reflected the late-twentieth-century understanding that modern civilization's effects on the biosphere were profound and ubiquitous, especially in light of anthropogenic changes to the atmosphere. EM and conservation biology shared a deep concern about future climate change effects on individual species and ecological communities. If the NPS and the BLM differed somewhat in their missions and priorities, they were basically in sync in adopting EM and conservation biology as the new philosophical underpinnings of natural resource management. Whether the mission was to preserve nature unimpaired (as in the case of the NPS) or to manage the public domain for multiple use (as in the case of the BLM), both agencies strove to carry out their mandate within the new scientific paradigm.<sup>9</sup>

The new scientific paradigm suggested a stewardship of intervention. In the NPS, land managers had long been of two minds about whether to take an active role in restoring natural conditions or to stand back and let nature take its course. The argument for non-intervention was predicated on ideas about ecological succession. If nature were left alone, said the non-interventionists, the process of ecological succession would bring about a restoration of historical conditions in nature's own good time. By the start of the twenty-first century, fewer natural resource managers believed that non-intervention was a viable option. Too many ecological factors were affected by global environmental change. Some scientists referred to the pervasive effects of modern civilization on the environment as "directional human change," meaning that there was no going back, no possibility of resetting the clock or returning to historical conditions. Rather, environmental stewardship had to focus on how ecosystems and species would adapt to climate change, the onslaught of invasive species, and other stressors. Land managers had to be prepared to intervene and give stressed ecosystems and threatened species an assist.<sup>10</sup>

The natural resource management team in Grand Canyon-Parashant National Monument was acutely conscious of the array of stressors affecting natural resources

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<sup>9</sup> Nathan L. Stephenson, Constance I. Millar, and David N. Cole, "Shifting Environmental Foundations: The Unprecedented and Unpredictable Future," in *Beyond Naturalness: Rethinking Park and Wilderness Stewardship in an Era of Rapid Change*, edited by David N. Cole and Laurie Yung (Washington: Island Press, 2010), 50-66.

<sup>10</sup> Gregory H. Aplet and David N. Cole, "The Trouble with Naturalness: Rethinking Park and Wilderness Goals," in *Beyond Naturalness: Rethinking Park and Wilderness Stewardship in an Era of Rapid Change*, edited by David N. Cole and Laurie Yung (Washington: Island Press, 2010), 12-30.

in the Monument. Annual reports listed eight stressors that were most troubling for the area. They were:

- Invasive species. Cheatgrass and other exotic plant species caused landscape level change in vegetation.
- Uncharacteristic fire. Wildfires were bigger, hotter, and more frequent due to a fuel buildup from past fire suppression efforts (especially in ponderosa pine forest areas) and due to the invasive cheatgrass introducing a flammable carpet of vegetation where none had existed before (especially in Mojave Desert areas).
- Threatened and endangered species habitat loss. The new fire regime was converting non-fire adapted native vegetation to a brome monoculture, altering the habitat of the desert tortoise and other sensitive species.
- White Nose Syndrome. Bat populations across the Monument were at risk of contracting the infectious disease that was impacting bat populations in the eastern United States.
- Climate change. The broad effects of a warming climate included changes to sediment yield, frequency of surface runoff, recharge of shallow aquifers, vegetation density, the establishment of invasive species, and the frequency and intensity of wildfires.
- Population increases. As the nearby communities of St. George, Utah and Mesquite, Nevada added to their populations, the Monument faced more urban interface issues and threats from noise, air, and light pollution.
- Increased illegal OHV use. Illegal off-road travel caused resource damage.
- Increased air traffic. More Grand Canyon overflights meant more noise pollution.<sup>11</sup>

### *Inventory and Monitoring*

One response to the new scientific paradigm of Ecosystem Management and conservation biology was to step up monitoring of environmental change. If the national parks were to function as reservoirs of naturalness in a world undergoing rapid and ubiquitous environmental change, then it was crucial to obtain baseline data on natural conditions before they underwent further change. To that end, the NPS initiated an ambitious national program of inventory and monitoring (I & M) during the 1990s. The I & M Program aimed at selecting indicators of long-term ecological health – so-called “vital signs” or telltale elements in the ecosystem – and then monitoring the condition of those indicators across parks and regions year after year and decade after decade to discern long-term changes. The I & M Program had a slow startup and then gained tempo after 1999. That year, Congress gave its support to a five-year program to strengthen natural resource management throughout the National

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<sup>11</sup> “Grand Canyon-Parashant National Monument Manager’s Annual Report FY 2013,” Wimmer files.

Park System. The Natural Resource Challenge made the I & M Program a high priority. Grand Canyon-Parashant National Monument was established just as the I & M Program was ramping up.<sup>12</sup>

The I & M Program had to be systematic and selective. Some 270 National Park System units were grouped into 32 networks based on geography and ecological likenesses. Six units in the Southwest were lumped together to form the Mojave Desert Network, and Grand Canyon-Parashant National Monument was subsequently added to make it seven. A vital-signs network scoping workshop was held at Lake Mead National Recreation Area in 1999 and then at the individual park level for five of the units in 2003 for the purpose of selecting vital signs that were relevant to all units in the network. These were finally limited to twenty. Coming into the network late, Grand Canyon-Parashant National Monument did not have its own workshop but was considered similar enough to Lake Mead National Recreation Area to share in the results of that workshop. Kari Yanskey, botanist at Grand Canyon-Parashant, participated in the 2003 workshops.<sup>13</sup>

The vital signs were not limited to biotic associations but also included abiotic elements such as air, water, and soil. The vital signs ranged across five broad subject areas: air and climate, geology and soils, water, biological integrity, and landscapes (ecosystem patterns and processes). Given the importance of the arid climate to the region, the twenty vital signs selected for the Mojave Desert Network laid stress on climate change, soil and water conditions, and vegetation change. In order of priority, the twenty vital signs were as follows: (1) basic meteorology, (2) vegetation change, (3) invasive/exotic plants, (4) surface water dynamics, (5) groundwater dynamics and chemistry, (6) visibility and particulate matter, (7) ozone, (8) wet and dry deposition, (9) soil chemistry and nutrient cycling, (10) soil hydrologic function, (11) soil erosion and deposition, (12) soil surface disturbance, (13) biological soil crusts, (14) surface water chemistry, (15) fire and fuel dynamics, (16) landscape dynamics, (17) at-risk

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<sup>12</sup> Theodore Catton, *A Fragile Beauty: An Administrative History of Kenai Fjords National Park* (Seward, Alaska: Kenai Fjords National Park, 2010), 184. Parks Canada instituted a similar natural resource management regime, the Ecological Monitoring and Assessment Network. See Stephen Woodley, "Ecological Integrity: A Framework for Ecosystem-Based Management," in *Beyond Naturalness: Rethinking Park and Wilderness Stewardship in an Era of Rapid Change*, edited by David N. Cole and Laurie Yung (Washington: Island Press, 2010), 106-24.

<sup>13</sup> Kristina Heister, "National Park Service, Inventory and Monitoring Program, Mojave Network Vital Signs Scoping Workshop Report," July 2004, and Kristina Heister to Kari Yanskey (email), June 10, 2003; PARA general administrative files Jan. 2000 to 2010, PARA. As part of the Monument's riding on the coattails of Lake Mead National Recreation Area, a vegetation mapping team spent one week in the Monument in July 2007 conducting vegetation inventory for the I & M Program under the funding allotment for Lake Mead National Recreation Area. See Engineering-Environmental Management, Inc. "Progress Report, Lake Mead National Recreation Area Vegetation Classification and Mapping Project," August 2007, report prepared for National Park Service National Vegetation Mapping Program, PARA library. Major inventory work was accomplished in 2007 and listed in the annual report for that year. In addition to vegetation mapping, natural resource baseline data included separate inventories of springs, caves, vascular plants, breeding birds, lichens, and bryophytes (mosses and liverworts). See "FY 2007 Manager's Update NLCS Accomplishment Report," November 5, 2007, PARA general administrative files Jan. 2000 to 2010, PARA.

populations, (18) riparian bird communities, (19) reptile communities, and (20) small mammal communities.<sup>14</sup>

After completion of a “Phase I” inventory and selection of vital signs, the Mojave Desert Network started on the development of protocols for monitoring. In the meantime, to fulfill the Phase I inventory requirements, the network scientists launched an exhaustive search of the biological literature, which they called “data mining.” Data mining consisted of a review of published and unpublished sources for every possible reference to a specific plant or animal species located in National Park System areas. All such references were entered in two databases, NatureBib (later DataStore) and NPSpecies. Jennifer Fox started work in Grand Canyon-Parashant National Monument as a data miner in January 2009 and continued in that role through 2013. (Later, in 2014, she was hired as the Monument ecologist.) Through data mining, more than 2,500 separate species and over 150 references were linked to the Monument. Field surveys were conducted in the Monument at this time as well.<sup>15</sup>

The Mojave Desert Network began to finalize monitoring protocols after the data mining was completed. As each protocol was finalized, long-term monitoring was initiated at selected sites. Large springs monitoring locations were established in Grand Canyon-Parashant National Monument at Pakoon Springs and Tassi Spring.<sup>16</sup> Upland vegetation monitoring plots were to be established at 35 locations in sagebrush steppe portions of the Monument. The latter set of stations were to be monitored on a three-year rotation by counting native and invasive plants on walked transects through a macro plot at each site, analyzing soil samples, and studying repeat photography. While the data collection specifically responded to the upland vegetation protocol, it would be applicable to other monitoring efforts as well. Other monitoring plots were included for desert springs, bats, climate, aspen, riparian vegetation, and early invasive plant detection.<sup>17</sup>

The I & M Program held much promise for improving science in the national parks, but as hydrologist Geoff Moret noted, the program’s resources were spread thin. The Mojave Desert Network’s small staff of fewer than half a dozen scientists was quartered in a single prefab building in Boulder City, Nevada, where they shared facilities with about 150 personnel on the staff of Lake Mead National Recreation Area. The scientists had an immense territory to cover, the largest acreage of any of the thirty-two I & M networks. At its inception it covered five exceptionally large units in the National Park System – Death Valley National Park, Joshua Tree National Park, Mojave National Preserve, Lake Mead National Recreation Area, and Grand Canyon-Parashant National Monument – as well as the smaller Great Basin National

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<sup>14</sup> National Park Service, *Mojave Desert Network Vital Signs Monitoring Plan*, Natural Resource Report NPS/MOJN/NRR – 2008/057 (Fort Collins, Colo.: National Park Service, 2008), 46.

<sup>15</sup> “National Landscape Conservation System FY 2009 Managers Annual Report,” Wimmer files; Jennifer Fox, interview by Theodore Catton, April 20, 2016.

<sup>16</sup> National Park Service, *Mojave Desert Network Inventory and Monitoring Selected Large Springs Protocol*, Natural Resource Report NPS/MOJN/NRR 2016/1108 (Fort Collins, Colo.: National Park Service, 2016), 34.

<sup>17</sup> National Park Service, *Integrated Upland Protocol of the Mojave Desert Network*, Natural Resource Report NPS/MOJN/NRR 2015/1010 (Fort Collins, Colo.: National Park Service, 2015), 58.

Park and the 500-acre Manzanar National Historic Site. The combined land area of these units was roughly the size of Belgium. Two national monuments were added during the second term of the Obama administration: Tule Springs Fossil Beds in 2014 and Castle Mountains in 2016, covering roughly 22,000 and 20,000 acres respectively. The Mojave Desert Network staff had to focus primarily on its mission to provide long-term monitoring of ecological health, although it did provide ancillary services and benefits as well.<sup>18</sup>

While the Mojave Desert Network focused on inventory and monitoring of vital signs, other researchers worked on other natural resource inventories in the Monument. Dr. Lloyd Stark of the University of Nevada conducted a three-year study of bryophyte diversity and distribution in the Monument. He and his students collected several hundred specimens of bryophytes (liverworts and mosses) from several dozen localities, finding several species that were not previously known to occur in the state or the area. Dr. Thomas Nash of Arizona State University oversaw a multi-year inventory of lichens in the Monument. The Monument featured some very large lichens. Ken Sweat, a Ph.D. student working under Nash's direction, studied the slow-growing lichens as a means of determining changing levels of heavy metal deposition from regional air pollution. The Monument's physical scientist, Kyle Voyles, together with Northern Arizona University doctoral student J. Julian Wynne, discovered a new genus of cricket in a cave. Several species in the Monument were endemic (found nowhere else), including the Grand Wash springsnail found at Grapevine Springs, Whiskey Springs and Tassi Springs (all within the Grand Wash Trough) and a probable subspecies of speckled dace fish found only at Tassi Springs.<sup>19</sup>

Other accomplishments under the Mojave Desert Network's watch included: development of a vascular plant list (104 new plant taxa for the Monument brought the total documented and reported plants to 1,120 as of 2012), multi-year experiments on Mojave Desert vegetation recovery following fires (using sites burned in 2005, 2006, and 2008), a Rangeland Condition Assessment for the entire NPS side of the Monument (made from 2009 to 2014), and a five-year survey of invasive plants along transportation corridors (still in progress in 2018).

### *Ecological Restoration*

As discussed in Chapter One, the Mount Trumbull Ecosystem Restoration Project became a showcase for ecological restoration efforts in the late 1990s. The BLM partnered with Northern Arizona University (NAU) and its Ecological

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<sup>18</sup> Geoff Moret personal communication, May 2, 2016, Lake Mead National Recreation Area, Boulder City, Nev.

<sup>19</sup> "FY 2007 Manager's Update NLCS Accomplishment Report," November 5, 2007, PARA general administrative files Jan. 2000 to 2010, PARA; Robert Roy Britt, "New Genus of Cricket Found in Arizona Cave," *LiveScience*, May 5, 2006, at <https://www.livescience.com/741-genus-cricket-arizona-cave.htm> <April 6, 2018>; EcoPlan Associates, Inc. *Arizona Game and Fish Department Sport Fish Stocking Program Final Environmental Assessment*, report prepared for U.S. Fish and Wildlife Service and Arizona Game and Fish Department, August 2011, at [https://www.fs.usda.gov/Internet/FSE\\_DOCUMENTS/fsrpd488919.pdf](https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fsrpd488919.pdf) <April 6, 2018>; Fox interview.

Restoration Institute (ERI) on a cooperative program of ecological restoration in the Mount Trumbull area. The plan featured experimentation with a variety of mechanical and non-mechanical treatments for restoring ponderosa pine forest to its pre-settlement condition. That meant thinning the forest, reducing fuel loads in the understory, and returning even-aged stands to a mix of old and young trees. Some forest tracts were experimentally treated by selective logging, others by prescribed burns, with a view to bringing the forest back to the way it was before Euro-Americans came into the area.

The plan incorporated an “adaptive management” strategy, meaning that each treatment would be analyzed for unpredicted as well as predicted results, and subsequent treatments might be modified accordingly. For example, prescribed burns on shallow lava soils were found to result in smoldering combustion of organic soils that killed tree roots, causing greater than predicted mortality of old-growth trees. Lessons learned at Mount Trumbull made a significant contribution to management of ponderosa pine forest ecosystems across the Intermountain West.<sup>20</sup>

The Mount Trumbull Ecosystem Restoration Project was in full swing when Grand Canyon-Parashant National Monument was established. The BLM-NPS planning team expected the ecosystem restoration efforts within the Monument to continue as an integral part of Monument operations; after all, the ecosystem restoration project, like the Monument itself, had the backing of Secretary of the Interior Babbitt. However, wilderness advocates raised concerns about the project, questioning the efficacy of doing ecosystem restoration within the Mount Trumbull and Mount Logan wilderness areas. The roughly 8,000-acre experimental area included portions of the Mount Trumbull and Mount Logan wilderness areas, providing a valuable matrix of old-growth and second-growth forest stands spread over wilderness and non-wilderness lands. Researchers believed that scientific experimentation within the wilderness served a higher purpose of wilderness restoration, but some wilderness advocates did not see it that way.<sup>21</sup>

The disagreement over the Mount Trumbull Ecosystem Restoration Project was a stark example of the argument between intervention and non-intervention in the stewardship of national parks and wilderness. Advocates of intervention pointed out that old-growth ponderosa pine forest around Mount Trumbull was in a degraded condition and at risk of burning up in a crown fire if active efforts were not made to restore it to a more natural condition. Advocates of non-intervention agreed that the ecosystem was degraded but questioned the assumption that forest health was unrecoverable without human intervention. Rather, they insisted on the Wilderness

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<sup>20</sup> W. Wallace Covington to Roger Taylor, October 23, 2001, PARA general administrative files Jan. 2000 to 2010, PARA; Craig D. Allen, Melissa Savage, Donald A. Falk, Kieran F. Suckling, Thomas W. Swetnam, Todd Schulke, Peter B. Stacey, Penelope Morgan, Martos Hoffman, and Jon T. Klingel, “Ecological Restoration of Southwestern Ponderosa Pine Ecosystems: A Broad Perspective,” *Ecological Applications* 12, no. 5 (2002), 1418-33.

<sup>21</sup> Peter Landres, “Restoring Old-Growth Ponderosa Pines and Fire in the Mt. Trumbull Wilderness, A Proposed Course of Action” (draft), January 12, 1999, PARA general administrative files Jan. 2000 to 2010, PARA. See also Peter Landres, “Let It Be: A Hands-Off Approach to Preserving Wilderness in Protected Areas,” in *Beyond Naturalness: Rethinking Park and Wilderness Stewardship in an Era of Rapid Change*, edited by David N. Cole and Laurie Yung (Washington: Island Press, 2010), 88-105.

Act's prescription of keeping wilderness areas "untrammelled." As Dr. Gregory H. Aplet of The Wilderness Society reminded Roger Taylor of the BLM, one of the meanings of naturalness as embodied in the National Wilderness Preservation System was "freedom from human control." A primary purpose of wilderness designations was to stay the managerial hand and let nature be. In the words of wilderness historian James Turner, "A place is wild when its order is created according to its own principles of organization – when it is self-willed land." In arguing for a suspension of forest treatments within the Mount Trumbull and Mount Logan wilderness areas, wilderness advocates could muster potent legal arguments based on the Wilderness Act.<sup>22</sup>

To bring the two sides on this issue together in a constructive dialogue, the BLM hosted a conference in St. George in November 1999 on "Management of the Mount Trumbull and Mount Logan Wilderness Areas." About fifty people participated including seventeen BLM and eight NAU people. Although the participants did not reach a consensus, the meeting resulted in the formation of a steering committee to keep the matter before the BLM-NPS planning team. As Monument planning continued through the next two years, it became increasingly clear that the Mount Trumbull Ecosystem Restoration Project was problematic because it involved experimentation with forest treatments both in and out of the wilderness areas.<sup>23</sup> Whether the controversy over wilderness values had anything to do with the project's abrupt curtailment in 2003 is not known. Ostensibly, the project funding was canceled in that year because of other pressing needs related to forest fire management. In any case, the debate between intervention and non-intervention in wilderness areas continued. The Monument management plan included a decision text that carefully straddled the argument – giving the nod to non-intervention but keeping the door open to intervention. Within areas managed for their wilderness characteristics, the plan stated:

Natural processes will be primarily relied on to restore, over time, locations where human imprints are found. When natural process will not restore areas within a reasonable timeframe or when resource damage will continue, a mix of chemical, biological, mechanical, and fire tools will be used....<sup>24</sup>

The Mount Trumbull Ecosystem Restoration Project continued with follow-on studies after the ecological restoration treatments were curtailed in 2003. The follow-on studies examined the effects of ecological restoration on understory vegetation and wildlife. A number of NAU graduate students conducted thesis and dissertation work at the Mount Trumbull site. These studies included Amy Waltz's examination of the

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<sup>22</sup> Gregory H. Aplet to Roger Taylor, March 15, 2001, PARA general administrative files Jan. 2000 to 2010, PARA. Turner quoted in Landres, "Let It Be: A Hands-Off Approach to Preserving Wilderness in Protected Areas," 89.

<sup>23</sup> Roger G. Taylor and Peter Landres to Participants in the Mts. Trumbull and Logan Wilderness Areas Process, February 18, 2000, Max Oelschlaeger to Ken Moore, September 25, 2000, and W. Wallace Covington to Taylor, October 23, 2001, PARA general administrative files Jan. 2000 to 2010, PARA.

<sup>24</sup> U.S. Department of the Interior, Bureau of Land Management and National Park Service, *Grand Canyon-Parashant National Monument Records of Decision Approved Resource Management Plan*, 2-70.

effects of restoration treatments on butterfly populations, and Eve Gilbert's look at the effects of restoration treatments on ground beetles, among others. Other studies focused on small mammals, various species of birds, mule deer and the sagebrush lizard. NAU scientists continued to monitor a network of 250 "ecosystem management" plots distributed through the area, looking at the spread of natural and invasive vegetation after fire, retention of seedbeds, and other phenomena. A small amount of ecological restoration treatments continued through 2007, consistent with the Monument plan's statement that ponderosa pine research treatments would be completed, and that future treatments would focus on mimicking the natural disturbance regime. The partnership between the BLM and NAU endured though NAU's involvement with the site tapered off. There were twice yearly project coordination meetings, and at one point the participants prepared a Trumbull Road Map to guide future work. Some thought was given to developing management prescriptions for all those parts of the Mount Trumbull area ponderosa pine forest that had not yet received treatments.<sup>25</sup>

### *Pakoon Springs Rehabilitation Project*

The Pakoon Springs Rehabilitation Project was initiated in 2006 and was carried out over the next decade, bringing about a remarkable restoration of a natural oasis in the Mojave Desert area of the Monument. When the Monument was established the Pakoon Springs were contained within a private inholding and the springs complex was thoroughly modified from what it had been historically. The exact number of original springs was indeterminate as the complex had been turned into a set of ponds and irrigation works. Initial inquiry into the history of the springs did not yield much information – aerial photos of pre-1950 conditions were not found until late 2013 – but it seemed likely that the natural oasis had been manipulated by ranchers one way or another for about one hundred years. The riparian area had been used for alfalfa and livestock production through most of the twentieth century. Its last landowner, Charles Simmons of Mesquite, Nevada, had turned the place into an ostrich ranch, with holding pens for some 500 hundred ostriches and an irrigation system for supplying the pens with drinking water. Simmons also raised pigs, and he kept a pet alligator, "Clem," in one of the ponds. Two other nonnative species, American bullfrogs and mosquito fish, were prevalent in the ponds, while a few nonnative species of plants had gotten a start amidst a new flourishing of cattail around the ponds. Despite the Pakoon Springs' degraded condition, the natural feature was recognized as an important resource for the Monument. In June 2002, the BLM acquired the 240-acre inholding surrounding the Pakoon Springs through a donation by the Richard King Mellon Foundation with assistance from the Land and Water

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<sup>25</sup> Mark Daniels, John Paul Roccaforte, and Judy Springer, "Mt. Trumbull Research Compilation," September 30, 2008, in three-ring binder labeled "Mt. Trumbull Ecosystem Restoration Project, Research Summary, Specific Projects, Datasets, Proposals," PARA archive; U.S. Department of the Interior, Bureau of Land Management and National Park Service, *Grand Canyon-Parashant National Monument Records of Decision Approved Resource Management Plan*, 2-22; Tom Edgerton to State Director, April 23, 2010, in three-ring binder labeled "Mt. Trumbull Ecosystem Restoration Project Planning Part 2," PARA archive.

Conservation Fund. The acquisition of the property was hailed by managers as a “tremendous benefit to the public and the Monument,” for the springs were the largest on the entire Arizona Strip and provided critical wildlife habitat and riparian vegetation.<sup>26</sup>

The Monument immediately applied for funding for a project to clean up the site prior to ecological restoration. Ecological restoration in this instance meant recontouring the ground to recreate historical drainage conditions as nearly as possible (in the absence of aerial photos it would involve some guesswork), eradication of nonnative animal and plant species, and reintroduction of native species. The Monument entered a request for \$250,080 in the NPS Project Management Information System (PMIS) in 2002 and renewed the request over the next two years. In 2005, the NPS provided funding but when informed that the property was on BLM land it withdrew the funding, so funding for the project ultimately came from other sources. Funds provided by the Land and Water Conservation Fund enabled the Monument to proceed with cleanup of the site. And in 2006, the BLM with the aid of the Grand Canyon Wildlands Council, Inc. obtained a grant for \$262,130 through the Arizona Water Protection Fund (AWPF) for project research and design, which was accomplished during 2006 and 2007. With that, the Monument put in another request through the BLM for a one-time Challenge Cost Share award of matching funds for project implementation. Costs were to be spread over several years starting in 2008. Funds were again received nearly annually from BLM until 2014. A second AWPF grant for \$306,353 was obtained covering the time period 2012-2016.<sup>27</sup>

Step one, cleaning up the site, was a project in itself. Stephen Nash, author of *Grand Canyon for Sale*, writes:

The wreckage of house trailers and abandoned structures, a couple of cranes, four tractors, the carcasses of twenty-seven cars, and a rusting jumble of car parts were strewn over the landscape, along with hundreds, perhaps thousands, of miles of barbed wire. During the project tractor trailers hauled garbage away in a process that took several years.<sup>28</sup>

Local media fixated on one sensational feature of the cleanup: removal of the pet alligator. The wily reptile eluded detection and capture for some time. Finally, in July 2005, the gator was live-trapped by Russ Johnson of the Phoenix Herpetological Society and taken to the society’s reptile-rescue facility in Scottsdale, Arizona. The Monument posted a public letter about it, noting that Clem was “quite thin when he was captured, as he had been living on bullfrogs and occasional ducks since the property changed hands in 2000. Prior to that time, he had been fed rabbits, chickens,

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<sup>26</sup> Grand Canyon Wildlands Council, Inc., “Pakoon Springs Rehabilitation Final Report,” December 30, 2010, PARA archive; “Clean Up and Restore Pakoon Spring Ranch” (PMIS 88492), January 8, 2004, PARA general administrative files Jan. 2000 to 2010, PARA; Fox interview.

<sup>27</sup> Grand Canyon Wildlands Council, Inc., “Pakoon Springs Rehabilitation Final Report,” December 30, 2010, PARA archive; “Clean Up and Restore Pakoon Spring Ranch” (PMIS 88492), January 8, 2004, PARA general administrative files Jan. 2000 to 2010, PARA.

<sup>28</sup> Stephen Nash, *Grand Canyon for Sale: Public Lands versus Private Interests in the Era of Climate Change* (Oakland: University of California Press, 2017), 153.

and ostrich parts.” Ten years after capture, Clem was still alive at the facility in Scottsdale. With a reliable diet his weight had quadrupled.<sup>29</sup>

As Monument managers proceeded with rehabilitation of Pakoon Springs following the site cleanup, they described the project as an adaptive management project. “Adaptive management is a formal, systematic, and rigorous approach to *learning from results of management actions*,” Curtis wrote in a Notice of Decision (emphasis in original). “Adaptive management consists of synthesizing existing knowledge, exploring alternative actions, and making explicit forecasts about their results.” The goal was to restore the site’s ecological integrity – turn it back into a stable and self-sustaining Mojave Desert spring ecosystem - as well as return the site to a semblance of its historical condition and prepare it for visitor use. Monument managers stated that the pre-development condition of Pakoon Springs was not known but could be reasonably conjectured as a hillside seep and spring complex. In a subsequent document (Pakoon riparian assessment report, 2012) it was suggested that the site originally contained perhaps as many as ten discrete springs prior to agricultural modification. The springs were “likely helocrene (wet meadow) springs and, based on comparison with other springs in the Grand Wash drainage, they likely were overgrown with wetland and riparian vegetation prior to settlement of the site.” Such hillside springs and seeps were a common feature in the Great Basin and Mojave Desert.<sup>30</sup>

The rehabilitation project began with considerable exploratory work. Hydrologic field monitoring was done to assess patterns of water flow and water quality. Trenches were excavated, holes were bored, and subsurface soil samples were analyzed in an effort to locate areas where dense vegetation had once existed before the springs were developed for agriculture. Some pre-development spring sources lay buried more than twelve feet deep.<sup>31</sup>

Next, the area was extensively recontoured. Small ponds upstream from the main pond at the south end of the complex were filled with dirt and contoured into gentle mounds so that runoff from the springs flowed out through many small rivulets or seeped through saturated areas rather than streaming through a main outflow

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<sup>29</sup> Kara G. Morrison, “A warm spot for cold-blooded creatures,” *Arizona Republic*, February 18, 2010; Nicholas Brulliard, “Desert Gator,” *National Parks Conservation Association* (Summer 2017) at <https://www.npca.org/articles/1571-desert-gator> <July 2, 2018>; Dennis Curtis to Whom It May Concern, September 19, 2005, in three-ring binder labeled “Pakoon Springs Rehabilitation Correspondence 2007-2010,” PARA archive.

<sup>30</sup> “Notice of Decision, Grand Canyon-Parashant National Monument, Pakoon Springs Rehab EA,” December 10, 2007, in three-ring binder labeled “Pakoon Springs, Rehabilitation EA CX Ash Meadows Example,” PARA archive; Grand Canyon Wildlands Council, Inc., “Pakoon Riparian Assessment Report,” June 2012, report prepared for Bureau of Land Management and Arizona Water Protection Fund, in three-ring binder labeled “Pakoon Rehabilitation Project AWPf,” Fox files; Fox interview.

<sup>31</sup> Grand Canyon Wildlands Council, Inc., “Pakoon Springs Rehabilitation Final Report,” December 30, 2010, PARA archive; Bureau of Land Management, “Supplemental Information Analysis DOI-BLM-AZ-A030-2009-0002-EA to Environmental Assessment EA-AZ-130-2007-0048,” May 2009, in three-ring binder labeled “Supplemental Information Analysis May xx 2009,” PARA archive.

channel.<sup>32</sup> Recontouring was performed during the spring months of 2008, 2009, and 2010. More was planned, but a few years after the recontouring was begun managers noted head cutting and gully erosion was occurring in the wash to the east of the ponds. This was mitigated through installation of native rock check dams.<sup>33</sup>

Revegetation was initiated in 2008. All plantings were done with local seed sources and propagules. Crews scattered seeds of yerba mansa, bulrush, and spikerush and pole-planted Gooding's willow and Fremont cottonwoods. The objective for revegetation was to eliminate the native cattail that had taken over the area and restore a plant community structure composed of a grass and forb understory with a multi-level canopy of Gooding's willow and desert broom with a few large cottonwood trees. A decade on, managers were well-satisfied with what was happening. In the recontoured areas revegetation appeared to be on track, and in areas that were not bulldozed – the former agricultural fields – nature appeared to be reclaiming the land at an astonishing pace.<sup>34</sup>

Another aim of the rehabilitation was to eliminate invasive species. Consistent with BLM's declaration that the Pakoon Springs rehabilitation project would employ an adaptive management strategy, the Monument managers issued further decision notices as new threats from invasive species arose and managers experimented with alternative tools to counter them. Those tools included use of herbicides to fight the spread of two exotic weeds, Russian thistle and Malta star thistle. A plan to use the chemicals Antimycin A and Rotenone to help control mosquito fish was shelved when a temporary moratorium was placed on use of Rotenone. However, predation on mosquito fish by wading birds is believed to have increased. Managers decided to maintain fencing around the rehabilitation project to keep out livestock and wild burros.<sup>35</sup>

As the rehabilitation of Pakoon Springs progressed, federal and state wildlife managers got the idea of using the restored springs for a translocated population of relict leopard frogs. Part of the incentive was to head off an endangered species listing. At that point, the constructed pond acquired additional importance. Two other rare vertebrates, Grand Wash spring snail and speckled dace, were also candidates for translocation. The plan depended on whether managers could eliminate the American

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<sup>32</sup> Bureau of Land Management, "Supplemental Information Analysis DOI-BLM-AZ-A030-2009-0002-EA to Environmental Assessment EA-AZ-130-2007-0048," May 2009, in three-ring binder labeled "Supplemental Information Analysis May xx 2009," PARA archive.

<sup>33</sup> Grand Canyon Wildlands Council, Inc., "Pakoon Springs Rehabilitation Final Report," December 30, 2010, PARA archive; "Pakoon Springs Control of Non-natives and Management of Public Use, Notice of Decision," March 2, 2011, in three-ring binder labeled "Pakoon Rehab No. 3 Admin Road," PARA archive.

<sup>34</sup> Grand Canyon Wildlands Council, Inc., "Pakoon Springs Rehabilitation Final Report," December 30, 2010, PARA archive; Nash, *Grand Canyon for Sale*, 154; Fox interview.

<sup>35</sup> "Pakoon Springs Control of Non-natives and Management of Public Use, Notice of Decision," March 2, 2011, in three-ring binder labeled "Pakoon Rehab No. 3 Admin Road," PARA archive; Jennifer Fox, "Pakoon Wash and Pakoon Springs Restoration and Enhancement Project Final Report," report prepared for Arizona Water Protection Fund and Arizona Department of Water Resources, August 31, 2016, at [https://www.azwpf.gov/Grant\\_Project\\_Reports/documents/11-180WPFpakoonwashandpakoonSpringsRestorationandEnhancementProj.pdf](https://www.azwpf.gov/Grant_Project_Reports/documents/11-180WPFpakoonwashandpakoonSpringsRestorationandEnhancementProj.pdf) <July 2, 2018>.

bullfrogs and (in the case of the latter species) the mosquitofish. Ecologist Jennifer Fox cautioned in 2016 that those preconditions were not yet met. But the faunal assemblage was changing, she wrote:

On a positive note is the evidence the springs are being used by high conservation priority rare bats and bighorn sheep, in addition to a group of animals that are representative of the eastern Mojave Desert. As the site vegetation and water resources continue to develop, it is expected that an increasing number of species may visit or inhabit the site. With the conversion of the site to seeps and shallow water, the springs complex may begin to attract shallow water wading birds in greater numbers as well as mammals that would forage in the shallow waters.<sup>36</sup>

The restored desert oasis drew people, as oases always do. In 2011, the Monument issued a notice of decision about management of public use to address concerns about public safety as well as resource protection. Within the fenced enclosure, the Monument restricted vehicle use and overnight camping, prohibited boating on the pond, and discouraged fishing. It made plans to develop the area with an interpretive loop trail and information kiosk. Two years later a three-panel information kiosk was installed with funding by a state grant from the Arizona Off Highway Vehicle Program. In 2014, Monument staff completed a plan for a parking area and trail.<sup>37</sup>

After more than a decade of effort and well over a million dollars investment, site managers could not yet say that the rehabilitation was done, and that the ecosystem was self-sustaining, but they were optimistic that they might get there. At the conclusion of the second AWPf grant in 2016, ecologist Jennifer Fox reported that six of twelve tasks outlined in 2011 were completed, two more were continuing, and another was partially completed. The site had come a long way from its deteriorated condition when the land was acquired. Not everything had gone according to plan, and with hindsight, some of the recontouring and revetment seemed excessive for the area still appeared “scraped” after several years of revegetation. Exotic weeds present in the cattails had spread as the Monument started bulldozing in 2008. A more thorough rehabilitation plan might have included taking out the last big pond during the initial recontouring, but fire managers insisted on maintaining it as a source of water for fire suppression until several years later. Despite all of its twists and turns, site managers thought the rehabilitation project had yielded positive results. The Monument’s partner

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<sup>36</sup> Jennifer Fox, “Pakoon Wash and Pakoon Springs Restoration and Enhancement Project Final Report,” report prepared for Arizona Water Protection Fund and Arizona Department of Water Resources, August 31, 2016, at [https://www.azwpf.gov/Grant\\_Project\\_Reports/documents/11-180WPFpakoonWashandPakoonSpringsRestorationandEnhancementProj.pdf](https://www.azwpf.gov/Grant_Project_Reports/documents/11-180WPFpakoonWashandPakoonSpringsRestorationandEnhancementProj.pdf) <July 2, 2018>.

<sup>37</sup> “Pakoon Springs Control of Non-natives and Management of Public Use, Notice of Decision,” March 2, 2011, in three-ring binder labeled “Pakoon Rehab No. 3 Admin Road,” PARA archive; Scott Sticha and Jennifer Fox, “Pakoon Wash and Pakoon Springs Restoration and Enhancement Project 2013 Combined Semi-Annual Riparian Habitat Monitoring Report,” report prepared for Arizona Water Protection Fund, Arizona Department of Water Resources, July 13, 2014, Fox files.

Larry Stevens, an ecologist formerly with the Grand Canyon Wildlands Council, said that the Pakoon story was “dramatic.” The restored oasis “erupted in life.”<sup>38</sup>

### *Vegetation Management and Fire Management*

Loss of native plant diversity and increasing risk of fire were two major concerns of natural resource managers in Grand Canyon-Parashant National Monument. The two concerns were intertwined and mutually reinforcing, because changes in vegetation were tending to add to the fire risk, and fire was tending to accelerate loss of native plant diversity through the spread of invasive weeds that would establish themselves after a burn.<sup>39</sup>

While the problems of increasing fire risk and loss of native plant diversity were intertwined, they stemmed in part from separate underlying problems. When Monument managers addressed the risk of forest fire, they were dealing with an unnatural buildup of flammable forest understory that was the result of more than a half century of fire suppression. Since the advent of an effective fire suppression policy in the early to mid twentieth century, ponderosa pine forests had undergone a structural change. In place of an open understory swept by frequent, low-intensity ground fires, those forests now had a dense understory of small trees and underbrush that formed “fuel ladders” for ground fires to burn upwards. The change in structure made the ponderosa pine forest less fire resistant, more susceptible to big, hot conflagrations that reached into the forest crown and killed all the trees. Juniper-pinyon forest had undergone a structural change as well. Aerial photos showed clearly how the scattering of trees and scrub at the forest edge had grown denser and the forest edge had moved farther into the adjoining sagebrush-steppe. Chaining as well as fire suppression had altered the forest margins. Prescribed burning was aimed at reducing the amount of flammable material in the understory, driving back those forest margins, and restoring the forest and adjoining steppe to a more fire-resistant state.

The problem with prescribed burning in ponderosa pine forest and juniper-pinyon forest was that it could encourage the spread of invasive plants that made the forest more vulnerable to fire rather than more fire-resistant. Among invasive plants the chief culprits were cheatgrass and red brome. These species did very well in disturbed areas and would spread over a burned area as readily as native plants did when they germinated from their residual seedbeds. Once established, the exotic grasses were more combustible than the native plant cover. As former superintendent Jeff Bradybaugh explained, cheatgrass would seed in the spring and dry out by May, becoming highly flammable as the summer came on. “When the monsoon lightning storms come in July and August,” Bradybaugh said, “that stuff’s been cured for a couple of months in the desert heat. So if you get a lightning strike that ignites it, it will move as fast as the wind is blowing, because it is basically like paper.” Or, as

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<sup>38</sup> “Grand Canyon-Parashant National Monument FY 2010 Monument Managers Report,” Wimmer files; Fox interview; Nash, *Grand Canyon for Sale*, 153.

<sup>39</sup> “FY 2008 Annual Manager’s Report Grand Canyon-Parashant National Monument,” PARA general administrative files Jan. 2000 to 2010, PARA.

former monument manager Dennis Curtis put it, “The trouble with [forest] restoration [is] you end up with cheatgrass and that’s just like pouring gasoline on the ground.”<sup>40</sup>

Cheatgrass also menaced the natural vegetation in the Mojave Desert area of the Monument. Joshua trees, cacti, and other succulent plants in the Mojave Desert ecosystem are not fire-adapted species and generally will not survive a grassfire. When cheatgrass spread into that area it formed a flammable carpet over the sandy ground where none had existed before. The presence of cheatgrass made fires more migratory and therefore more frequent in any given spot, which raised the specter of more and more fires gradually taking out the natural vegetation.<sup>41</sup>

Increased fire risk also stemmed from another source: a warming climate. While it was well known that heat and drought had featured in the Southwest’s climate for a long time, climate science showed that the modern trend was being driven at least in part by human-influenced changes in the planet’s atmosphere and was occurring probably at unprecedented speed. Weather records showed that the Southwest region had been warming since the 1950s, and trending warmer more than at any time in the past six centuries. In the first decade of the twenty-first century the region saw more heat waves than in any decade of the previous century. With rising temperatures, streams fed by snowmelt flowed earlier in the spring and ran dry earlier in the summer. Periods without rain lengthened. These changing climate conditions obviously pointed toward more fire risk. Across the western United States fires were indeed becoming more numerous, and in most of the West’s ecoregions – including the Southwestern deserts – fires were scorching more acres on average as well.

Loss of native plant diversity had several underlying causes, including impacts from grazing use of the land, disturbance from development, competition from invasive species, and climate change. Impacts of grazing use on plant communities were numerous in themselves. The most direct and obvious impact from grazing use came from livestock foraging. In arid lands, livestock foraging could remove a significant percentage of plant biomass, decreasing cover of annual grasses by as much as 60 percent and perennial shrubs by 30 percent, and lowering overall species richness. Other known impacts of grazing use on native plant diversity included degradation of riparian zones as livestock collected around water sources, compaction of soil, trampling of cryptobiotic soil crusts, and aiding in the spread of exotic plant species by dispersal of seed in livestock’s dung.<sup>42</sup>

The most destructive invasive species to native plant diversity in the Monument was, again, cheatgrass. A species native to the Russian steppe and the Mediterranean, cheatgrass was recognized as an invasive species in the Intermountain West by the mid twentieth century and was well established from Arizona to British Columbia by the late twentieth century. It was generally associated with lower elevation life zones such as desert grasslands, shrublands, and juniper-pinyon

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<sup>40</sup> Bradybaugh interview; Curtis interview.

<sup>41</sup> “Grand Canyon-Parashant National Monument 2005 Superintendent’s Annual Report, PARA general administrative files Jan. 2000 to 2010, PARA; Fox interview; McAlpin interview; Curtis interview.

<sup>42</sup> Thomas Fleischner, “Ecological Costs of Livestock Grazing in Western North America,” *Conservation Biology* 8, no. 3 (1994), 629-44.

woodlands, but it was also spreading to higher elevation life zones such as the ponderosa pine forest areas on the Arizona Strip. Its chief effect on native plant diversity was to change the fire dynamic. Cheatgrass was not a fire-dependent species but it could flourish in fire-adapted ecosystems. As already noted, the presence of cheatgrass could add to fire frequency and intensity as the perennial dried out in summer and added a fine-fuel element to the forest floor.<sup>43</sup>

Climate change exerted a direct impact on native plant life; however, the effects of more heat and drought on each plant species was only beginning to be understood. For example, study of the rare Fickeisen plains cactus found that individual plants produced fewer flowers and seeds in seasons of extreme heat and drought. This species of cactus, which was listed under the Endangered Species Act in 2013, was limited to small populations in Coconino and Mohave Counties. (Although it was present in the Monument, no Monument lands were included in the critical habitat designation made after the species was listed.) It remained to be seen if vulnerable species like the Fickeisen plains cactus would succumb to more extreme heat and drought as climate conditions changed.<sup>44</sup>

The increasing water demands in the Colorado River basin added to the effects of drought and the general sense of imperilment. In 2017, Lake Mead was about one-third full. Grand Wash Bay, just south of Tassi Ranch, had been dry for almost two decades. On old maps a boat launch icon was still shown at Grand Wash Bay. Lake Mead National Recreation Area has cited a figure from the Bureau of Reclamation that it would take ten years in a row of 200 percent snowpack in Utah and western Colorado to refill the reservoir to full pool. Given current climate-change projections, as well as the possible addition of the Lake Powell pipeline from Glen Canyon Dam to St. George, it came to appear unlikely that Lake Mead would ever achieve full pool again.

How were the Monument's resource managers to respond to increasing fire risk and other threats to native plant diversity? The interrelationship of fire, vegetation, and climate change narrowed resource managers' options. Recent climate change projections for the Grand Canyon region have suggested that the climate will become significantly warmer and drier still. The projections show that after about 2050 it is probable that drought conditions will be more severe than at any time in

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<sup>43</sup> Mike Pellant, "History and Applications of the Intermountain Greenstripping Program," in *Proceedings Ecology and Management of Annual Rangelands*, edited by Stephen B. Monsen and Stanley G. Ketchum, General Technical Report INT-GTR-313 (Boise, Idaho: USDA Forest Service Intermountain Research Station, 1994), 63-68; Christopher M. McGlone and Dave Egan, "The Role of Fire in the Establishment and Spread of Nonnative Plants in Arizona Ponderosa Pine Forests: A Review," *Journal of the Arizona-Nevada Academy of Science* 41, no. 2 (2009), 79.

<sup>44</sup> Kara Rogers, *The Quiet Extinction: Stories of North America's Rare and Threatened Plants* (Tucson: University of Arizona Press, 2015), 120; U.S. Fish and Wildlife Service, "Threatened and Endangered Wildlife and Plants: Designation of Critical Habitat for the Acuña Cactus and the Fickeisen Plains Cactus," *Federal Register* 81 (August 8, 2016), 55265-55313; Grand Canyon Wildlands Council, Inc., "Pakoon Springs Rehabilitation Final Report," report prepared for Bureau of Land Management, Grand Canyon-Parashant National Monument and Arizona Water Protection Fund, Arizona Department of Water Resources, December 30, 2010, at [www.azwfpf.gov/Grant\\_Project\\_Reports/documents/06-137WPFfinalreport.pdf](http://www.azwfpf.gov/Grant_Project_Reports/documents/06-137WPFfinalreport.pdf) <September 3, 2018>.

recorded history. By the 2080s, the coolest, wettest years will be like the hottest, driest years of the last millennium. Plant communities in the Monument will be stressed by frequent drought and affected by more frequent fire.<sup>45</sup> The inevitability of climate change, already recognized in the 1990s, grew more and more pronounced in the years following the establishment of the Monument. As it did it altered managers' long-range thinking. For example, the traditional concern for restoring historical conditions yielded more and more to the more modern concern for enhancing ecosystem resilience.<sup>46</sup>

The complicated connections between vegetation management, fire management, and climate change could be seen in the experimentation with prescribed burns in the Mount Trumbull Ecosystem Restoration Project. In the late 1990s, when research found that cheatgrass was making swift inroads after fire, the findings caused managers to alter their strategies. As preliminary research findings pointed to significant differences between natural and prescribed burns, some managers came to oppose prescribed burning in ponderosa pine forest on the basis that it brought in cheatgrass for a net loss of native plant diversity and ecosystem resilience. Other managers wanted to persist with prescribed burning to make the ponderosa pine forest more fire resistant in the face of changing climate conditions, the encouragement of cheatgrass notwithstanding. As it happened, the BLM largely took the former view and the NPS the latter view, which put a strain on the agencies' ability to cooperate when it came to fire management.<sup>47</sup>

Around the same time that prescribed fire appeared to usher in cheatgrass in the Mount Trumbull area, researchers were looking at natural fire effects on cryptobiotic soil crusts in Grand Staircase-Escalante National Monument. Cryptobiotic soil crusts were found to have important functions in ecosystems throughout the Colorado Plateau. The crust tends to enhance soil stability and reduce soil erosion from wind and water, while the microorganisms that make up the crust absorb nitrogen from the atmosphere and provide other valuable nutrients for plants. Scientists were learning that soil crusts were highly perishable substances: vulnerable to compression from vehicle tires, human feet, and trampling livestock, and prone to getting cooked to death in a fire. A study of four burn sites in Grand Staircase-Escalante (all lightning-ignited fires, one old and three recent) showed that cryptobiotic soil crusts were mostly destroyed by fire and would take from three to ten years to regenerate. Furthermore, the study found that mechanical reseeding of a burn

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<sup>45</sup> Nash, *Grand Canyon for Sale*, 31.

<sup>46</sup> David N. Cole, Constance I. Millar, and Nathan L. Stephenson, "Responding to Climate Change: A Toolbox of Management Strategies," in *Beyond Naturalness: Rethinking Park and Wilderness Stewardship in an Era of Rapid Change*, edited by David N. Cole and Laurie Yung (Washington: Island Press, 2010), 179-96; Fox interview.

<sup>47</sup> Curtis interview; Christopher McGlone, Judith Springer, and Daniel Laughlin, "Can Pine Forest Restoration Promote a Diverse and Abundant Understory and Simultaneously Resist Nonnative Invasion?" *Forest Ecology and Management* 285 (2012), 2638-46.

area tended to break down soil crusts even more, lengthening the time the crusts took to regenerate.<sup>48</sup>

The years 2005 to 2007 saw an increase in wildfire in the Mojave Desert portion of the Monument. Managers attributed the increase to a break in the drought and relatively luxuriant plant growth in 2004-05. Eleven wildfires burned 141,514 acres in 2005, while more fires burned another 9,479 acres in 2006 and another 32,250 acres in 2007. Following the fires, the larger burn areas were treated by aerial seeding. Eight wildfires occurred in desert tortoise habitat areas and those burn areas were treated by a combination of aerial seeding and seeding with seed incorporation, and they were monitored afterward in cooperation with the U.S Geological Survey.<sup>49</sup>

The Monument management plan called for wildland fire use and prescribed fire as a subset of the tools available for vegetation management. Wildland fire use amounted to letting a fire burn under controlled conditions or preset parameters where it was deemed that the fire would protect, maintain, and enhance resources and function in its natural ecological role. Prescribed fire was “the planned application of fire to vegetation, under specific conditions of fuels, weather, and other variables, to ensure the fire remains in a predetermined area and achieves site-specific resource management objectives.” Other vegetation management treatment tools outlined in the Monument plan included various mechanical, biological, and chemical options. In each case, the options differed on BLM and NPS lands within the Monument to be in accord with each agency’s general policies.<sup>50</sup>

In joining together to co-manage the Monument, the NPS and the BLM agreed on the objective of restoring natural fire to the landscape, and both agencies built on recent experience in pursuing that aim. While the BLM drew upon its experience with the Mount Trumbull Ecosystem Restoration Project in the mid to late 1990s, the NPS drew upon lessons learned from fourteen prescribed burns it conducted on the Shivwits Plateau during the same period. Those experimental ignitions by the NPS included nine burns of 30 to 191 acres in ponderosa pine forest and five burns of several hundred acres apiece in mixed juniper-pinyon woodland and sagebrush, all on NPS lands that were soon incorporated into the Monument.<sup>51</sup>

After the Monument was established, the NPS and BLM fire management programs did not meld as well as other parts of the Monument administration. Former Monument Manager Dennis Curtis suggested that the BLM’s and the NPS’s fire management programs were at odds because of different views on prescribed fire and

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<sup>48</sup> Paul Evangelista, Debra Guenther, Thomas J. Stohlgren, and S. Stewart, “Fire Effects on Cryptobiotic Soil Crusts in the Grand Staircase-Escalante National Monument, Utah,” *The Colorado Plateau: Cultural, Biological, and Physical Research*, edited by Charles Van Riper III and Kenneth L. Cole (Tucson: University of Arizona Press, 2004), 121-27.

<sup>49</sup> “FY 2008 Annual Manager’s Report, Grand Canyon-Parashant National Monument,” PARA general administrative files Jan. 2000 to 2010, PARA.

<sup>50</sup> U.S. Department of the Interior, Bureau of Land Management and National Park Service, *Grand Canyon-Parashant National Monument Records of Decision Approved Resource Management Plan*, Appendix F.

<sup>51</sup> National Park Service, “Environmental Assessment, Vegetation Treatment and Hazard Fuel Reduction 2001-2006 Shivwits Plateau Area,” July 2001, LAKE.

cheatgrass. Former Monument Manager Pam McAlpin thought the problem was more structural than philosophical. Fire management required lots of heavy equipment, supplies, and budget planning, all of which tended to make fire management “its own little world,” McAlpin explained. Fire management on BLM lands in the Monument was tied to the fire management organization in the Arizona Strip Field Office and the state office; fire management on NPS lands in the Monument was tied to the fire management organization at Lake Mead National Recreation Area and the Pacific West Region. There were pre-existing power structures and personal relationships that hindered closer cooperation.<sup>52</sup>

Those differences over fire management notwithstanding, BLM and NPS managers agreed that the cheatgrass invasion posed a major threat to Grand Canyon Parashant National Monument. And yet, despite the urgency of the cheatgrass problem, Monument managers were hindered from taking effective measures to combat it. While some were in favor of herbicide treatments, the cost of those treatments as well as environmental concerns prevented it. Restrictions on grazing had already gone as far as they would go for the foreseeable future. Philosophical differences over intervention or non-intervention further discouraged strong action being taken against the cheatgrass invasion. For all these reasons, managers were both unable and unwilling to do much more than monitor the cheatgrass problem, at least for the present.

### *Wild Burros*

Wild burros were present in the Monument area and sometimes required control efforts. Wild burros presented a unique challenge for the cooperative management model because the animal ranged back and forth between BLM and NPS lands and the BLM and the NPS had different mandates. The Wild Free-Roaming Horse and Burro Act of December 15, 1971 provided for the protection of wild burro populations on public lands at levels sustainable by the environment. The law did not apply to lands in the National Park System, where wild burros were deemed noxious because they were not part of the natural fauna. To mediate between those different mandates, the NPS and the BLM forged a memorandum of understanding for burro management. Chiefly oriented to Lake Mead National Recreation Area and adjoining BLM lands in Nevada, it was also applicable to adjoining BLM and NPS lands within the Monument.<sup>53</sup>

The Monument completed a draft burro plan in 2009. The objective of the plan was to reduce the burro herd in the Tassi Herd Management Area to zero in accordance with the 2008 Approved Plan as well as the 1995 Lake Mead National Recreation Area Burro Management Plan and Environmental Impact Statement. The plan called for a two-phased operation: first, to obtain an accurate population count,

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<sup>52</sup> Curtis interview; McAlpin interview.

<sup>53</sup> “Memorandum of Understanding between National Park Service and Bureau of Land Management Arizona Strip Field Office Kingman Field Office Las Vegas Field Office for Burro Management (IA-8360-94-003) (Amendment 2), 2005, PARA general administrative files Jan. 2000 to 2010, PARA.

and second, to capture and remove the burros, with monitoring and removal to continue for five years.<sup>54</sup> The plan was never approved or implemented.

The Monument staff regularly reported on sightings of wild burros and horses in the Monument. They were mainly a problem in the Pakoon Basin where they drifted into the Monument across the Nevada border. Recent estimates put the number of wild burros in the Monument at over 100 together with a smaller number of wild horses. The horses tended to stay near riparian areas while the burros wandered into higher elevations. The Monument's physical scientist, Eathan McIntyre, often encountered burros or saw their tracks when he was in the field. "I'll find an old tortoise carapace and see burro trails zigzagging all around it," he remarked.<sup>55</sup> Such anecdotal evidence added to the sense that wild burros and horses ought not to be ranging in the desert tortoise's habitat inside the Monument.

The matter of controlling numbers, always controversial, heated up again in 2018 when legislation was introduced in Congress for an increase in spending on control efforts – or “massive roundups” as some sources headlined the story. The measure was introduced by Republican Congressman Chris Stewart of Utah following submission of a report on the matter to Congress from the BLM. Opponents said that the BLM report called for mass sterilization, euthanasia, and “sale without limitation” (possible adoption, probable slaughter) of captured wild horses and wild burros. As the initiative was regionwide, it was not clear how the program, if implemented, would affect the relatively small numbers of those animals in Grand Canyon-Parashant National Monument.<sup>56</sup>

### *Wildlife Management*

The Monument organization supported a wildlife biologist position and an ecologist position. Those staff members coordinated with a multitude of other parties: the Arizona Game and Fish Department, the U.S. Fish and Wildlife Service, biological researchers, and other BLM and NPS staff. As the Monument's management plan made clear, management of wildlife and fish and special status species (threatened or endangered species or sensitive species on the brink of being listed) intersected with myriad other management activities. Game animals included mule deer, pronghorn antelope, desert bighorn sheep, and Merriam's turkey. Special status species included desert tortoise, bald eagle, Mexican spotted owl, California condor, southwestern willow flycatcher, Yuma clapper rail, and yellow-billed cuckoo. The Monument management plan carried management actions specific to all these species.

Relict leopard frogs are a wildlife species with a unique status on the Monument. The species was first recorded in 1875 based on specimens collected near the Virgin River in Washington County, Utah. Subsequent records and research indicated that its range was restricted to sections of the Virgin, Muddy, and Colorado

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<sup>54</sup> “National Landscape Conservation System FY 2009 Managers Annual Report,” Wimmer files.

<sup>55</sup> Eathan McIntyre, interview by Diane L. Krahe, May 4, 2016.

<sup>56</sup> Brian Maffey, “In a report quietly slipped to Congress, feds call for massive roundups of wild horses on public lands,” *Salt Lake Tribune*, April 27, 2018.

rivers and at numerous small springs feeding those rivers. The rare species was lost from view in the 1950s and thought to have gone extinct until it was rediscovered at eight springs in Nevada in the early 1990s. Subsequently, the relict leopard frog vanished from two of those locations and most of the estimated 500 to 1,100 adult frogs persisted at just one location. Citizen groups pressured the U.S. Fish and Wildlife Service for a listing under the Endangered Species Act. In lieu of taking that step, the Fish and Wildlife Service forged a Conservation Agreement and Plan among federal and state agencies aimed at stabilizing the populations and evaluating reintroduction opportunities. Under the agreement, Tassi Springs was selected as a site due to its protected status in the Monument. In August 2006, 175 individual sub-adult relict leopard frogs were released at the site.<sup>57</sup>

The conservation agreement includes an active monitoring program to track population status and trends. In 2008, those monitoring efforts detected natural reproduction was occurring in the translocated population. Pakoon Springs was selected as another potential reintroduction site for the relict leopard frog if the rehabilitation project was successful in removing or containing the existing bullfrog population.<sup>58</sup>

### *Cave Management*

Kyle Voyles was the Monument's physical science technician from 2001 to 2010. Voyles concentrated on inventorying the Monument's caves. He found them, named them, inventoried a considerable number of separate caves or overhangs, and compiled information on each one. In the Monument staff reorganization in 2011, Eathan McIntyre was hired as the Monument's first physical scientist and Voyles moved over to the BLM's St. George Field Office. McIntyre built upon his predecessor's work and helped move cave management in new directions with research on white nose syndrome in bat populations and a plan for mediating between cave protection and recreational use.

McIntyre maintained that the caves are highly significant to the protection of Monument resources for three reasons. First, they contain archeological resources as noted in the Monument proclamation. With summertime ambient temperatures of around sixty degrees, caves attracted human use. A number of caves contain human remains, material artifacts, and other evidence of cultural use. Pottery, baskets, torches, campfire remnants, and stone work have been recovered or recorded in them. Second, the caves are a rich source of paleontological resources. The skeletal remains of Pleistocene animals are well-preserved in the caves' cool, dry climate and secluded conditions. Fully articulated skeletons of felines and canines and a large, condor-like bird and even a hummingbird have been found. Third, the caves hold biological value

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<sup>57</sup> Center for Biological Diversity, "Saving the Relict Leopard Frog," at [https://www.biologicaldiversity.org/species/amphibians/relict\\_leopard\\_frog/index.html](https://www.biologicaldiversity.org/species/amphibians/relict_leopard_frog/index.html) <April 7, 2018>; "FY 2008 Annual Manager's Report Grand Canyon-Parashant National Monument," PARA general administrative files Jan. 2000 to 2010, PARA.

<sup>58</sup> "Grand Canyon-Parashant National Monument FY 2010 Monument Managers Report," Wimmer files.

as new species have been discovered in them. New finds include beetles and a pseudoscorpion and a new genus of cricket.<sup>59</sup>

McIntyre emphasized that the caves in the Monument by and large do not have much recreational value. Many are small, being about the size of a large room. Only one cave may be said to have geologic interest as it is highly decorated with stalactites, stalagmites, columns, soda straws, popcorn, corals, cave shields, and other interesting formations. This cave was gated within two weeks of its discovery in 2009, with the heavy gate being transported in by helicopter. Four times after that the cave was broken into, possibly because information about the cave leaked to the public following the closure effort. The Monument did not publicize the caves and resource managers preferred that the public stay out of them, but as of 2016 just two cave entrances had been gated to prevent public access.<sup>60</sup>

The main federal statute on cave management is the Federal Cave Protection Act of 1988. The law provides for inventory of caves on federal land and cooperation and exchange of information between governmental authorities and those who visit caves for scientific, educational, or recreational purposes. Under the law, the caves are on public land and open to recreational use unless managers have compelling public safety or science-related reasons to restrict public access. NPS policies provide for greater protection of cave resources than BLM policies do, but most of the caves in Grand Canyon-Parashant National Monument are on BLM lands. So, Monument managers considered the problem of how to mediate between recreational use of the caves and protection of objects of scientific and historical interest in the caves. Providing cave tours was not a practical option. Interpreting the caves and protecting the objects through public education was not a satisfactory approach either, since the main interest in the caves would be centered on looking for and examining those interesting objects. Providing for public access through a permit system seemed to be the best option, as it would tie in the law enforcement rangers. This management philosophy developed into the 2017 attempted Cave Management Plan Environmental Assessment, which was shelved in early 2018 due to concerns from the BLM Arizona state office regarding cave closures.<sup>61</sup>

Research on bats in Grand Canyon-Parashant National Monument started in 2007 when Jut Wynne, a doctoral student in biology at Northern Arizona University, discovered that there was considerable bat activity around the Monument's caves. Eighteen separate bat species have been identified in the Monument, and bats' use of the caves includes "bachelor's roosts" where male bats congregate to shelter and sleep, large "maternity roosts" where females and pups gather, and hibernacula where bats hibernate or find refuge from predators.<sup>62</sup>

More recently, Diana E. Northrup, a biologist at the University of New Mexico with a specialization in cave biology and geomicrobiology, started a multi-year

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<sup>59</sup> McIntyre interview.

<sup>60</sup> Ibid.

<sup>61</sup> Greta Hyland, "Cave and Karst Resource Management Plan, Grand Canyon-Parashant National Monument" (draft), July 2012, McIntyre files; McIntyre interview.

<sup>62</sup> McIntyre interview.

inventory of microbes found in the Monument's caves. Her research initially aimed at developing information on biodiversity, human impact, and climate change within the fragile and pristine cave environments. Ten caves were selected for the study to represent a sampling of wet caves, bat caves, and remote wilderness caves.<sup>63</sup>

A few years into the study, Northup made a potentially important discovery. She found that a fungus occurring in bat caves in the Monument is a close North American cousin of the fungus introduced from Europe that is responsible for white nose syndrome (WNS) in bat populations in eastern North America. Northup found that the bats in Grand Canyon-Parashant National Monument were naturally immune to the fungus thanks to an actinobacteria that the bats carried on their torsos and wing membranes. The discovery raised the possibility that bat populations that were suffering from white nose syndrome elsewhere in North America might be immunized by exposing them to the actinobacteria.<sup>64</sup>

WNS is an infectious disease that presents as a white fungus on the bat's nose and wings. The fungus infects the skin membrane, which causes irritation and interferes with the bat's ability to hibernate through winter. Aroused from its winter slumber, the bat burns off stored fat and starves to death. Populations infected with WNS can experience severe winter die-offs.<sup>65</sup> WNS was first detected in bats hibernating in a cave in New York State in January 2007. Surveys of several different cave populations in the following winter showed mortality rates as high as 75 percent. Biological monitoring by the NPS soon disclosed that WNS was present in Great Smoky Mountains National Park in 2009 and was spreading westward and southward across the United States. At the rate of spread, resource managers thought at one time that the disease would not reach Arizona until about 2023. But in the year 2015 the disease jumped from Oklahoma to Seattle, Washington, raising more questions about how it was spreading and when it might appear in the Southwest.<sup>66</sup>

With the assistance of a professional bat handler, Northup and McIntyre captured and swabbed bats, then they cultured the bacteria samples and sent them to a laboratory in Wisconsin to be matched up against the fungus that causes WNS. Much to their delight, the bacteria defeated the fungus. Now the hope was to convert the bacteria to a spore form that could be spread in caves to inoculate the caves against the deadly fungus. With an estimated seven million bats in the U.S. wiped out from WNS in less than a decade, further developments were eagerly awaited. As McIntyre said, "It's like Parashant has the magic pill and how do you bottle that?"<sup>67</sup>

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<sup>63</sup> "Grand Canyon-Parashant National Monument Manager's Annual Report FY 2013," Wimmer files.

<sup>64</sup> Julie Applegate, "Grand Canyon-Parashant bats, caves may offer next antibiotic, cure for bat scourge," *St. George News*, April 9, 2016; McIntyre interview.

<sup>65</sup> National Park Service, "Response to White-nose Syndrome Affecting Protected Bat Species," October 17, 2014, GRSM.

<sup>66</sup> National Park Service, "Response to White-nose Syndrome Affecting Protected Bat Species" (news release), October 17, 2014, and "Great Smoky Mountains Confirms White-Nose Syndrome" (news release), March 20, 2012, GRSM; McIntyre interview.

<sup>67</sup> McIntyre interview.

### *Acoustical Monitoring and Soundscapes*

Preserving natural quiet was part of the vision for Grand Canyon-Parashant National Monument, yet its remote wilderness areas were threatened by air traffic noise over the Grand Canyon. On the busiest days of the tourist season, the Grand Canyon could have more than one hundred helicopters swarming above it. The vertical walls in the canyon produced echoes so that the sound of a single aircraft could register like the sound of three or four. Acoustical monitoring showed that not a single location in Grand Canyon National Park was totally free of aircraft noise. The noise pollution from air tours spilled into Grand Canyon-Parashant National Monument west of Toroweap and in Whitmore Canyon, on the southward jutting peninsulas of the Shivwits Plateau, and sometimes around Tassi Ranch.<sup>68</sup>

In 2012, the NPS was preparing to release a report of findings and recommendations on managing air-traffic noise pollution after years of study and public debate. Shortly before its release, Senator John McCain put a rider on a transportation bill that effectively quashed the NPS report. The legislative maneuver prevented the NPS from putting new restrictions on numbers of aircraft and flight paths above the canyon and left the agency with its standing guidelines calling for half of Grand Canyon National Park to be free of noise for 75 percent of each day. After this setback, Lake Mead National Recreation Area put its own aircraft overflight plan on hold.<sup>69</sup>

A couple of years prior to this development, the NPS initiated an acoustical monitoring program for the Grand Canyon starting in Grand Canyon National Park and going all the way down the canyon to Lake Mead. As part of this project, Grand Canyon-Parashant National Monument acquired equipment for four soundscape stations in 2009. The four stations were finally set up on NPS lands in the Monument in 2011 and began collecting data on noise levels from air traffic. Similar monitoring in Grand Canyon National Park and Lake Mead National Recreation Area was discontinued in 2013, leaving the four stations in the Monument as the only ones remaining. They picked up the sound not only from air tours, but also from commercial jetliners making their final descent into Las Vegas. (They also recorded the sound from vehicles, OHVs, and dirt bikes, as well as the natural sounds of thunder, wind, birds, and frogs. In 2017 and 2018 the acoustical monitoring program was expanded to include three more sites for identifying bats from their nighttime ultrasonic vocalizations.) On the basis of the acoustical monitoring program, Monument managers learned that air traffic noise carried into wilderness areas – especially in proximity to the Bar 10 Ranch where small aircraft transported people to and from the river access point in Whitmore Canyon.<sup>70</sup>

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<sup>68</sup> Paul Bell, Britton L. Mace, and Jacob A. Benfield, “Aircraft Overflights at National Parks: Conflicts and Its Potential Resolution,” *Park Science* 26, no. 3 (2009): xxx ; Dickinson interview; McIntyre interview.

<sup>69</sup> Emily Guerin, “Congress thwarts Plan to curtail Grand Canyon Noise Pollution,” *High Country News*, July 23, 2012; Dickinson interview.

<sup>70</sup> McIntyre interview.

*Night Sky Initiative*

On August 25, 2011, NPS Director Jon Jarvis issued “A Call to Action,” a plan with a long list of initiatives aiming at the NPS centennial celebration five years hence and “preparing for a second century of stewardship and engagement.” Action 27 in the plan, called “Starry, Starry Night,” proposed that the NPS “lead the way in protecting natural darkness as a resource and create a model for dark sky protection by establishing America’s first Dark Sky Cooperative on the Colorado Plateau in collaboration with other federal agencies, partners, and local communities.”<sup>71</sup> This initiative appealed to Superintendent Pepito, who had already demonstrated her ability to bring together partners in her earlier work with the Southern Nevada Agency Partnership on behalf of cultural resources management, for which she received the Appleman-Judd-Lewis Award.<sup>72</sup> Pepito’s immediate supervisor, Superintendent Dickinson, was tasked with promoting the night sky initiative. Pepito told Dickinson that she wanted to pursue it.<sup>73</sup>

The Colorado Plateau was already recognized for its brilliant night sky owing to its combination of dry atmospheric conditions and remote places far from light pollution. Grand Canyon-Parashant National Monument was a natural fit for the night sky initiative because the Shivwits Plateau was almost devoid of lights and the mountains lying to its north and west shielded the area from the light domes over the cities of Las Vegas, Mesquite, and St. George. NPS managers in the Southwest had been thinking about the protection of night sky viewing since the 1990s, and a few units such as Chaco Culture National Historical Park had already taken active measures to curb light pollution in their area. An early milestone came with passage by the New Mexico state legislature of the New Mexico Night Sky Protection Act in 1999. The concept of treating the night sky as a cultural landscape was about to blossom across the region.<sup>74</sup>

The International Dark Sky Association (IDA) was incorporated in 1988 for the purpose of advancing the dark sky movement to reduce light pollution. Based in Tucson, the non-profit group had an international board of directors and ties to the worldwide community of astronomers. In 2001, the IDA initiated a program for evaluating and certifying “dark sky places.” Pepito recognized that this was the organization to partner with to direct the NPS effort along productive channels. McIntyre took up the task of preparing a nomination package to have Grand Canyon-Parashant National Monument designated as a night sky preserve. McIntyre recommended to Pepito that they should strive for a Gold Tier status under the Dark Sky Reserve designation because of the Monument’s size and remoteness, and he

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<sup>71</sup> National Park Service, “A Call to Action: Preparing for a Second Century of Stewardship and Engagement,” August 25, 2011, Pepito files.

<sup>72</sup> National Park Service, “National Park Service employees honored for cultural resources work” (news release), September 3, 2008, at <https://www.nps.gov/aboutus/news/release.htm?id=815> <March 21, 2018>.

<sup>73</sup> Rosie Pepito, interview by Theodore Catton and Diane L. Krahe, May 3, 2016.

<sup>74</sup> Joseph Flanagan, “The Night: Protecting a Cultural Touchstone,” *Common Ground* (Summer 2003): 19-20.

advised her that the nomination would take a lot of work but would likely bring success.<sup>75</sup>

The IDA had four types of designations: “dark sky communities,” “dark sky parks,” “dark sky reserves,” and “dark sky sanctuaries.” Only the middle two, parks and reserves, were applicable to Grand Canyon-Parashant National Monument. (The community designation was for a municipality or community that had ordinances aimed at restricting light pollution; the sanctuary designation was for sites with night sky observatories that were protected from light pollution by their extreme remoteness.) McIntyre and Pepito agreed that the “dark sky park” designation would not do in the case of Grand Canyon-Parashant National Monument for the plain reason that it would create confusion with the national park brand and do a disservice to the Monument’s unique identity as a joint BLM and NPS managed area. That left but one option: the “dark sky reserve” designation.<sup>76</sup>

After six months of effort on the nomination package by the Monument, the IDA board turned down the proposal. To the board’s way of thinking, an excellent case was presented for the “dark sky park” designation but the Monument did not fit the IDA’s model for a “dark sky reserve.” The latter was a core and periphery model in which the land manager of the core area communicated with communities on the periphery and obtained a level of commitment from those communities to limit their light pollution. Since the Monument had not communicated with, or won concessions from, the relatively nearby cities of Las Vegas, Mesquite, and St. George, the Monument did not fit their conceptual model for a “dark sky reserve.” It did not matter to the board that mountain ranges effectively screened those city lights; from the IDA’s point of view the Monument should be designated a “dark sky park.”<sup>77</sup>

Pepito insisted that the “park” designation was unacceptable. If the IDA did not relent, then there would be no night sky designation at all. The Monument staff was disheartened but supported Pepito in her firm stand. Here was a stark example of the special work ethic involved in running a co-managed area; all staff were urged to put the interests of the Monument first, the interests of the agency second. While other NPS units in the Southwest were actively working toward their own night sky designations, the BLM national monuments were not. Inevitably, many in the BLM would perceive a “dark sky park” designation for Grand Canyon-Parashant as tantamount to a land grab by the NPS. Pepito’s co-manager, Pamela McAlpin, agreed with Pepito’s reasoning and supported her.<sup>78</sup>

It fell to McIntyre to negotiate with the IDA over an alternative designation. At first the IDA proposed “dark sky place,” which utterly lacked distinction. “Dark sky preserve” was too close to “reserve” and furthermore the word “preserve” ran counter to the BLM concept of managing a working landscape without overregulating residents or visitors. Numerous other possibilities were considered and rejected. At the

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<sup>75</sup> Pepito interview.

<sup>76</sup> “International Dark Sky Places,” at [www.darksky.org/idsp/](http://www.darksky.org/idsp/) <March 21, 2018>; Rosalie M. Pepito to International Dark Sky Association Board (email), March 11, 2014, Pepito files; Pepito interview.

<sup>77</sup> Pepito interview.

<sup>78</sup> Ibid.

same time, the scientists on the IDA board were irritated to find there were mounting objections to “dark sky” as opposed to “night sky.” Critics posed that “dark sky” had racial overtones. Since the whole concept of night sky protection rested on appreciating the night sky as a cultural landscape, it seemed sensible to adopt a less racially charged term. Pepito raised the issue as did others. In the end, the IDA settled upon the designation of “night sky province” for Grand Canyon-Parashant National Monument, while maintaining the term “dark sky” in its existing nomenclature. The word “province” conveyed the sense of a large area without other connotations. The designation did carry the gold tier status as McIntyre had hoped it would.<sup>79</sup>

The designation was made in April 2014 – five months after the initial rejection and nearly a year after Monument staff started work on it. Grand Canyon-Parashant National Monument became the fifth unit so designated in the National Park System and the first such unit in the BLM’s National Conservation Landscape System. It was a big step forward in putting together a Colorado Plateau Dark Sky Cooperative as envisioned in the Call to Action plan. Natural Bridges National Monument was the first NPS unit with a night sky designation, established in 2007. Chaco Culture National Historical Park, Hovenweep National Monument, and Death Valley National Park all achieved the status one year ahead of Grand Canyon-Parashant. Several more soon followed, including Grand Canyon National Park, Great Basin National Park, and Capital Reef National Park. State parks, national forests, and smaller units in the National Park System got onboard as well. Flagstaff, Arizona became a “dark sky community.”<sup>80</sup>

Pepito took the idea to area tribes. After initial discussions, she brought a couple of tribal members to a night sky summit meeting in Flagstaff. Afterwards, Pepito assigned an intern, Maiya Osife, to liaison with the interested tribes and assist them and Monument staff in preparing nomination packages. In 2015, the Kaibab Band of Southern Paiute Indians became the first American Indian nation with a designated night sky. Listed under the IDA “community dark sky” designation, it was called Thunder Mountain Pootseev Night sky. The tribe and the NPS partnered in developing an interpretive program for both the Monument and the Indian reservation that captured a mix of astronomical and cultural facets of night sky appreciation.<sup>81</sup>

The Monument filed an annual report with the IDA that detailed its ongoing efforts toward night sky protection. In the year following the designation, the Heatons, owners of the Bar 10 Ranch installed light shielding apparatus on all of their outdoor lights. Similar improvements were made to the Grand Canyon National Park ranger station in Tuweep Valley located just outside the Monument. No fewer than sixteen interpretive events about the night sky were offered in the first eighteen months after

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<sup>79</sup> Pepito interview.

<sup>80</sup> See “International Dark Sky Places,” at [www.darksky.org/idsp/](http://www.darksky.org/idsp/) <March 21, 2018>.

<sup>81</sup> Pepito interview; Eathan McIntyre to Maiya Osife (email), May 13, 2014, Pepito files; Kaibab Band of Southern Paiute Indians, “Pootseev Night Sky Lessons” (annual report), 2016, at [www.darksky.org/wp-content/uploads/2015/04/KaibabPaiute\\_IDSC\\_2016\\_annual\\_report.pdf](http://www.darksky.org/wp-content/uploads/2015/04/KaibabPaiute_IDSC_2016_annual_report.pdf) <March 21, 2018>.

the designation. McIntyre and his intern deployed instruments for monitoring night sky quality and recording data at four remote backcountry stations in the Monument.<sup>82</sup>

### Cultural Resource Management

Cultural resource management in the Monument started out as an outgrowth of existing NPS and BLM programs at Lake Mead National Recreation Area and the Arizona Strip District, respectively, and was slower than other programs to conform to the co-management model. For the first half decade after the Monument was established, the NPS and BLM continued to run their archeology programs side by side, each one focused on its own lands in the Monument. In those years BLM archeologist John Herron was nominally the Monument archeologist, but he maintained his office in the Arizona Strip District Office and oversaw all three million acres of BLM lands in the Arizona Strip. At the end of 2006, David Van Alfen became the Monument's first archeologist dedicated to Monument resources. In 2010, one full-time and one seasonal archeological technician position were briefly added to the Monument staff organization on paper, but both positions were lost before Van Alfen was able to fill either one. The full-time position, which was NPS funded, came back after 2012 and was filled. Although Van Alfen's position was BLM-funded, he was directly supervised by the NPS superintendent and, in turn, was the immediate supervisor for the NPS archeological technician.<sup>83</sup>

Not everything in the cultural resource program was as easily integrated as the personnel, and there remained substantial problems in being able to integrate. Staff faced problems with integrating the different national-level tracking databases and reporting requirements. However, around 2015 Jennifer Fox developed a single combined-requirements research application program that covered all biological and some cultural research permit requests for the Monument. With that innovation all cultural resource management work was brought into a single NEPA and tribal consultation process that eliminated many inconsistencies between the two agencies.<sup>84</sup>

The Monument partnered with local Southern Paiute tribes on cultural resource management. A cornerstone of the close tribal partnership was the Yevingkarere Paiute Youth Camp for youth, which began in 2008. Funded with grant money through the NPS Youth Partnership Program and the BLM Take It Outside Initiative, it became an annual event. Usually held in the early fall, it was a three-day and two-night field camp for Southern Paiute youth. Tribal elders participated as cultural teachers, instructing the youth in their traditional practices and ancestral and cultural ties to the area. Monument staff participated by presenting information on a variety of resource management topics, and also covered most of the logistics and camp chores. Monument staff looked forward to this event even though they put in long days of work because the kids enjoyed it and obviously benefited from it. Southern Paiute

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<sup>82</sup> National Park Service, "Parashant International Night Sky Province 2015 Annual Report," at [www.darksky.org/wp-content/uploads/2015/04/Parashant\\_2015\\_Annual\\_Report.pdf](http://www.darksky.org/wp-content/uploads/2015/04/Parashant_2015_Annual_Report.pdf) <March 21, 2018>.

<sup>83</sup> Van Alfen interview.

<sup>84</sup> Van Alfen comments.

bands in Utah, Arizona, and Nevada took part. Usually it was held at Mount Trumbull but one year it was held in Zion National Park in early winter.<sup>85</sup>

In 2017, the Monument's chief of interpretation, Jeff Axel, nominated the program for the NPS "Achieving Relevance Award." It won both the regional and national award as the best example of a partnership-based education program in the National Park System that year.<sup>86</sup>

Van Alfen initiated a summer intern program in 2010 oriented to tribal youths and young adults, ages 15 to 25. The program was set up under a cooperative agreement with the Kaibab Band of Southern Paiute Indians. After problems with hiring the interns directly through NPS in 2010, a new direction was agreed upon with the tribe. The tribe did the hiring and took on all the human resource concerns, while the BLM and the NPS provided most of the money and the NPS administered the program. For the first three years, the program was funded with Youth Initiative money from both the BLM and the NPS; later it was sustained by BLM end-of-year moneys and NPS base funding. The number of interns fluctuated from four up to a dozen. While most of the youths came from Southern Paiute bands in the area, Navajo and Sioux youth participated as well. The summer intern program ran for ten weeks every summer, and initially focused exclusively on historic preservation. As more funding became available the program was expanded to include archeological inventory and site recording for those willing to participate, and Van Alfen personally supervised an intern in ceramic analysis. In the program's final two years, the field crew began a Monument-wide clay sampling project that included extensive laboratory analysis of the samples and the production of video on the entire process of making pottery from these local materials. The program ended in 2016 due to problems the previous year in the NPS massive restructuring of agreements that led to no one being hired in 2015. During the five-year program, two interns had worked their way up to running the field crews.<sup>87</sup>

Inventory of archeological resources was stepped up after the Monument became fully operational, primarily due to having a full-time person dedicated exclusively to the resource. The surveys were conducted by contractors and field schools as well as the Monument's summer crew of interns. Around 1,000 to 3,000 acres per year with anywhere from twenty to one hundred new sites being recorded each year. Around half the sites were found eligible for listing on the National Register of Historic Places. Added to what the NPS had already accomplished in the Shivwits area prior to the Monument's establishment, the cumulative results of inventory and assessment were given in 2014 as follows: out of 1,048,316 acres in the

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<sup>85</sup> "FY 2008 Annual Manager's Report Grand Canyon-Parashant National Monument," PARA general administrative files Jan. 2000 to 2010, PARA; "Grand Canyon-Parashant, A Service First National Monument, Fiscal Year 2011 Monument Managers Report," Wimmer files; Van Alfen interview; Amber Franklin, interview by Diane L. Krahe, April 25, 2016.

<sup>86</sup> Jeff Axel, comment on draft report, June 2018.

<sup>87</sup> Van Alfen interview.

Monument, 45,034 acres or nearly 5 percent of the area was surveyed and inventoried, and a total of 2,035 sites were recorded.<sup>88</sup>

Field schools played an important part in the Monument's archeological studies. From 2001 to 2007, Nevada State College ran a field school focused on inventory in the Mount Trumbull area. In 2006, the University of Nevada Las Vegas (UNLV) ran a six-week field school in the Monument. Rosie Pepito, then cultural resource manager at Lake Mead, together with Steve Daron, park archeologist at Lake Mead, worked with Dr. Karen Harry of UNLV and the Hopi Tribe on a research design. The Hopi Tribe provided valuable input, and a site visit by tribal elders was included in the project. The field crew consisted of two professors, two graduate students, and eight student volunteers. Two sites were investigated with test pits and approximately 600 artifacts were recovered at one site and more than 10,000 artifacts were recovered at the other. The first site was a two-room habitation known as Granary House; the second site was called Lava Ridge Ruin. Both were thought to date to the late Pueblo II period.<sup>89</sup>

Also in 2006, Brigham Young University held an inventory and testing field school in the Hidden Hills area of the Monument. Beginning in 2010, another field school, headed by Dr. Sachiko Sakai of California State University at Long Beach, began conducting research in the Mount Trumbull area and will begin the first excavations in the area in 2018.<sup>90</sup>

Preservation efforts around the several historic properties continued. Most work was performed by a historic preservation team from Lake Mead National Recreation Area. At the Tassi Ranch property, where buildings were made of cobble stones primarily, maintenance focused on repair of the mortar in the stonework and protecting the site from cattle and burros with fencing. At the Grand Gulch Mine site and the Waring Ranch site, buildings were reroofed. The Pine Ranch, Waring Ranch, Tassi Ranch, and Grand Gulch Mine sites were documented for the Historic American Landscapes Survey (HALS). In addition, a Historic American Engineering Record (HAER) report was completed for the Grand Gulch Mine site and cultural landscape inventories were prepared for all sites as well with cultural landscape reports to be forthcoming. Stabilization and restoration work was performed on the buildings at Pine Ranch. Several other historic sites were surveyed and inventoried where there was little remaining of the historic structures. These included sawmill sites, CCC spike camps, and the Temple Trail wagon road between Mount Trumbull and St. George.<sup>91</sup>

Grand Canyon-Parashant National Monument had no collections plan or policy guidance (such as a Scope of Collections statement) or physical space for

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<sup>88</sup> Yearly tallies are recorded in managers' annual reports for 2007-2011, and the cumulative results are given in "Grand Canyon-Parashant National Monument Annual Report FY 2014," Wimmer files.

<sup>89</sup> "Grand Canyon-Parashant National Monument 2006 Superintendent's Report," PARA general administrative files Jan. 2000 to 2010, PARA.

<sup>90</sup> "FY 2007 Manager's Update NLCS Accomplishment Report," November 5, 2007, PARA general administrative files Jan. 2000 to 2010, PARA; "Grand Canyon-Parashant National Monument Annual Report FY 2015," Wimmer files.

<sup>91</sup> "Grand Canyon-Parashant, A Service First National Monument Fiscal Year 2011 Monument Managers Report," Wimmer files; Van Alfen interview.

archeological collections. The BLM's Arizona Strip District had a long-standing curation agreement with the Southern Utah University Archaeological Repository, while Lake Mead National Recreation Area maintained a small internal curation facility. While the NPS had long developed an extensive museum collection program with national-level standards for cataloguing objects, the BLM, still not having an official policy on museum collections, relied exclusively on the individual cataloguing requirements of whatever federally-approved curation facility they were housed at. A number of objects of questionable provenience and a number of complete objects collected over the past twenty years by the BLM were removed from their temporary storage and placed on display at the Interagency Office in museum-quality cases constructed by the Native American Youth Internship project in 2013.<sup>92</sup>

The Monument funded an oral history project to collect interviews with old timers in the ranching business before many of them passed. Milt Hokanson was hired in a term position to run the project and conduct the interviews. Hokanson worked on the project intermittently from 2004 through 2007 and conducted about twenty interviews. The list of interviewees was developed with the help of other local historians. Hokanson prepared for the interviews by gathering and reviewing historical literature on the Arizona Strip and area ranching in particular. As many of the subjects lived in remote locations or were elderly and infirm, the logistics of making appointments and getting to the subjects' homes were in some cases challenging. All interviews were taped and transcribed, and the oral history collection was accessioned into the Val A. Browning Library at Dixie State University. After Hokanson's term appointment ended the program continued with interns and others conducting interviews.<sup>93</sup>

## Interpretation

It was envisioned that Grand Canyon-Parashant National Monument would stay remote and not be developed with a visitor center or campgrounds or other visitor facilities that were the usual focal points for an interpretive program. Given the area's remoteness, interpretation had to take somewhat of a non-traditional form as interpretive staff had fewer opportunities to provide ranger-led walks, campfire talks, and visitor center-based programming. The vision statement for the Monument said this:

A proactive information and education program will provide diverse audiences with information about the monument. Audiences will understand the purpose of the monument and the resources and receive the information they need to have a safe and enjoyable experience.<sup>94</sup>

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<sup>92</sup> Van Alfen interview.

<sup>93</sup> Milton Hokanson, "Grand Canyon Parashant National Monument Oral History Project Final Report," March 16, 2007, Grand Canyon-Parashant National Monument Oral History Collection, Dixie State University; Jennifer Fox, comments on draft report, June 2018.

<sup>94</sup> Sidles and Curtis, "Co-Managed Monuments: A Field Report on the First Years of Grand Canyon-Parashant National Monument," 242.

With that goal in view, interpretation would experiment with remote platforms for public engagement including an interactive virtual tour on the website and a mobile app for people driving the backroads. More traditional platforms such as ranger-led walks were deemed infeasible due to the dispersed visitation and long travel times to reach sites.<sup>95</sup> The Dixie Arizona Strip Interpretive Association led a few vehicle trips to sites in the monument such as the Grand Gulch Mine, Twin Point, and Mount Dellenbaugh, and the Monument also hosted a variety of youth camps and field schools. Information was mostly imparted to visitors by way of media: the website, the Monument brochure, and waysides.<sup>96</sup>

The NPS website for the Monument was quickly established using the standard template. Preliminary to designing the Monument brochure, staff identified interpretive themes for the Monument in a document that it called the comprehensive interpretive plan. This document was developed in cooperation with Lake Mead National Recreation Area, Grand Staircase Escalante National Monument, Vermilion Cliffs National Monument, Zion National Park, the Arizona Strip Field Office, the Grand Circle Field School, and private citizens.<sup>97</sup> The Monument brochure, known internally in the NPS as the Unigrad, featured a map of the Monument boundaries, roads, and principal features, together with text and images about the Monument's geology, natural history, and human history and basic information about safety. There was also a note beside the map on the NPS-BLM partnership. The map showed the line between NPS and BLM lands and distinguished NPS, BLM, and county road numbers by color, but the overall visual effect of the map conveyed "seamless management."<sup>98</sup>

The NPS's Harpers Ferry Center in West Virginia worked with Monument staff on signage and wayside exhibits for the Monument. The signage plan included coordination with BLM and NPS staff at Craters of the Moon National Monument to develop a logo specific to the jointly managed BLM-NPS national monuments. A total of nine wayside exhibits were installed in 2009.<sup>99</sup>

In 2010, the Harper's Ferry Center contracted with Faye Goolrick of Pond & Company to work with Monument staff in developing a long range interpretive plan.

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<sup>95</sup> Some attempts were made toward traditional visitor contact. Interpretive staff were posted within the Monument; however, so few visitors passed by or pulled off the road to talk the postings were found not to be worthwhile. One effort was made to bring a group of volunteers to Whitmore Canyon to clean up old ranching debris on Public Lands Day. Participation was low and fuel costs high.

<sup>96</sup> "Grand Canyon-Parashant National Monument 2005 Superintendent's Report," PARA general administrative files Jan. 2000 to 2010, PARA; "Grand Canyon-Parashant National Monument 2006 Superintendent's Report," PARA general administrative files Jan. 2000 to 2010, PARA.

<sup>97</sup> "FY 2008 Annual Manager's Report Grand Canyon-Parashant National Monument," PARA general administrative files Jan. 2000 to 2010, PARA; "National Landscape Conservation System FY 2009 Managers Annual Report," Wimmer files.

<sup>98</sup> "Grand Canyon-Parashant National Monument 2005 Superintendent's Report," PARA general administrative files Jan. 2000 to 2010, PARA; "Grand Canyon-Parashant National Monument 2006 Superintendent's Report," PARA general administrative files Jan. 2000 to 2010, PARA; "FY 2008 Annual Manager's Report Grand Canyon-Parashant National Monument," PARA general administrative files Jan. 2000 to 2010, PARA; "National Landscape Conservation System FY 2009 Managers Annual Report," Wimmer files.

<sup>99</sup> "National Landscape Conservation System FY 2009 Managers Annual Report," Wimmer files.

This document built on the comprehensive interpretive plan already completed and was intended to have a life span of five to ten years. It was completed in 2012.<sup>100</sup>

Interpretive staffing began with the appointment of an education/interpretive specialist, Paula Branstner to the Monument staff in 2001. Branstner was an NPS employee. Besides working for the Monument, she also served as a member of the Arizona Strip Interpretive Team along with representatives of the BLM and the Forest Service and other NPS staff, and she was liaison to the Arizona Strip Interpretive Association (now the Dixie/Arizona Strip Interpretive Association or DASIA), the Monument's cooperating association.<sup>101</sup> In 2010, the Monument staff was reorganized, and a greater emphasis was put on interpretation. Scott Sticha replaced Branstner as head of the program and oversaw the addition of new staff. Amber Franklin was hired in June 2010 through the Student Temporary Employment Program as a summer seasonal and was hired into a permanent position in the fall. After four years, Sticha retired and Jeff Axel was appointed chief of interpretation in his place. Three to four summer intern positions made up the rest of the interpretive program staffing.

### *Youth Camps*

The Monument became increasingly involved with youth camps and field schools, some of which were managed by the interpretive staff and others by cultural and natural resource staff. In 2008, the Monument hosted an experiential learning camp for a dozen honors students in collaboration with Southern Utah University. The camp consisted of a six-day trip into the area featuring talks on cultural and natural resources and field study of Nampawep petroglyphs. This camp has continued to the present day as "Partners in the Parks". Also, as noted above, the Monument initiated an annual youth camp at Mount Trumbull aimed at connecting Paiute Indian youth to their traditional homeland. In Fiscal Year 2008, the Monument hosted a Junior Ranger Ambassador who helped develop activities for a Junior Ranger booklet. The following year, the Monument received \$10,000 from the Junior Ranger program to finalize and print the booklet and purchase badges. Branstner contracted with an artist to illustrate and format the booklet. Because of the Monument's remoteness, activities were designed so that they could be completed in the Monument or at home.<sup>102</sup>

Starting in 2010, an annual Junior Ranger Evening was held at the Tonaquint Nature Center in St. George. The event drew around 200 youth (ages 5 to 14) and was aimed at helping families and youth gain a greater appreciation for public lands by

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<sup>100</sup> "Grand Canyon-Parashant, A Service First National Monument Fiscal Year 2011 Monument Managers Report," Wimmer files.

<sup>101</sup> Branstner's involvement with the cooperating association included participating in monthly board meetings, reviewing proposed new sales products and books to be sold at the visitor center, and assisting with the annual fundraising event, "Evening on the Arizona Strip." See "Grand Canyon-Parashant National Monument 2006 Superintendent's Report," PARA general administrative files Jan. 2000 to 2010, PARA; DASIA/Dixie-Arizona Strip Interpretive Assn," at <https://www.d-asia.org/about-us/> <March 26, 2018>.

<sup>102</sup> "FY 2008 Annual Manager's Report Grand Canyon-Parashant National Monument," PARA general administrative files Jan. 2000 to 2010, PARA; "National Landscape Conservation System FY 2009 Managers Annual Report," Wimmer files.

engaging them in educational activities. Monument staff together with representatives from half a dozen partner organizations provided interpretive talks and led activities such as a vegetation identification scavenger hunt, leaf rubbing, geology yoga, and a recycling game, among others.<sup>103</sup> Also commencing in 2010, Monument staff joined with representatives of other local land management agencies in partnering with Washington County School District on the Color Country Natural Resource Camp. This one-week camp was held in early June for high school students in grades 10 through 12 who were interested in careers in natural resource management.<sup>104</sup> In 2011, the Monument teamed with Nevada State College in putting on an in-service class for educators. Interpretive and resource management staff workshopped with educators on ways to teach about climate change.<sup>105</sup>

In 2011, the Monument began working with an organization in Los Angeles, Outward Bound Adventures (OBA). OBA was registered with the NPS as an official youth-serving organization with the primary purpose of providing opportunities for youth to experience public lands. Urban, economically disadvantaged youth from cities like Los Angeles were taken on weeklong camping trips in the Monument. Grand Canyon-Parashant National Monument entered into a cooperative agreement with OBA whereby the Monument used base funding to defray OBA's trip costs. This was a priority project of Superintendent Pepito as she sought to provide urban, economically-disadvantaged youth, most of whom had little or no exposure to outdoor recreation in national park or wilderness settings, with transformative experiences. This program met some of the aims in NPS Director Jon Jarvis's "A Call to Action."<sup>106</sup>

Building on that effort, in 2015 Jeff Axel and Lake Mead's chief of interpretation, Kevin Turner, joined a board of directors for a new organization in St. George by the name of the Outdoor Leadership Academy (OLA). Dr. Erin O'Brien and Dr. Kelly Bringhurst of Dixie State University were the principal organizers. Similar to OBA but with a focus on urban youth groups located nearer to Grand Canyon-Parashant National Monument and other nearby public lands, the OLA created opportunities for hundreds of youth in the region. Trips in 2016 and 2017 included three-day vegetation monitoring workshops in the Monument with a trained ecologist, visiting a variety of energy production sites on public lands in southwest Utah, and learning about how water gets from the Colorado Plateau down to St. George, Utah.<sup>107</sup>

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<sup>103</sup> Untitled, interpretation section for 2011 annual report, Franklin files.

<sup>104</sup> "Grand Canyon-Parashant National Monument FY 2010 Monument Managers Report," Wimmer files.

<sup>105</sup> "Grand Canyon-Parashant, A Service First National Monument Fiscal Year 2011 Monument Managers Report," Wimmer files.

<sup>106</sup> Jeff Axel, comments on draft report, June 2018. Note that Jeff Axel was relatively new to the staff when the authors performed research and interviews in the spring of 2016, so Axel was not interviewed. The following section is based primarily on information Axel provided to the authors to fill that gap.

<sup>107</sup> Axel comments.

*Digital Media*

The digital platform that saw the most use by Monument visitors was the NPS official website. Following a standardized NPS design, the NPS website for Grand Canyon-Parashant National Monument was set up with visitor-oriented tabs on “Plan your visit” and “Learn about the park.” The website also provided access to a park map, a weather forecast, and much more information helpful for planning a trip. The BLM established an official website for the Monument as well. The standardized BLM design was oriented to serve the public’s need for information about public lands resources, so it was not as helpful for trip planning. Not surprisingly, the NPS website saw far more use than the BLM website did.<sup>108</sup>

There was another basic difference between the NPS and BLM websites in who controls the webpages. The BLM restricted website editing to the state office level in the organization, so the process for adding content was cumbersome. The NPS gave local staffs editorial control of the Monument’s website and structured the website to encourage the addition of more content in layered webpages. In effect, any authorized staff member could log into the content management system and upload new material in a matter of minutes. The difference in workflow reflected the NPS’s emphasis on visitor services compared with the BLM’s emphasis on resource management and regulation. Grand Canyon-Parashant National Monument was virtually unique in having two government websites. The interpretive staff focused exclusively on developing the NPS website though staff members had to be mindful of the BLM website to ensure consistency between the two websites.<sup>109</sup>

While the website was still under development, the Monument’s interpretive staff started to develop a mobile app for visitors. As in many units of the National Park System, interpretive staff saw mobile apps as a suitable digital platform for interpretation. Visitors would load the app on their cell phone and access all kinds of interpretive information on their phone as they drove the Monument’s backroads. The mobile app concept followed in the vein of traditional interpretation in emphasizing on-site instruction. For example, when Mount Dellenbaugh came into view, the visitor could read or listen to information about Mount Dellenbaugh. The app would be loaded with content that would pop up in connection with a GPS reading of the cell phone’s location. The app would also deliver content on Monument objects that visitors might encounter almost at random within the area, such as coyotes or yucca plants. As mobile apps came into use around 2010 the NPS saw the utility of mobile apps for interpretation and the technology sparked interest service-wide. The technology seemed to offer an answer for Grand Canyon-Parashant National Monument’s challenge of contacting a widely dispersed visitor population. Working with two research associates and a computer programming specialist under a cooperative agreement, interpretive park ranger Franklin oversaw preparation of some eighty stories on geology, fauna and flora, and human history.<sup>110</sup>

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<sup>108</sup> Axel comments.

<sup>109</sup> Ibid.

<sup>110</sup> Franklin interview.

The Monument's mobile app was still in development when it suddenly had to be abandoned according to a directive from the Department of the Interior. Citing data security, the directive came in response to the discovery that third-party app vendors had embedded code to gather unauthorized personal information from users at other NPS sites. The directive barred all further work on the app and the NPS withdrew from the cooperative agreement.<sup>111</sup>

If data security had been the only issue, there might have been a strong impetus to revisit the suitability of mobile apps for park interpretation. However, the mobile app concept faced another problem as well. Cell phone memory capacity and cellular data service were both highly variable. After testing, it was determined that the app as designed would approach a gigabyte in size when completed and would take far too long to download over a cellular data connection. Users would have to download it at home. This presented an additional barrier in addition to available phone memory because the user would need to know in advance to take time to download it before they drove out to the Monument where there is no cell service. So, for the foreseeable future, the mobile app concept was set aside.<sup>112</sup>

Following the abandonment of the mobile app, the Monument staff decided on a major push to build out the various sections of the NPS website, with emphasis on its visitor orientation, roads, and resource information. Again, the Monument's uniqueness of having two government websites came to bear as BLM employees joined with NPS employees in making the NPS website maximally useful. For example, the BLM outdoor recreation planner used the NPS website to reach members of the public who were seeking to provide a commercial service in the Monument. These were primarily commercial UTV tours and hunting guides. On the BLM side they needed to obtain a Special Recreation Permit (SRP) and on the NPS side they needed a Commercial Use Authorization (CUA). Since the NPS website received far more use by the public than the BLM website, it was sensible to consolidate that information on the NPS website and funnel all of the management activity around that (responding to inquiries, reviewing permits, coordinating NEPA analysis) to the BLM outdoor recreation planner. Monument staff regarded its internal coordination over website development and permitting as an excellent example of "seamless management" as well as the principle in co-management of taking the best that each agency had to offer.<sup>113</sup>

For several years the Monument experimented with creating a presence on two other digital platforms, Facebook and Instagram. The Monument established a Facebook page sometime before 2014 and received a tiny dribble of interest. In 2014, the staff made a commitment to upload at least one post per week on the Monument's Facebook page to generate interest. There was an uptick in "Likes," but nowhere near the level of interest that the website received so the staff returned to one post per month to stay engaged with the Facebook population but focus digital efforts on the website. In 2016, the Monument had a similar trial run with Instagram. With

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<sup>111</sup> Axel comments.

<sup>112</sup> Ibid.

<sup>113</sup> Ibid.

assistance from Todd Miller of Great Basin Institute it launched an Instagram account and aimed to build interest in the Monument by posting the Monument staff's photography and encouraging the public to do the same. After a year of intense postings of some very fine photography the Instagram site obtained only a small following and had to be abandoned. The failed experiment with social media, along with the issues with the mobile app, drove the Monument staff to concentrate on the NPS website as its primary digital platform.<sup>114</sup>

### *Education Outreach*

For many years, K-12 and community education programming was sporadic. It was more reactive than proactive, with the Monument staff responding to requests by partner organizations rather than offering public programs according to a regular schedule or at the Monument's initiative. Many of those requests from outside seemed to treat staff members like docents for hire, asking them to give presentations on random natural history topics. Chief of interpretation Axel made the requirement that public programs should have a clear focus on identifying Grand Canyon-Parashant National Monument to the public and putting Monument resources and interpretive themes at the center of the program.<sup>115</sup>

After the Monument was designated a night sky province, the interpretive staff strove to integrate night sky interpretation into the program. It began by holding a celebration event on the Dixie State University campus. Notably, this event was held during the day. Holding an event at night on the Monument was going to be difficult considering the Monument's remoteness and the damage that hours of vibration in a truck on unpaved roads would do to the sensitive optics in a telescope. The Monument staff reached out to an astronomy group in St. George and conducted an astronomy workshop for its staff. The Monument acquired some telescopes and collaborated with the local astronomy group to co-host night sky parties at the Silver Reef Museum in Leeds, Utah (twenty miles northeast of the Monument office in St. George). These events drew some sixty or so people, who moved from telescope to telescope to view different objects in the night sky. Although the location lay well outside of the Monument and its excellent night sky conditions, it did serve to publicize the Monument.<sup>116</sup>

In 2016, the Monument kicked off an Artist-in-Residence program with three professors from Dixie State University – a painter, a sculptor, and a photographer – taking part. Rather than reside in the Monument, the artists remained in their residences in St. George and took field trips into the Monument to find sources of inspiration for their art, with one piece of art from each person displayed in St. George

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<sup>114</sup> Axel comments.

<sup>115</sup> Ibid.

<sup>116</sup> Franklin interview.

at the end of the year. The program evolved the next year to include a one-week residence at one of the administrative sites.<sup>117</sup>

In 2017, interpretive staff made significant new strides in developing a program of education outreach. Interpretive ranger Franklin, along with a Great Basin Institute contractor Julianne Renner, developed an augmented reality sand table in collaboration with area schools to teach about the water cycle and erosion on the Colorado Plateau. It was presented to fourth graders of Washington County, Utah, and it tied in with Utah curriculum standards. The program was popular, reaching almost 1,800 students, and it promised to become an annual educational program. Axel concluded that there was a hunger for more programming from the NPS in the greater St. George area and in other parks in the region.

In 2017, Axel saw that Zion National Park, Pipe Spring National Monument, and Cedar Breaks National Monument shared the same K-12 schools as Grand Canyon-Parashant, so he set up a working group of educators from these parks to explore whether a consolidated NPS front would be a better way to work with schools rather than having four disparate NPS units operating independently of each other. Collaboration would help ensure that parks did not duplicate effort or inadvertently compete in scheduling programs. This initiative led to some sharing of staff time as well as equipment. Zion National Park offered the use of its high tech digital-media studio so that the other parks could provide live high-resolution distance learning to schools.<sup>118</sup>

One key topic that came out of the multi-park education meetings was the need to work directly with the local school districts and hold a series of listening sessions with teachers and school administrators. The goal was to learn what teachers needed and how best to meet school and student needs through NPS programming. Teachers would work with NPS educators to identify topics and determine optimal times in the curriculum for rangers to come into classrooms. This new approach was a change from the older model of Parks-in-Classrooms where parks developed curriculum materials on their own and simply offered them for instructional use.<sup>119</sup>

### *Other Visitor Services*

With more emphasis put on the Monument's website, the staff redoubled its efforts to get road information out to the public in a timely manner. Most visitors were eager to have more road information. They needed information to determine what routes they would take, how fast or slow each route would likely be, whether their vehicle was adequate, what extra equipment they needed, and whether a given road was going to end in a livestock water trough or a spectacular viewpoint on the edge of the Grand Canyon.

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<sup>117</sup> Franklin interview; Grand Canyon-Parashant National Monument, "Artist-in-Residence Program," at <https://www.nps.gov/getinvolved/artist-in-residence.htm> <April 6, 2018>.

<sup>118</sup> Axel comments.

<sup>119</sup> Axel comments.

Even more important, the Monument staff wanted to impart information on current road conditions for visitor safety. Some visitors had to be informed or reminded that there were no services available in the Monument. Some had to be warned of inclement weather approaching or muddy conditions from the last bout of rain persisting. Even with more information posted on the website, however, people still sometimes got into trouble. In February 2016, an 87-year-old man got his sedan, a vehicle totally inappropriate for the road conditions, stuck in mud on a secondary road near Black Rock Mountain. He had not told anyone where he was going and so the search effort had to cover a vast area. He was not discovered until three days later when a low-flying aircraft spotted him lying under a juniper near his car. Although he was found alive and taken to a hospital in St. George, he did not survive the ordeal. There have been few other fatalities but many more close calls. In practically all such cases the party who got into trouble did not consult the Monument website or brochure or help desk at the visitor center before driving into the Monument. Often it was found that the party was misled by non-federal websites, other digital media or word of mouth into thinking they were heading toward Grand Canyon National Park's north rim village, which is about 100 miles away.<sup>120</sup>

### Recreation Management

The Monument staff included one BLM outdoor recreation planner whose job was to profile and monitor recreational use, enhance opportunities for recreational use through trail construction, and develop interpretation and education materials pursuant to recreational use. The law enforcement and interpretive staff also contributed to recreation management by helping visitors to be safe, informed, and respectful of Monument resources. To a lesser extent, all staff members contributed to those objectives.

Getting a profile of recreational use began with the public scoping performed by the planning team in the early 2000s. Planners were surprised to learn, for example, that more Nevadans recreated in the Monument than they had assumed would be the case. Monument managers and the planning team also drew upon visitor surveys to learn about the pattern of recreational use in the Monument. A visitor survey performed by academic researchers Pam Foti and Kerry Nodal provided valuable statistical information on recreational preferences. Still another tool was to get a count of visitors. In 2005, the outdoor recreation planner, Michelle Bailey, completed and implemented a visitor use reporting plan (VURP) for the Monument. The VURP included traffic counters placed at main entrance roads and visitor register boxes placed at key locations such as popular trailheads. Bailey periodically retrieved data from those sources. She actually observed and counted hunters from the air during the deer hunting season.<sup>121</sup>

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<sup>120</sup> Axel comments.

<sup>121</sup> U.S. Department of the Interior, Bureau of Land Management and National Park Service, *Grand Canyon-Parashant National Monument Records of Decision Approved Resource Management Plan*, 2-79; "Grand Canyon-Parashant National Monument 2005 Superintendent's Report," PARA general administrative files Jan. 2000 to 2010, PARA; Pam Foti and Kerry Nodal, "Grand Canyon-Parashant

With the aid of all these data sources, managers discerned that OHV users were numerically the dominant group among the Monument's recreational users. Managers found that significant numbers also explored the Monument by four-wheel-drive trucks and SUVs, by horseback, and on foot. Popular activities included driving to view scenery (in particular, to see the Grand Canyon from the canyon overlooks), camping, picnicking, hunting, hiking, and backpacking in the wilderness areas.<sup>122</sup>

Getting an accurate count of visitors was difficult since visitors entered and exited the Monument at multiple points and did not collect at any one point inside the Monument such as a visitor center. Traffic counters only counted vehicles, not people, so the tallies had to be increased by an estimated number of people per vehicle. Furthermore, non-visitor vehicles, such as ranchers' vehicles, were included in the tallies. Visitor registers were no better. Official estimates of visitor numbers presumably drawn from the VURP were reported in four manager's annual reports as follows: 44,820 visitors in 2007, 51,440 in 2009, 61,403 in 2010, and 72,655 in 2011.

Wayne Monger, who held the position of outdoor recreation planner from 2013 to 2015, looked at how visitor counts were made prior to his arrival and began questioning the methodology that suggested such a high visitation. Monger and McIntyre developed a new counting method with help from Jeremy Bradley, a BLM Fire employee on a work detail to the recreation program, in November 2015. The existing counting stations, some nine to eleven in number, were all retained. But a new algorithm was applied to the actual counts made. Monger's successor, Braden Yardley, who started in 2016, introduced some further refinements. Even after these efforts were complete, no one really knew how much visitation the Monument received. McIntyre stated that the number was around 12,000 annually, while Yardley placed it at between 20,000 and 40,000. Managers made an educated guess that about two-thirds of visitors were day-use visitors and one-third were overnight visitors.<sup>123</sup>

Monument staff noted a demographic shift in visitation commencing around 2010 or earlier. They began to see more senior citizens driving their 4x4 pickups, SUVs, and OHVs in the Monument. Anecdotal information pointed to this group being largely seasonal or permanent residents of Mesquite, Nevada and St. George, Utah. Following on from that trend, Monument staff have observed increasing numbers of caravans of senior citizens in brand new UTVs driving in remote sections of the Monument. The staff's perception was that this demographic group possessed considerable financial resources and was acquiring its own UTVs so that it could drive the backroads in relative comfort and style. Seniors by and large take an avid interest in learning about the geology, natural history, and human history of the places they

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National Monument Social Indicators Survey," June 2003, PARA general administrative files Jan. 2000 to 2010, PARA; Hawks interview.

<sup>122</sup> Bradybaugh interview; Curtis interview.

<sup>123</sup> McIntyre interview; Axel comments. Besides the annual reports for the years given, see visitor use estimates in the annual reports submitted to the IDA for 2015, 2016, and 2017 that are posted on the IDA website.

explore in their leisure time, so the demographic shift was of interest to the interpretive staff as well as the outdoor recreation planner.<sup>124</sup>

The outdoor recreation planner was responsible for recommending outdoor signage. Most signage was constructed during the Monument's first few years, but the activity was ongoing. Signage included information kiosks located at various portals to the Monument as well as major entrance signs made of rustic stone and wood, and smaller directional signs placed at numerous road junctions inside the Monument, and postings of regulations and safety information. Altogether the Monument had 187 signs according to an inventory made in 2009.<sup>125</sup>

Trail improvements and new trail construction were undertaken at two key locations: Mount Trumbull and Mount Dellenbaugh. The Mount Trumbull Summit Trail was reconstructed using a state grant from the Arizona Recreational Trails Program in 2006 and 2007. The Sawmill/Uinkaret Pueblo interpretive trail was constructed in the summer of 2008. Starting from the same Mount Trumbull trailhead parking area, the short interpretive trail looped around the adjoining historic and archeological sites and included interpretive trailside exhibits. Another interpretive trail was developed at the nearby Nampawep rock art site. Restoration of the trail to the summit of Mount Dellenbaugh was begun in the fall of 2006 by the Youth Conservation Corps and a crew leader detailed from Zion National Park. It was further improved in 2009 and 2010 using funds procured under the American Recovery and Reinvestment Act. Other improved trails included one along Grand Wash Cliffs, another to the top of Mount Logan, and another in the Southern Paiute Wilderness.<sup>126</sup>

The outdoor recreation planner took the lead in protecting wilderness from illegal motorized use. This task was approached in two ways, through public education and through the erection of physical barriers where OHV users crossed the wilderness boundary. Rangers assisted the outdoor recreation planner in placing obstructions on roads or obliterating sections of roads in order to protect wilderness boundaries. Of course, the prohibition of motorized vehicles in the wilderness areas was not new with the designation of the Monument, but violations probably increased with publicity of the Monument and greater use of the area, which increased the need for enforcement. The management plan for the Monument laid out a set of desired future conditions and management actions for wilderness management. The terms applied not just to the four congressionally designated wilderness areas within the Monument (all on BLM lands), but to the seven NPS proposed wilderness areas as well.<sup>127</sup>

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<sup>124</sup> Axel comments.

<sup>125</sup> "FY 2008 Annual Manager's Report Grand Canyon-Parashant National Monument," and "National Landscape Conservation System FY 2009 Managers Annual Report," PARA general administrative files Jan. 2000 to 2010, PARA.

<sup>126</sup> "Grand Canyon-Parashant National Monument 2006 Superintendent's Report," PARA general administrative files Jan. 2000 to 2010, PARA 1; "FY 2008 Annual Manager's Report, Grand Canyon-Parashant National Monument," and "National Landscape Conservation System FY 2009 Managers Annual Report," PARA general administrative files Jan. 2000 to 2010, PARA.

<sup>127</sup> "Grand Canyon-Parashant National Monument 2005 Superintendent's Report," PARA general administrative files Jan. 2000 to 2010, PARA; U.S. Department of the Interior, Bureau of Land

In 2016, Grand Canyon-Parashant National Monument hosted an NPS team who specialized in evaluating a park's public facilities from the standpoint of accessibility for people with disabilities. The evaluation came as part of a court-ordered system-wide effort, and it resulted in a document called a Self-Evaluation and Transition Plan (SETP) with a timeline for implementing the plan. Given that the evaluation was designed to apply to all units in the National Park System, the jointly managed BLM-NPS national monument presented a couple of unusual circumstances. First, there was no paved road in the entire area; all trailheads were associated with unpaved roads and parking areas. Second, the visitor center area was inside the leased multi-agency federal building. Accessibility requirements from the SETP were provided to interagency management to implement. Those unusual circumstances notwithstanding, the team made its report in 2017, its chief recommendations being to reconfigure trailheads to accommodate disabled parking and to develop both a digital and print version of a Monument accessibility guide so that people with disabilities could determine what activities they could pursue in the Monument. This was another example of cooperation where an NPS effort improved operations for multiple federal partners.<sup>128</sup>

### Facilities Management

Grand Canyon-Parashant National Monument was very lightly developed with administrative sites at the time of establishment. On the BLM lands, there were four administrative sites at Mount Trumbull, Pakoon Basin, Poverty Mountain, and Oak Grove. The Mount Trumbull and Pakoon Basin facilities were primarily used for fire camps. The Poverty Mountain and Oak Grove sites, each consisting of a single cabin, were primarily used by BLM range management specialists and state game wardens, though the cultural resource program made considerable use of, and improvements to, the Poverty Mountain facility over the years. The BLM also had a fire lookout at Black Rock and a former lookout above the Hungry Valley and Pakoon Basin areas. On the NPS lands, there was only one administrative site at the base of Mount Dellenbaugh, the former Shivwits Ranger Station and fire camp. Other infrastructure was essentially limited to primitive roads, trails, fences, and signage. Since the plan for the Monument was to preserve the area's remote and primitive character, there was no development of campgrounds or visitor centers or other public facilities.

With so few facilities in the Monument, the staff organization was set up without a maintenance and facilities management division as was typical of most large areas in the National Park System. The NPS relied on its park rangers to oversee facilities management on the NPS side, and the BLM accomplished its facilities maintenance work through the combined efforts of Monument staff and Arizona Strip Field Office staff.<sup>129</sup>

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Management and National Park Service, *Grand Canyon-Parashant National Monument Records of Decision Approved Resource Management Plan*, pp. 2-100 and 2-101.

<sup>128</sup> Axel comments.

<sup>129</sup> "Grand Canyon-Parashant National Monument 2006 Superintendent's Report," PARA general administrative files Jan. 2000 to 2010, PARA; Krumland interview.

The BLM had much more road maintenance than the NPS. When the Monument plan was fully implemented, the BLM was supposed to have 1,270 miles of roads open to all motorized use, 176 miles of roads open to administrative motorized use, and 28 miles of roads open to non-motorized uses only. The BLM performed some road maintenance with staff and relied extensively on cooperating agencies. For example, the BLM relied on Mohave County for road grading of major routes. Most roads in the Monument had low-level maintenance.

The NPS had far fewer road miles. After some adjustments to the road net under the Monument plan, the NPS had 140 miles of roads open to all motorized use, 8 miles of roads open to administrative motorized use, and 2 miles of roads open to non-motorized use only (or converted to trails). The Monument had a lot of road miles, but the work of maintaining them was minimal. It was mostly limited to emergency reconstruction or minor repair work where road use was causing damage to adjacent resources. Most road work by the park rangers consisted of putting up unobtrusive barriers, gates, and signs, and mulching roads that were permanently closed.<sup>130</sup>

Facilities management, despite being rather minimal, did present a challenge in the fact that the Monument's few administrative sites were all very remote. The Mount Dellenbaugh administrative site, for example, was ninety miles by unpaved road from the Monument office. All sites were closed up at the start of each winter and re-opened in the spring.<sup>131</sup>

The Mount Trumbull administrative site was burned down by arsonists on the night of July 31, 2000 and rebuilt soon thereafter. The rebuilt facility featured a very fine log building with a large meeting room, kitchen, and bathrooms on the main floor and dormitory on the second floor. In 2006, the site's thirty-year-old 4,500-gallon water tank was removed and replaced by two 20,000-gallon fiberglass storage tanks, along with associated water lines. The upgrade was necessary to supply the site's needs when water flow from the nearby Nixon Springs dropped off in the summer months. In 2007, the site's solar power utility system was upgraded with the addition of a charge controller, battery storage box with ventilation system, and inverter chip upgrade. These changes resulted in a doubling of storage capacity. Low-flow showerheads were also installed for water conservation.<sup>132</sup>

The Mount Dellenbaugh administrative site had a combination solar and propane gas energy source utility system. In 2005, the solar unit went through the same upgrades as were applied to the Mount Trumbull administrative site.<sup>133</sup>

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<sup>130</sup> U.S. Department of the Interior, Bureau of Land Management and National Park Service, *Grand Canyon-Parashant National Monument Records of Decision Approved Resource Management Plan*, pp. 2-94 and 2-95.

<sup>131</sup> McAlpin interview.

<sup>132</sup> Taylor interview; "FY 2007 Manager's Update NLCS Accomplishment Report," November 5, 2007, PARA general administrative files Jan. 2000 to 2010, PARA.

<sup>133</sup> "Grand Canyon-Parashant National Monument 2005 Superintendent's Report," PARA general administrative files Jan. 2000 to 2010, PARA.

For several years, an engineer and two maintenance workers with the Arizona Strip Field Office performed maintenance on BLM facilities in the Monument, while NPS rangers covered most maintenance needs on NPS lands. In August 2012, some adjustments were made. NPS ranger Paul Krumland was selected to fill the newly created facility manager position and Terry Shaver was appointed to a term position of maintenance worker. The two positions formed a new division within the staff organization. On the BLM side, the two maintenance men retired, and their positions were left vacant. Krumland proposed to bring BLM facility management under his purview. At the time, the BLM declined to pursue a jointly managed facility program. The BLM relied on Shaver to perform ad hoc maintenance needs, getting by under that arrangement until such time as the maintenance positions could be re-filled.<sup>134</sup>

### **The Dixie Arizona Strip Interpretive Association**

The Arizona Strip Interpretive Association was established in 1994 as a 501(c)(3) non-profit cooperating organization to partner specifically with the BLM. At the time, the NPS had a long history of setting up cooperating associations for individual national parks or groupings of National Park System units but few public lands areas outside of the National Park System had a cooperating association. Under the laws and regulations surrounding 501(c)(3) nonprofits, a cooperating association was to provide educational support for the public lands. Typically, that support role entailed publishing informational literature, doing public outreach, and operating a bookstore in a visitor center. The Arizona Strip Interpretive Association was one of the first cooperating associations formed at the initiative of the BLM, and it was brought into being before the visitor center in the federal building on Riverside Drive existed. The idea for it came from the Arizona Strip District's public affairs officer Bette Arial, who thought it could start out with a mission to collect oral histories of the ranching families on the Arizona Strip. Roger Taylor supported the initiative. Sometime after its founding, the name of the organization was changed to the Dixie Arizona Strip Interpretive Association (DASIA) as it came to serve the Dixie National Forest in southern Utah as well as the BLM Arizona Strip District.<sup>135</sup>

A year and a half after the cooperating association was formed, the federal building on Riverside Drive was completed. Part of the building design was to have a public space in the lobby for exhibits and an information desk where volunteers could interact with visitors. Before that, the Arizona Strip District BLM staff was housed in a building at an obscure location in St. George where there was no public space at all. Creating such a visitor reception area within the new BLM office building represented a departure from the BLM's minimalist approach to recreational use of public lands, and yet it was still a modest space compared with a typical visitor center in the National Park System.<sup>136</sup>

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<sup>134</sup> Krumland interview.

<sup>135</sup> Ken Sizemore and Milt Hokanson, interview by Diane Krahe, April 15, 2016.

<sup>136</sup> Sizemore and Hokanson interview.

When the numerous BLM national monuments came into being in 2000, the intent was to develop visitor centers in nearby communities rather than within the national monument boundaries. In the case of Grand Canyon-Parashant National Monument, there was local interest in developing a new visitor center in Fredonia but in the end federal officials determined that the public space in the federal building on Riverside Drive would suffice. The NPS identified the visitor center at Pipe Spring National Monument as a second location where the public could get orientation information about Grand Canyon-Parashant. The Monument staff would provide the Pipe Spring staff with trainings, orientation trips, and materials about Grand Canyon-Parashant so they were well versed in the resource as they lacked the proper vehicles to explore the rugged Arizona Strip on their own. These arrangements were consistent with Babbitt's vision for the measured way that the new national monuments would be developed. From the NPS standpoint the St. George visitor center space was decidedly modest, but the NPS was fully supportive of the concept of off-site visitor centers.<sup>137</sup>

DASIA turned out to be an awkward fit with the jointly managed BLM-NPS national monument. Co-management added a layer of complexity to the cooperating association's partnership with its host federal agencies. The fact was that DASIA already had a larger mission and six years of operation working closely with the BLM and the Forest Service on a breadth of public lands before the Monument was formed. NPS officials and interpretive staff were accustomed to calling the shots in this type of relationship, but in this case the cooperating association was less inclined or able to respond to NPS recommendations. The Monument staff was disadvantaged relative to the BLM Arizona Strip District and Dixie National Forest staffs by being in a separate building from the DASIA staff. Those problems between the Monument and DASIA were largely situational, but they continued to frame the relationship as other issues arose.<sup>138</sup>

DASIA produced print materials, CDs, and DVDs for the whole Arizona Strip, but not much that was specific to the Monument. The main item it produced specifically on the Monument was a documentary film on DVD called "High, Wild and Lonesome: Parashant National Monument," written and directed by Lyman Hafen. DASIA executive director Ken Sizemore stated that the association did not have the financial resources or the market demand to produce books or other print items about the Monument. "We aren't a marquee attraction with lots of visitors coming through," he said. That lack of commitment to publications frustrated Monument staff. Axel noted that the DVD, released in 2004, was not produced in high-definition format and quickly became outdated.<sup>139</sup>

DASIA staff worked with the Monument staff on the Night Sky designation. In the spring of 2014, DASIA coordinated an all-day event to mark the new designation, lining up speakers and producing posters. DASIA staff and partnering land management agencies teamed up to put on a local Get Outdoors Day event each June.

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<sup>137</sup> Sizemore and Hokanson interview; Sidles and Curtis, "Co-Managed Monuments: A Field Report on the First Years of Grand Canyon-Parashant National Monument," 242.o

<sup>138</sup> Sizemore and Hokanson interview.

<sup>139</sup> Sizemore and Hokanson interview; Axel comments.

The event was always held in the Tuacahn Center for the Arts, an outdoor amphitheater and charter school in St. George. Every winter, DASIA coordinated weekly “brown-bag” lunches that were held at the Riverside Drive location. The guest speaker series featured local people talking on topics pertinent to public lands recreation.<sup>140</sup>

At first, this area was called the Interagency Information Center. Later, the name changed to Public Lands Information Center (PLIC). Through a four-party interagency agreement between the NPS side of Grand Canyon-Parashant National Monument, the BLM Arizona Strip District Office, the BLM St. George Field Office, and the Dixie National Forest Pine Valley Ranger District, a visitor center supervisor position was established by the Forest Service to oversee the operation, including supervision of volunteer staff. The NPS saw opportunities to update the public space to a more modern look. One goal identified by the Monument was to improve exhibits in the space. Superintendent Pepito offered \$40,000 in NPS funds and help from the NPS Harpers Ferry Center for planning for the exhibit space. The interagency Arizona Strip Interpretive Team initially accepted the NPS lead on this development, but the interagency cooperation faltered when significant differences arose over exhibit content and emphasis. The two multiple-use agencies were more solicitous than the NPS was to the desire on the part of old ranching families to focus on ranching history and Mormon pioneer heritage at the expense of other stories, namely the indigenous peoples’ story. As a result, the plans for improving exhibits were waylaid and the NPS practically withdrew its support for the PLIC.<sup>141</sup>

In 2016, DASIA contributed funds for the fabrication of a large raised relief map to go in the PLIC. As the raised relief map on a table was a standard fixture in national park visitor centers, this was a most welcome addition. However, DASIA did not consult with Monument staff about the exhibit and as a result the finished product had some serious defects from the Monument staff’s point of view. It showed several roads in the Monument that were closed. Worse, perhaps, it showed the long road out to Kelly Point with the seeming implication that it was drivable for most members of the public when in fact it was an extremely rough road suitable only for jeeps and UTVs. Ironically, it did not show the popular road to Twin Point that was suitable for any 4x4 vehicle. The lack of outreach from DASIA to the NPS interpretive staff at the Monument came as a surprise and disappointment to the Monument staff and reflected the fact that the BLM did not require DASIA to consult its partner agencies.<sup>142</sup>

DASIA was not set up to be a fundraiser for the public lands agencies and it was reluctant to evolve in that direction. Many cooperating associations did raise significant revenue for their host partners, primarily through sales of books and merchandise in visitor center bookstores and gift shops. During the 1990s and early 2000s, national park cooperating associations moved much further into sales of T-shirts and other merchandise. In some of the bigger national parks, cooperating associations hired sales managers and appointed people to their boards with

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<sup>140</sup> Sizemore and Hokanson interview.

<sup>141</sup> Axel comments.

<sup>142</sup> Ibid

professional backgrounds in business, publishing, and accounting, transforming those organizations into aggressive money-making outfits that could help pay for projects in a time of federal government retrenchment. DASIA had a more conservative outlook in keeping with the BLM's relative inexperience with visitor center operations. It took ten years for DASIA to convince the BLM to give a sizeable amount of space in the PLIC to a gift shop. Whereas the NPS was impatient for DASIA to become self-supporting and a successful fundraiser so that it could donate funds for various projects, the BLM was content to subsidize DASIA's operations and keep them small.<sup>143</sup>

DASIA's revenue from sales of books and other gift shop items actually began to wane in the last decade as the store offerings were undercut by online shopping and digital media. Furthermore, visitor numbers remained relatively small. Whereas nearly a million people a year went through the Zion National Park visitor center bookstore, only a tiny fraction of that number browsed in the PLIC bookstore. Since DASIA was not self-supporting, the NPS never entered into a cooperating agreement with it. Although the NPS was a party to the interagency agreement that underpinned the PLIC, it was not formally linked to DASIA. NPS policy did not allow the Monument to enter a cooperative agreement with an organization that was not self-supporting. Furthermore, Superintendent Pepito did not approve of some of DASIA's methods of fundraising. In 2015, it attempted to auction an AR-15 rifle. On two occasions, DASIA accepted a donation from a local politician's campaign fund. Pepito and Axel consulted with an NPS ethics officer about those questionable practices and decided to withdraw from further participation in DASIA's annual fundraising event in St. George, Night on the Arizona Strip. The BLM, for its part, started to question whether it would continue to subsidize DASIA in the face of its own changing budget priorities.<sup>144</sup>

## Two Challenges from the Political Right

In the last two years of the Obama administration and the first year of the Trump administration Grand Canyon-Parashant National Monument faced two threats from the political right. The first came from rancher Cliven Bundy's standoff with the BLM over his refusal to pay grazing fees, which escalated into a national media spectacle and a *cause célèbre* for property rights extremists, antigovernment militia, and the sovereign citizen movement. The Bundy standoff might have played out as no more than a flair-up of the still smoldering Sagebrush Rebellion of the Reagan era had it not been followed two years later by the tumultuous presidential campaign of 2016 and upset victory of Republican candidate Donald Trump.

In April 2017, newly-inaugurated President Donald Trump issued an executive order calling for review of all national monuments of 100,000 acres or more established under the Antiquities Act since 1996. Included in the review was the million-plus-acre Grand Canyon-Parashant National Monument as well as the

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<sup>143</sup> Catton, *Mountains for the Masses*, 234; Axel comments.

<sup>144</sup> Axel comments.

300,000-acre Gold Butte National Monument proclaimed by President Obama on December 28, 2016, which borders Grand Canyon-Parashant along the Arizona-Nevada state line and encloses Cliven Bundy's retired grazing allotment. After the Trump administration disclosed its intention to lop nearly two million acres from Grand Staircase-Escalante and Bears Ears National Monuments and perhaps take lands out of Gold Butte National Monument as well, the two matters were joined.

### *The Bundy Spectacle*

The Bundy standoff with the federal government has been thoroughly covered in the media. The Southern Poverty Law Center website provides links to dozens of articles by reputable sources. Wikipedia has a lengthy entry with 190 footnotes. The discussion here will be confined to a brief narrative summary of the Bundy saga, followed by a look at how the standoff and its aftermath impinged on the Monument.

Cliven Bundy's issues with the BLM began in the early 1990s when he balked at new restrictions on grazing use to protect the desert tortoise. He ceased to cooperate with federal managers and stopped paying the annual fee for his grazing permit. The BLM canceled his five-year permit in 1994. Though the BLM kept the door open to Bundy to pay up and renew the permit, Bundy refused at that point to have any further dealings with the federal government, claiming that the public land belonged to Clark County, Nevada. The federal government sued Bundy for trespass and the U.S. district court ordered Bundy to remove his cattle, but Bundy would not comply with the order and he threatened both the NPS and the BLM with violence if they tried to round up his cattle. After nearly ten years of impasse, the BLM prepared to round up Bundy's cattle in 2012 but backed down. The federal government brought further court action against Bundy in 2013, which set the stage for the 2014 standoff.

The BLM moved against Bundy's illegal cattle operation in March and April 2014. The BLM commenced the operation by issuing notices to local and state officials. It summoned help from local law enforcement. It then proceeded to close 500,000 acres of public lands around the Bundy ranch and to round up the trespass cattle using helicopters and horses. In the midst of this process, Bundy issued a distress call to sympathizers. Numerous self-styled militia flocked to the Bundy ranch from all over the nation to confront the BLM. In early April, when the situation began to escalate, the local police pulled out and BLM law enforcement called upon the FBI for backup. One week later, the government backed off and suspended the cattle round up out of concern that people might get shot.<sup>145</sup>

With national news media covering the story, politicians expressed opinions about Cliven Bundy's standoff with the federal government from opposite poles of the political spectrum. Democratic Senator Harry Reid of Nevada said the supporters of

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<sup>145</sup> Ian Bartram, "Searching for Cliven Bundy: The Constitution and Public Lands," *Nevada Law Journal Forum* 2, issue 5 (January 2018), at <http://scholars.law.unlv.edu/nljforum/vol2/iss1/5> <April 9, 2018>; Maxine Bernstein, "BLM made serious mistake with show of force at Nevada standoff, retired agency officials say," *Oregonian/OregonLive*, January 14, 2018, at [www.oregonlive.com/oregonstandoff/2018/...blm\\_made\\_serious\\_mistakes\\_with.html](http://www.oregonlive.com/oregonstandoff/2018/...blm_made_serious_mistakes_with.html) <April 8, 2018>.

the Bundys were nothing but “domestic terrorists.” Republican Senator Dean Heller of Nevada initially called Cliven Bundy a “patriot,” but he later retracted his statement after Bundy made racist remarks to the media. Many other Republican politicians, including some who would later run for president, also expressed sympathy for Cliven Bundy. Meanwhile, Fox News had a field day with the Bundy story, employing the tagline “Big Government against the Rancher.” Conservative talk show host Sean Hannity interviewed Cliven Bundy on his program. Besides giving Bundy a national platform for his anti-government stand, Hannity made the trivializing remark over Bundy’s defiance of the law: “You’re using the public land.... I would think the government might be thankful because you’re cutting the lawn for free.” After the standoff Cliven Bundy got his cattle back and continued to trespass on the public land with them.<sup>146</sup>

Cliven’s grown sons Ammon and Ryan Bundy were emboldened by their apparent victory in what some called the “Battle of Bunkerville.” In the face of the government’s mounting legal case against the family, the brothers decided to go on the offensive in what was in their perception a political movement for the protection of the U.S. Constitution and citizen rights. On January 2, 2016, they led an armed occupation of Malheur National Wildlife Refuge headquarters in Burns, Oregon, to press their message about federal oppression of western ranchers. Once again, the Bundys were in the national spotlight as the siege went on for forty-one days.

Among the Bundys’ followers, there was LaVoy Finicum of Kanab, Utah, whose ranch on the Arizona Strip took in a grazing allotment on the east side of Grand Canyon-Parashant National Monument. Four weeks into the nearly six-week occupation, on January 26, Finicum was shot to death by FBI officers while resisting arrest following a high-speed chase. Finicum was armed and was thought to be reaching in his coat pocket for his gun when he was killed. Two weeks after the death of Finicum, Cliven Bundy flew to Oregon to join the occupation with the avowed desire to inspire further resistance. FBI agents arrested him at the Portland International Airport.<sup>147</sup>

The Bundys and their followers faced trials in both Oregon and Nevada. The cases drew more media attention and caused further polarization of public opinion. Most people assumed that the Bundys and their followers would eventually go to jail for their lawlessness, but instead they won acquittals, first by a jury in Portland, Oregon in October 2016 and then (in a case involving four followers) by a jury in Las Vegas in August 2017. Legal experts pointed out that these acquittals did not reflect sympathy for the Bundys and their followers so much as distrust of the federal prosecution, a reaction to perceived federal judicial overreach. A writer for *High Country News* stated that the Bundy trials “revealed the depths of Americans’ distrust

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<sup>146</sup> Manu Raju, “Heller: I never called Bundy ‘patriot,’” *Politico*, April 29, 2014, at <https://www.politico.com/story/2014/04/dean-heller-cliven-bundy-patriot-106167> <April 10, 2018>; Laura Myers, “Reid calls Bundy supporters ‘domestic terrorists,’” *Las Vegas Review-Journal*, April 17, 2014; Nash, *Grand Canyon for Sale*, 160.

<sup>147</sup> Les Zaitz, “LaVoy Finicum shot 3 times as he reached for gun, investigators say,” *Oregonian/Oregon Live*, March 8, 2016, at [www.oregonlive.com/oregon-standoff/2016/03/lavoy\\_finicum\\_shot\\_3\\_times\\_in.html](http://www.oregonlive.com/oregon-standoff/2016/03/lavoy_finicum_shot_3_times_in.html) <April 10, 2018>.

of federal authority.” Some analysts saw a connection between the acquittals and the antiestablishment theme of Trump’s campaign for president.<sup>148</sup>

The retrial of Cliven Bundy and his sons in Nevada late in 2017 turned out even worse for the federal government. In December, Judge Gloria M. Navarro declared a mistrial because the prosecution withheld evidence from the defense. Then, in January 2018, Judge Navarro ruled to dismiss the case with prejudice, making the chances for an appeal and retrial unlikely.<sup>149</sup>

After the judge dismissed the case, two retired senior officials in the BLM stepped forward to say the BLM had mishandled the operation against the Bundy ranch in the first place. (This criticism was leveled at BLM officials who were based in Nevada and Washington, D.C., not Arizona.) Rather than rely on its own law enforcement division to lead the effort, these two retired officials said, the BLM should have deferred to local law enforcement to lead the effort with BLM rangers serving as backup. The criticism of the agency followed another embarrassing story in December when a former BLM investigator leaked a document that purported to show the BLM’s legal team had acted unethically in the way it collected and handled evidence against the Bundys following the standoff. Unfortunately, these revelations tended to support the Bundys’ claim that the federal government had acted oppressively toward them even as legal scholars pointed out that the Bundys’ legal and constitutional arguments for running cattle on public land in defiance of the BLM had no merits whatsoever. In the end, the Bundys managed to foment antigovernment rage and secure their place as folk heroes in the minds of a sizable swath of the American people in spite of their twenty years of trespass and their gun-waving antics that a majority of Americans found simply outrageous and appalling.<sup>150</sup>

How did Cliven Bundy’s twenty years of cattle trespass and then the standoff at his ranch impinge on Grand Canyon-Parashant National Monument? Bundy’s Bunkerville Grazing Allotment lay entirely within Clark County, Nevada, but he allowed his cattle to stray into neighboring grazing allotments, including Mosby-Nay, Pakoon Springs, and Tassi, all within the Monument. In the mid to late 1990s, Lake Mead National Recreation Area Superintendent Alan O’Neill gave Bundy notice that park rangers would impound Bundy’s cattle that were found in trespass on NPS lands. When Bundy threatened violence, the NPS backed off. The NPS, like the BLM later,

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<sup>148</sup> Hal Bernton, “Jury acquits leaders of Malheur wildlife-refuge standoff,” *Seattle Times*, October 27, 2016; Tay Wiles, “Why the Bundy crew keeps winning in court,” *High Country News*, August 31, 2017, at <https://www.hcn.org/articles/cliven-bundy-why-the-bundy-crew-keeps-winning-in-court> <April 12, 2018>; Zöe Carpenter, “The Bundy Acquittal is Dangerous,” *The Nation*, November 1, 2016, at <https://www.thenation.com/article/the-bundy-acquittal-is-dangerous> <April 12, 2018>.

<sup>149</sup> Kirk Johnson, “Charges against Bundys in Ranch Standoff Case are Dismissed,” *New York Times*.

<sup>150</sup> Bernstein, “BLM made serious mistake with show of force at Nevada standoff, retired agency officials say,” *Oregonian/OregonLive*, January 14, 2018; Tay Wiles, “Former BLM investigator alleges misconduct in Bundy case,” *High Country News*, December 15, 2017, at <https://www.hcn.org/articles/cliven-bundy-leak-document-wooten-blm-interior-trial> <April 8, 2018>; Bartram, “Searching for Cliven Bundy,” 89-90; Aaron Weiss, “Law Professor debunks Utah’s (and Cliven Bundy’s) bizarre legal theories about public land,” *Westwise*, March 22, 2017, at <https://medium.com/westwise/law-professor-debunks-utahs-and-Cliven-Bundys-bizarre-legal-theories-about-public-land-514aa76753e1> <April 11, 2018>.

did not want to endanger lives. NPS rangers Klein and Krumland stuck with that cautious approach toward the Bundys after the Monument was established.<sup>151</sup> The Minutes of a BLM-NPS coordination meeting on January 23, 2001 record the rangers' comments as follows:

- Howard Whitmore, Marilyn Nay and Clivan [sic] Bundy in NV have resisted all BLM and Conservation group efforts to acquire [i.e. to buy out their grazing permit privileges].
- Not paying grazing fees and they continue to run cattle.
- Threats have been made against those who might remove cattle on Nay and Bundy allotments.
- There is concern of the potential for violence.<sup>152</sup>

As long as this illegal situation was allowed to persist, the trespass cattle roamed in areas that were designated as critical habitat for desert tortoise. This fact was repeatedly brought to the Monument managers' attention by the Center for Biological Diversity and other conservation groups.<sup>153</sup>

When the BLM finally moved against the illegal Bundy ranching operation in 2014, the effects on Monument management deepened. The threat of reprisal by antigovernment hooligans had to be taken seriously. People were seen waving their guns at federal employees as they passed them on the interstate and committing other such acts of intimidation. According to Public Employees for Environmental Responsibility, incidents of antigovernment threats and attacks against BLM employees jumped 87 percent around that time. The Arizona Strip District Office convened a few all-district-employee meetings to discuss safety measures. The federal building on Riverside Drive was hardened against armed intruders. All BLM and NPS employees were restricted from entering the area around Bunkerville. Route 113, which offered a time-saving back way into the Pakoon Basin area of the Monument by way of Mesquite and Gold Butte, was closed to unauthorized employee travel because it went right past the Bundy ranch. Under the BLM order, any employee who wanted to use that road had to clear it with law enforcement beforehand. Law enforcement then ran the request up to the district manager. Clearance normally took about two weeks, so it discouraged a lot of employee use of that road. Routine activities in that section of the Monument suffered accordingly. The travel restriction impacted the Pakoon rehabilitation project most heavily.<sup>154</sup>

The BLM put the employee travel restriction in effect in April 2014. The BLM considered lifting the order in April 2016. However, when antigovernment demonstrators gathered for Cliven Bundy's arraignment in Las Vegas later that month

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<sup>151</sup> Klein interview; Krumland interview.

<sup>152</sup> "Parashant National Monument Coordination Meeting," January 23, 2001, PARA general administrative files Jan. 2000 to 2010, PARA.

<sup>153</sup> Center for Biological Diversity, "A 24-Year History of Cliven Bundy's Illegal Grazing and Armed Conflict at Gold Butte Nevada Prepared by the Center for Biological Diversity," no date, at [https://www.biologicaldiversity.org/programs/public\\_lands/pdfs/GoldButteGrazingHistory.pdf](https://www.biologicaldiversity.org/programs/public_lands/pdfs/GoldButteGrazingHistory.pdf) <April 10, 2018>.

<sup>154</sup> Burke interview; Greg Woodall personal communication, April 19, 2016; David Van Alfen personal communication, April 9, 2018.

the BLM decided against it. By that time, no one seemed to be clear on where the order came from. District Manager Tim Burke thought it had originated in the District Office shortly before his arrival. Others thought it came from higher up in the agency. It was probably no accident that when this travel restriction remained in effect year after year and became irksome the source of the order got lost in a fog.<sup>155</sup>

After the shooting death of LaVoy Finicum, the BLM briefly instituted another employee travel restriction in the vicinity of the Finicum ranch on the Arizona Strip. The employee travel restriction further impinged on Monument managers' ability to get to places in the Monument and it created a feeling that the Monument was boxed in by adversaries, with the Bundys and their extremist followers to the west and Finicum's would-be avengers to the east. Fortunately, ranchers in the vicinity of Finicum's ranch were generally well-disposed toward the BLM and not attracted to the Bundys' cause. So, the employee travel restriction on that side of the Monument was short-lived.<sup>156</sup>

As for the area around Bundyville where many branches of the Bundy clan still held property, Arizona Strip District and Monument employees found that they had little to fear. To the rest of the Bundy clan, Cliven Bundy and his sons Ammon and Ryan were very nearly social pariahs. Though the Bundys were all deeply proud of their rugged individualism, most of them were non-violent, law-abiding people and as such they were unimpressed by the whole Bundy spectacle.<sup>157</sup>

### *The Antiquities Act Review*

President Obama ended his second term with the proclamation of numerous national monuments – more than any previous president. Among the late additions was Gold Butte National Monument in Nevada, proclaimed in December 2016. The 300,000-acre preserve adjoins Grand Canyon-Parashant National Monument and enhances protection of landscape viewsheds in the western portion of the Monument. The fact that Gold Butte took in some of the area contested by Cliven Bundy was not overlooked as many rural westerners heaped scorn on Obama's national monument proclamations and stoked expectations that president-elect Donald Trump would rescind them.

The political right was highly critical of the Antiquities Act well before the election of Donald Trump. As noted in Chapter Three, vice presidential candidate Dick Cheney said in 2000 that if Bush won the election then the Antiquities Act would be in for a reckoning. Secretary of the Interior Gale Norton in her Senate confirmation hearing was asked if she would seek repeal of the law. She answered that she would not, though she would support a change in how presidents invoked the law. Once in office, Norton unleashed a broadside attack on the Clinton monuments but then tempered the attack as polls showed there was broad public support for the protected areas. Sixteen years later history repeated itself. Obama, like Clinton before him,

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<sup>155</sup> Burke interview; author's notes from employee staff meeting, April 11, 2016.

<sup>156</sup> Burke interview.

<sup>157</sup> Woodall personal communication.

wielded the presidential authority in the Antiquities Act to proclaim a whole slew of national monuments before he left office; and then Trump, like Bush and Cheney before him, called for a review of his predecessor's use of the act (though for good measure Trump added some of the Clinton and George W. Bush proclamations to the review as well). And just as the public showed strong support for the Clinton monuments in 2001, so, too, did it show strong support for the Obama monuments in 2017. Some 2.8 million public comments flowed in to the secretary of the interior's office in response to Trump's announcement of the Antiquities Act Review, the vast majority of comments being on the side of protecting the environment.<sup>158</sup>

But the current attack on the Antiquities Act and the national monuments may play out differently from the earlier one. As the Antiquities Act Review now stands, Trump has signed two presidential orders with the promise, or threat, of more to come. The two orders modify his predecessors' proclamations of Grand Staircase-Escalante and Bears Ears National Monuments by eliminating nearly two million acres from those areas altogether. The eliminations will be challenged in court. If the eliminations stand, they will be the largest rollback of protected lands in the nation's history. If the court challenges succeed, it appears that the Trump administration and the Republican-controlled Congress will likely attempt to repeal or eviscerate the Antiquities Act by legislative action.<sup>159</sup>

In his first year and more as president, Trump has shown a tendency to govern from his political base on the right even when it puts him at odds with centrists and moderate conservatives in his own party. Moreover, he has repeatedly refused pressure to disown various elements on the extreme right. Supporters of the Bundys and their ilk believe they have this president's ear. As Patrick Donnelly of the Center for Biological Diversity wrote late last year concerning the Antiquities Act Review and Gold Butte National Monument,

There aren't known ties between the Trump administration and the Bundys, but the administration has done nothing to distance itself from Nevada's most notorious rancher. And indeed the administration appears to be operating from the same anti-conservation, anti-government playbook that has animated public lands policy in eastern Clark County for decades.<sup>160</sup>

The Trump administration's current actions to shrink Grand Staircase-Escalante and Bears Ears National Monuments, and perhaps others, will face a stiff challenge in the courts. Legal scholars are skeptical that a president has the authority to modify or revoke national monuments that were established by the president's predecessors in office. The Trump administration points out that other presidents have used the presidential authority in the Antiquities Act to modify a national monument's

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<sup>158</sup> Juliet Eilperin, "Zinke backs shrinking more monuments and shifting management of 10," *Washington Post*, December 5, 2017.

<sup>159</sup> Katy Steinmitz, "Donald Trump's Move to Shrink Two National Monuments Sets Stage for Battle Over 111-Year-Old Law," *Time*, December 5, 2017, at [time.com/5047904/bears-ears-grand-staircase-trump-shrinks/](https://time.com/5047904/bears-ears-grand-staircase-trump-shrinks/) <April 11, 2018>.

<sup>160</sup> Patrick Donnelly, "Echoes of Bundy in recommendation to cut Gold Butte Monument," *Nevada Independent*, December 13, 2017, at <https://thenevadaindependent.com/echoes-in-recommendation-to-cut-gold-butte-monument/> <April 11, 2018>.

boundaries and return protected lands to the public domain. Law professor Mark Squillace notes, however, that in nearly all past cases the boundary adjustments were minor, and moreover, they were never challenged in court. Crucially, Squillace points out that no national monument has been diminished by presidential order since Congress passed the Federal Land Policy and Management Act of 1975 (FLPMA). The legislative history of that act shows that it was Congress's intent that only Congress could abolish or diminish a national monument. Squillace foresees a "looming battle" over the presidential authority contained in the Antiquities Act.<sup>161</sup>

The Antiquities Act Review basically gave Grand Canyon-Parashant National Monument a pass – for now. Some Monument employees responded to a few very minor data calls put out by Zinke and his team, such as how many archeological sites were recorded in the five years preceding the Monument's establishment and how many in the five years following. The data calls did not appear to bear much relation to the question of whether to make boundary adjustments. Perhaps Secretary Zinke's review of Grand Canyon-Parashant was nothing but a show to justify decisions already made concerning other national monuments, namely Grand Staircase-Escalante and Bears Ears. It seemed clear to the administration's critics that the central aim of the Antiquities Act Review was to open lands to mining; those coveted lands were within Grand Staircase-Escalante and Bears Ears, not Grand Canyon-Parashant.

The Trump administration made little effort to produce a public record of what it actually did in the Antiquities Act Review. In the fall of 2017, the House Committee on Natural Resources requested the secretary of the interior to transmit documents pertaining to the Antiquities Act Review together with the executive order directing the review; however, Zinke did not comply with the request. The Trump administration's refusal to produce a public record for Congress was ironic considering that the political right had complained for years about the Clinton administration's and Obama administration's allegedly undemocratic process in setting up national monuments. Nevertheless, the Republican majority on the committee quashed an attempt by the Democratic minority to compel the administration to be forthcoming.<sup>162</sup>

In his final report to the president, Zinke stressed that many of the national monuments under review did not give due consideration to "traditional uses" (by which he referred to mining, timbering, and grazing). He believed that some national monuments had been established principally to eliminate those so-called traditional uses rather than to protect specific objects. While some national monuments specifically allowed for grazing use to continue, restrictions resulting from the

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<sup>161</sup> Squillace, "The Looming Battle over the Antiquities Act,"

<sup>162</sup> U.S. House, Committee on Natural Resources, *Resolution of Inquiry Requesting the President and Directing the Secretary of the Interior to transmit, respectively, certain documents and other information to the House of Representatives relating to the executive order on the review of designations under the Antiquities Act: adverse report together with dissenting views (to accompany H. Res. 555)*, 115<sup>th</sup> Cong., 1<sup>st</sup> sess. 2017; Aaron Weiss (podcast host and producer), "John Leshy on the Antiquities Act and the Trump Administration," *Center for Western Priorities*, November 9, 2017, at [westernpriorities.org/2017/11/09/law-professor-john-leshy-on-the-antiquities-act-and-the-trump-administration/](http://westernpriorities.org/2017/11/09/law-professor-john-leshy-on-the-antiquities-act-and-the-trump-administration/) <January 15, 2018>.

monument designations on activities such as vegetation management proved to be a hindrance to grazing use, Zinke wrote.<sup>163</sup>

Zinke apparently made no effort to understand what Bruce Babbitt had aimed to do with his new model of BLM national monuments. Zinke found Babbitt's concept of protecting landscape qualities such as remoteness and big, open-space vistas far too nebulous for him to appreciate. A vista could not possibly qualify as an object in Zinke's mind. "Throughout the review," Zinke wrote, "I have seen examples of objects not clearly defined in the proclamations. Examples of such objects are geographic areas including viewsheds and ecosystems." He advised Trump that each national monument proclamation should specifically identify historic landmarks, historic structures, and scientific objects, and stipulate to the minimum quantity of land required for the protection of each object.<sup>164</sup>

To shrink the landscape-oriented national monuments established by Clinton and Obama, Zinke recommended to Trump that the proclamation for each monument should be rewritten by the current president so as to focus more narrowly on the objects to be protected. That is, Zinke construed the presidential authority under the Antiquities Act as giving the Trump administration the prerogative to rewrite any or all of the past presidential proclamations under the Antiquities Act so as to be to the administration's liking. To help with the rewriting, Zinke promised Trump that he would provide specific recommendations for each proclamation. Those recommendations would come to the president under separate cover with the concurrence of the secretary of agriculture and the secretary of commerce.<sup>165</sup>

It is evident from Zinke's report that Grand Canyon-Parashant National Monument still stands in peril of being drastically shrunk by the Trump administration if the Trump administration has its way with the reduction of Grand Staircase-Escalante and Bears Ears national monuments. Perhaps no other national monument is so wedded to an expansive interpretation of the Antiquities Act in which ecosystems and landscapes are treated as scientific and historic objects within the act's purview as is Grand Canyon-Parashant National Monument. Perhaps no other national monument places so much stock in valuing viewsheds and ecosystems as objects worthy of preservation. That the Trump administration's Antiquities Act Review gave the area a pass – at least for now – suggests what a sham exercise the whole thing was. If the Monument's managers are to stay true to the vision of the proclamation of January 11, 2000, then they must hope that the rugged and remote Grand Canyon-Parashant will escape further scrutiny by the Trump administration. The Monument's future is tied to the fate of the Antiquities Act and whatever happens to the other national monuments.

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<sup>163</sup> Ryan K. Zinke, "Memorandum for the President," no date, pdf hotlink embedded in Juliet Eilperin, "Zinke backs shrinking more monuments and shifting management of 10," *Washington Post*, December 5, 2017. (Accessed online April 11, 2018.)

<sup>164</sup> Ibid.

<sup>165</sup> Ibid. The Antiquities Act Review included two national monuments in the Pacific Ocean that were proclaimed by President George W. Bush for the protection of coral reefs. One was subsequently enlarged by Obama. Zinke has recommended modifying those national monuments as well.

## Conclusion

Eighteen years after Grand Canyon-Parashant National Monument was proclaimed, what had it preserved? What forms of public enjoyment had it provided? Did the Monument take shape according to expectation? How had the experiment in co-management fared so far?

The proclamation lists so many different objects of scientific or historical interest that none by itself may be said to be the driver of the national monument designation other than, perhaps, the untrammelled quality of the landscape. The BLM and the NPS zeroed in on that feature of the proclamation with their commitment in their vision statement to manage Grand Canyon-Parashant National Monument as “the place where the West stays wild.” Preservation of the wild and desolate landscape was best measured by considering its opposite, the accretion of things that might plausibly have appeared on the land over the past eighteen years without the national monument designation. In all of Grand Canyon-Parashant National Monument’s large expanse there was no new footprint of mineral exploration, no powerline or pipeline corridor, no new wilderness lodge, no budding residential subdivision.

Grand Canyon-Parashant’s innumerable geological, biological, and historical objects remained intact over the course of its first eighteen years of existence. Arguably the Mojave Desert ecosystem was the Monument’s most vulnerable feature. Natural resource managers wondered how preservation of that precarious resource would go in coming years and decades as rising temperatures, drought, wildfire, and invasive species would likely add stressors to the ecosystem beyond the level of stress seen so far. Much depended on individual species’ ability to adapt to change. The Mojave Desert Inventory and Monitoring Network established vital signs monitoring in the Monument to keep a finger on the pulse of changes in the ecosystem. Without the Monument designation, those changes would likely go undetected until they became dire and dramatic. Insofar as the Monument designation was part of a broader strategy to improve conservation on all public lands and head off more “train wrecks” like the northern spotted owl crisis and the Everglades debacle of the 1990s, then the Monument’s preservation mandate was continuing to serve that aim.

It has long been the case that national monuments preserve many more natural and historic objects than are actually called out in the proclamation, some of which become precious over time. This is already the case with Grand Canyon-Parashant National Monument. Both the night sky and the quiet soundscape are highly valued now and were scarcely considered at the time of the proclamation. The area’s caves,

too, have proven to be more numerous and significant than was known at the time of the proclamation.

An exhaustive review of the area's network of primitive roads resulted in a plan for retaining most of the road mileage for public recreation. A fraction of the road network was obliterated, and another fraction was closed to recreation but retained for administrative and ranching use. As a result, the Monument presented a cornucopia of day trips and overnight trips for OHV users; there were even opportunities for riding and camping trips of several days and nights duration. The Monument's managers recognized recreational use of the area's primitive roads as being the Monument's most popular form of public enjoyment – for the present. Wilderness recreation appeared to stay at very low levels – again, for the present. Visitor survey data indicated that most people who visited the Monument were well satisfied that the Monument designation enhanced their recreational experience and opportunity. One significant change in public enjoyment of the Monument was a demographic shift toward more senior citizens riding in UHVs. The change presumably reflected a growth of population of relatively affluent retirees moving into the region as well as the general expansion of off-pavement recreation nationwide as more types of off-pavement vehicles came on the market.

The Monument took shape more or less according to expectation. The vision statement said that “the infrastructure footprint will be the minimum necessary to provide for public safety and enjoyment and to protect the values upon which the monument is based.” Consistent with that vision, no visitor center or campground or other major facility was built within the Monument and no roads were paved. The Monument boundaries remained unaltered. The hope that local tribes would partner with the BLM and the NPS on interpretation and cultural resource management was largely fulfilled. The planning process took longer than anyone had foreseen. Planning siphoned resources away from operations, yet in the end managers appeared to be satisfied that the attenuation of the planning effort was worthwhile because it put the Monument on a stronger footing. The staff organization was twice altered significantly. The first change in staff organization occurred with the realignment into a dual executive structure. A BLM monument manager and an NPS monument superintendent became co-equal heads of staff. The second change in staff organization occurred when the ratio of BLM to NPS positions was flipped. As the NPS covered about two-thirds of positions, interpretation acquired more emphasis.

Co-management was written into the Monument proclamation and it was further articulated in Secretary Babbitt's instructions to the BLM and the NPS accompanying the proclamation. Babbitt noted that the BLM-NPS jointly managed area was the first of its kind and that its co-management would be an experiment and a demonstration of government efficiency. The Monument's executive council took that charge seriously and wove it into the eight-year planning effort. Monument managers on the BLM side and the NPS side carried that mandate of co-management into day-to-day and year-to-year operations. Co-management was met with antipathy or apathy from some quarters in both agencies, but no effort was made to end the experiment by transferring lands from one agency to the other to make Grand Canyon-Parashant National Monument entirely BLM or entirely NPS.

A few things about co-management had to be learned or accepted by dint of experience. First, nearly everything involving administrative procedure took longer in the co-management setting. It was possible to innovate a single “Monument way” of doing things in a few minor areas of Monument administration, but generally speaking BLM employees had to do things according to the BLM way and NPS employees had to do things according to the NPS way. Payroll, travel expensing, project budget tracking, communication protocols – all such items had to be handled under two side-by-side systems. Whatever redundancies or conflicts ensued had to be borne with patience and fortitude.

Second, some individual employees could flourish in a co-management setting and others could not. Managers developed a sense for who could contribute positively to the co-management model, and they weighed that factor with other skills and qualifications as personnel turned over. Managers had a motto for what made an employee succeed in the co-management environment: it was necessary to think “Monument first, agency second.” By keeping the interests of the Monument foremost in mind, employees could take a larger view when agency standards or procedures appeared to be compromised.

Co-management was intended to draw out the strengths in each agency. NPS officials and staff looked to the BLM for guidance in managing an area where the dominant recreational use was OHV use, where grazing was permitted, and where grazing interests were strongly supported by the local communities and by local and state governments. BLM officials and staff looked to the NPS for guidance in providing interpretation of the area to the public and helping to ensure visitor safety. Managers believed the experiment in co-management was a success insofar as it brought out the best that each agency had to offer the other. One indication of that positive feeling was the effort that the Monument put into mentoring early-career staff and student interns. Internships at Grand Canyon-Parashant National Monument had the value-added feature of giving the intern an entrée into not one federal agency but two.

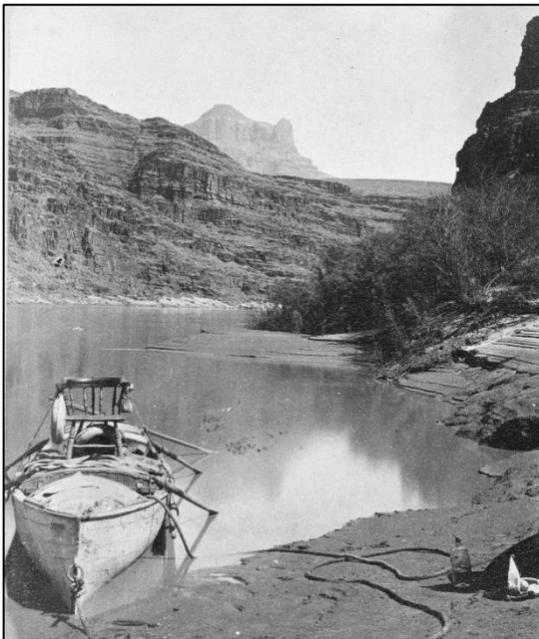
“Seamless management” was an oft-stated goal of co-management for Grand Canyon-Parashant. Even as the Monument stitched together BLM lands and NPS lands into one designated area, and even as two agencies shared responsibility for the area, the public perception would be that the Monument was a seamless whole. The BLM and the NPS would each make its presence known to the public, but the fact that the BLM and the NPS had different policies and regulations would not be the least bit burdensome to Monument visitors. Managers and rangers worked hard to attain the goal of seamless management. Visitors might get muddled over the different regulations that applied on BLM and NPS lands within the Monument, but they seldom complained about it. Visitors were more apt to get confused that the Monument was not the same thing as Grand Canyon National Park. Much of the Monument’s messaging was aimed at explaining that the roads were primitive, and the visitor needed to take the necessary precautions. It was a benefit of co-management that the Monument administration was equally well connected to the Arizona Strip District of the BLM and to Grand Canyon National Park.



## Photo Collection



*Figure 1. Paiutes near Cedar City, Utah. Irish immigrant and photographer Timothy O'Sullivan took this photo while accompanying the Wheeler survey in 1872. The Paiutes inhabited the Monument area until they were mostly driven out by ranchers and homesteaders in the late nineteenth century. National Archives and Records Administration.*



*Figure 2. Major John Wesley Powell's boat with chair mounted at stern, Colorado River expedition, 1871. German immigrant and expedition member John Karl Hillers took this photo. Library of Congress.*



Figure 3. Blake Mill , Mount Trumbull. Sawmills like this one supplied sawn lumber for the growing community of St. George in the 1890s and 1900s. Lumber had to be hauled north over ninety miles of rough road. *Grand Canyon Parashant National Monument.*

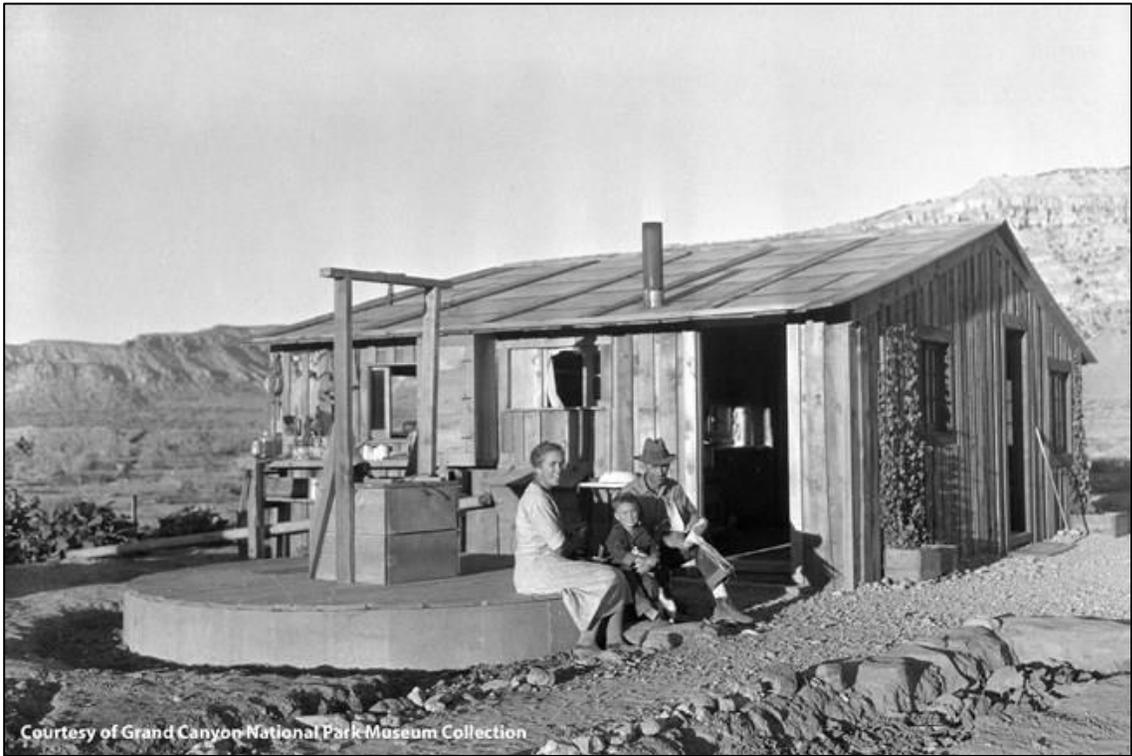


Figure 4. Walter and Mattie Kent and son Amos, Kent Ranch, Tuweep Valley, c. 1941. The Kents homesteaded here in 1927 and stayed for thirty years until their well ran dry. *Grand Canyon Parashant National Monument.*



Figure 5. Field trip, Mount Trumbull Ecosystem Restoration Project. Secretary of the Interior Bruce Babbitt is second from right. Roger Taylor is third from left. Denise Meredith, BLM Arizona State Director, is at center. Others unidentified. *Photo courtesy of Roger Taylor.*



Figure 6. Bruce Babbitt proposed making Grand Canyon-Parashant National Monument during his tour of the area with BLM and NPS staff in November 1998. Babbitt at center, sitting. Bill Dickinson, Roger Taylor, Alan O'Neill on right of photo. Jim Holland on extreme left. Others unidentified. *Photo courtesy of Roger Taylor.*



*Figure 7. President Bill Clinton signs the Monument proclamation, Tuweep Valley, January 11, 2000. Standing left to right: Congressman Ed Pastor of Arizona, Congressman Sam Farr of California, Alan O'Neill, Roger Taylor. (Bruce Babbitt behind Ed Pastor.) Photo courtesy of Roger Taylor.*



*Figure 8. Looking over Burnt Canyon from Twin Point. Grand Canyon Parashant National Monument.*



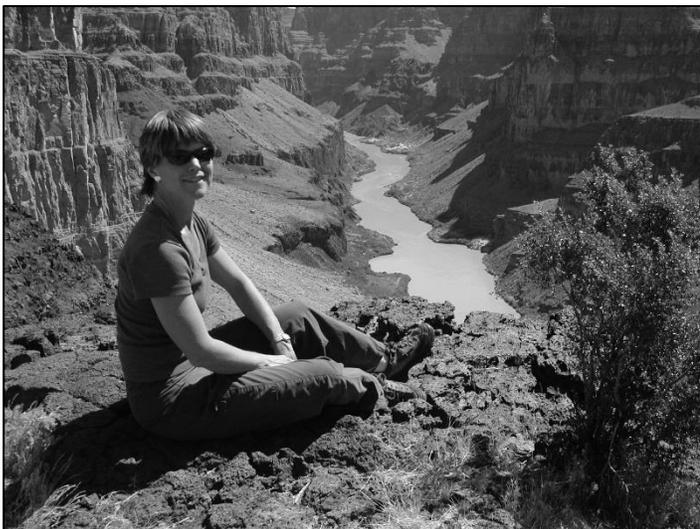
*Figure 9. Grand Wash Cliffs. Photo by M. Draper.*



*Figure 10. Alan O'Neill, superintendent of Lake Mead National Recreation Area; Roger Taylor, manager of Arizona Strip District Office; Rob Arnberger, superintendent of Grand Canyon National Park. Grand Canyon*



*Figure 11. Dennis Curtis, the first BLM monument manager of Grand Canyon Parashant National Monument. Grand Canyon Parashant National Monument.*



*Figure 12. Darla Sidles, the first NPS monument superintendent of Grand Canyon Parashant National Monument. Grand Canyon Parashant National Monument.*



Figure 13. Rosie Pepito, NPS superintendent since 2011. *Grand Canyon Parashant National Monument.*



Figure 14. David Van Alfen, monument archeologist. *Grand Canyon Parashant National Monument.*

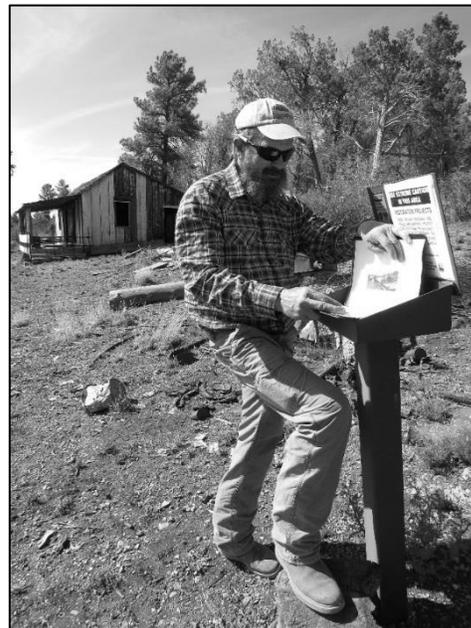


Figure 15. Greg Woodall, staff archeologist. *Grand Canyon-Parashant National Monument.*



Figure 16. Scott Sticha, chief of interpretation; Jennifer Fox, monument ecologist. *Grand Canyon Parashant National Monument.*



*Figure 17. Grand Gulch Mine ruin. Grand Canyon-Parashant National Monument.*



*Figure 18. Tassi Ranch. Grand Canyon-Parashant National Monument.*



*Figure 19. Mount Trumbull School. Photo by Ted Catton.*



*Figure 20. Mount Dellenbaugh administrative site. Photo by Ted Catton.*



*Figure 21. Mount Trumbull administrative site. Photo by Ted Catton.*



*Figure 22. Prescribed fire in the Monument. Public domain.*



*Figure 23. Night sky viewing. Grand Canyon-Parashant National Monument.*



*Figure 24. Yevingkarere Paiute Youth Camp at Zion National Park. Grand Canyon-Parashant National Monument.*



*Figure 25. Broad vistas of untrammeled landscapes are a hallmark of Grand Canyon-Parashant National Monument. Photo by Bob Wick, BLM.*

## Appendix 1

# Grand Canyon-Parashant National Monument Proclamation

Proclamation 7265

January 11, 2000

By the President of the United States of America  
A Proclamation

The Grand Canyon-Parashant National Monument is a vast, biologically diverse, impressive landscape encompassing an array of scientific and historic objects. This remote area of open, undeveloped spaces and engaging scenery is located on the edge of one of the most beautiful places on earth, the Grand Canyon. Despite the hardships created by rugged isolation and the lack of natural waters, the monument has a long and rich human history spanning more than 11,000 years, and an equally rich geologic history spanning almost 2 billion years. Full of natural splendor and a sense of solitude, this area remains remote and unspoiled, qualities that are essential to the protection of the scientific and historic resources it contains.

The monument is a geological treasure. Its Paleozoic and Mesozoic sedimentary rock layers are relatively undeformed and unobscured by vegetation, offering a clear view to understanding the geologic history of the Colorado Plateau. Deep canyons, mountains, and lonely buttes testify to the power of geological forces and provide colorful vistas. A variety of formations have been exposed by millennia of erosion by the Colorado River. The Cambrian, Devonian, and Mississippian formations (Muav Limestone, Temple Butte Formation, and the Redwall Limestone) are exposed at the southern end of the lower Grand Wash Cliffs. The Pennsylvanian and Permian formations (Calville Limestone, Esplanade Sandstone, Hermit Shale, Toroweap Formation, and the Kaibab Formation) are well exposed within the Parashant, Andrus, and Whitmore Canyons, and on the Grand Gulch Bench. The Triassic Chinle and Moenkopi Formations are exposed on the Shivwits Plateau, and the purple, pink, and white shale, mudstone, and sandstone of the Triassic Chinle Formation are exposed in Hells Hole.

The monument encompasses the lower portion of the Shivwits Plateau, which forms an important watershed for the Colorado River and the Grand Canyon. The Plateau is bounded on the west by the Grand Wash Cliffs and on the east by the Hurricane Cliffs. These cliffs, formed by large faults that sever the Colorado Plateau slicing north to south through the region, were and are major topographic barriers to travel across the

area. The Grand Wash Cliffs juxtapose the colorful, lava-capped Precambrian and Paleozoic strata of the Grand Canyon against the highly faulted terrain, recent lake beds, and desert volcanic peaks of the down-dropped Grand Wash trough. These cliffs, which consist of lower and upper cliffs separated by the Grand Gulch Bench, form a spectacular boundary between the basin and range and the Colorado Plateau geologic provinces. At the south end of the Shivwits Plateau are several important tributaries to the Colorado River, including the rugged and beautiful Parashant, Andrus, and Whitmore canyons. The Plateau here is capped by volcanic rocks with an array of cinder cones and basalt flows, ranging in age from 9 million to only about 1000 years old. Lava from the Whitmore and Toroweap areas flowed into the Grand Canyon and dammed the river many times over the past several million years. The monument is pocketed with sinkholes and breccia pipes, structures associated with volcanism and the collapse of underlying rock layers through ground water dissolution.

Fossils are abundant in the monument. Among these are large numbers of invertebrate fossils, including bryozoans and brachiopods located in the Calville limestone of the Grand Wash Cliffs, and brachiopods, pelecypods, fenestrate bryozoa, and crinoid ossicles in the Toroweap and Kaibab formations of Whitmore Canyon. There are also sponges in nodules and pectenoid pelecypods throughout the Kaibab formation of Parashant Canyon.

The Grand Canyon-Parashant National Monument contains portions of geologic faults, including the Dellenbaugh fault, which cuts basalt flows dated 6 to 7 million years old, the Toroweap fault, which has been active within the last 30,000 years, the Hurricane fault, which forms the hurricane Cliffs and extends over 150 miles across northern Arizona and into Utah, and the Grand Wash fault, which bounds the west side of the Shivwits Plateau and has approximately 15,000 feet of displacement across the monument.

Archaeological evidence shows much human use of the area over the past centuries. Because of their remoteness and the lack of easy road access, the sites in this area have experienced relatively little vandalism. Their good condition distinguishes them from many prehistoric resources in other areas. Prehistoric use is documented by irreplaceable rock art images, quarries, villages, watchtowers, agricultural features, burial sites, caves, rockshelters, trails, and camps. Current evidence indicates that the monument was utilized by small numbers of hunter-gatherers during the Archaic Period (7000 B.C. to 300 B.C.). Population and utilization of the monument increased during the Ancestral Puebloan Period from the Basketmaker II Phase through the Pueblo II Phase (300 B.C. to 1150 A.D.), as evidenced by the presence of pit houses, habitation rooms, agricultural features, and pueblo structures. Population size decreased during the Pueblo III Phase (1150 A.D. to 1225 A.D.). Southern Paiute groups replaced the Pueblo groups and were occupying the monument at the time of Euro-American contact. Archaeological sites in the monument include large concentrations of ancestral Puebloan (Anasazi or Hitesatsinom) villages, a large, intact Pueblo II village, numerous archaic period archeological sites, ancestral Puebloan sites, and Southern Paiute sites. The monument also contains areas of importance to existing Indian tribes.

In 1776, the Escalante-Dominguez expedition of Spanish explorers passed near Mount Trumbull. In the first half of the 19th century, Jedediah Smith, Antonio Armijo, and John C. Fremont explored portions of this remote area. Jacob Hamblin, a noted Mormon pioneer, explored portions of the Shivwits Plateau in 1858 and, with John Wesley Powell, in the 1870s. Clarence Dutton completed some of the first geological explorations of this area and provided some of the most stirring written descriptions. Having traversed this area by wagon at the request of the territorial legislature, Sharlot Hall recommended it for inclusion within the State of Arizona when it gained Statehood in 1912. Early historic sawmills provided timber that was hauled 70 miles along the Temple Trail wagon road from Mt. Trumbull down the Hurricane Cliffs to St. George, Utah. Ranch structures and corrals, fences, water tanks, and the ruins of sawmills are scattered across the monument and tell the stories of the remote family ranches and the lifestyles of early homesteaders. There are several old mining sites dating from the 1870s, showing the history of mining during the late 19th and early 20th centuries. The remote and undeveloped nature of the monument protects these historical sites in nearly their original context.

The monument also contains outstanding biological resources preserved by remoteness and limited travel corridors. The monument is the junction of two physiographic ecoregions: the Mojave Desert and the Colorado Plateau. Individually, these regions contain ecosystems extreme to each other, ranging from stark, arid desert to complex, dramatic higher elevation plateaus, tributaries, and rims of the Grand Canyon. The western margin of the Shivwits Plateau marks the boundary between the Sonoran/Mojave/Great Basin floristic provinces to the west and south, and the Colorado Plateau province to the northeast. This intersection of these biomes is a distinctive and remarkable feature. Riparian corridors link the plateau to the Colorado River corridor below, allowing wildlife movement and plant dispersal. The Shivwits Plateau is in an arid environment with between 14 to 18 inches of precipitation a year. Giant Mojave Yucca cacti proliferate in undisturbed conditions throughout the monument. Diverse wildlife inhabit the monument, including a trophy-quality mule deer herd, Kaibab squirrels, and wild turkey. There are numerous threatened or endangered species as well, including the Mexican spotted owl, the California condor, the desert tortoise, and the southwestern willow flycatcher. There are also candidate or sensitive species, including the spotted bat, the western mastiff bat, the Townsend's big eared bat, and the goshawk, as well as two federally recognized sensitive rare plant species: *Penstemon distans* and *Rosa stellata*. The ponderosa pine ecosystem in the Mt. Trumbull area is a biological resource of scientific interest, which has been studied to gain important insights regarding dendroclimatic reconstruction, fire history, forest structure change, and the long-term persistence and stability of presettlement pine groups.

Section 2 of the Act of June 8, 1906 (34 Stat. 225, 16 U.S.C. 431) authorizes the President, in his discretion, to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Government of the United States to be national monuments, and to reserve as a part thereof parcels of land, the

limits of which in all cases shall be confined to the smallest area compatible with the proper care and management of the objects to be protected.

Whereas it appears that it would be in the public interest to reserve such lands as a national monument to be known as the Grand Canyon-Parashant National Monument:

Now, Therefore, I, William J. Clinton, President of the United States of America, by the authority vested in me by section 2 of the Act of June 8, 1906 (34 Stat. 225, 16 U.S.C. 431), do proclaim that there are hereby set apart and reserved as the Grand Canyon-Parashant National Monument, for the purpose of protecting the objects identified above, all lands and interests in lands owned or controlled by the United States within the boundaries of the area described on the map entitled "Grand Canyon-Parashant National Monument" attached to and forming a part of this proclamation. The Federal land and interests in land reserved consist of approximately 1,014,000 acres, which is the smallest area compatible with the proper care and management of the objects to be protected.

For the purpose of protecting the objects identified above, all motorized and mechanized vehicle use off road will be prohibited, except for emergency or authorized administrative purposes.

Nothing in this proclamation shall be deemed to enlarge or diminish the jurisdiction of the State of Arizona with respect to fish and wildlife management.

The establishment of this monument is subject to valid existing rights.

All Federal lands and interests in lands within the boundaries of this monument are hereby appropriated and withdrawn from all forms of entry, location, selection, sale, or leasing or other disposition under the public land laws, including but not limited to withdrawal from location, entry, and patent under the mining laws, and from disposition under all laws relating to mineral and geothermal leasing other than by exchange that furthers the protective purposes of the monument. Sale of vegetative material is permitted only if part of an authorized science-based ecological restoration project. Lands and interests in lands within the proposed monument not owned by the United States shall be reserved as a part of the monument upon acquisition of title thereto by the United States.

This proclamation does not reserve water as a matter of Federal law nor relinquish any water rights held by the Federal Government existing on this date. The Federal land managing agencies shall work with appropriate State authorities to ensure that water resources needed for monument purposes are available.

The Secretary of the Interior shall manage the monument through the Bureau of Land Management and the National Park Service, pursuant to applicable legal authorities, to implement the purposes of this proclamation. The National Park Service and the Bureau of Land Management shall manage the monument cooperatively and shall prepare an agreement to share, consistent with applicable laws, whatever resources are necessary to properly manage the monument; however, the National Park Service shall continue to have primary management authority over the portion of the monument within the Lake Mead National Recreation Area, and the Bureau of Land Management

shall have primary management authority over the remaining portion of the monument.

The Bureau of Land Management shall continue to issue and administer grazing leases within the portion of the monument within the Lake Mead National Recreation Area, consistent with the Lake Mead National Recreation Area authorizing legislation. Laws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing leases on all lands under its jurisdiction shall continue to apply to the remaining portion of the monument.

Nothing in this proclamation shall be deemed to revoke any existing withdrawal, reservation, or appropriation; however, the national monument shall be the dominant reservation.

Warning is hereby given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of this monument and not to locate or settle upon any of the lands thereof.

In Witness Whereof, I have hereunto set my hand this eleventh day of January, in the year of our Lord two thousand, and of the Independence of the United States of America the two hundredth and twenty-fourth.

William J. Clinton

## Appendix 2

### Monument Managers

#### **BLM Monument Managers**

Dennis Curtis 2001 – 2008

Tom Edgerton May 2008 – November 2010

Pamela McAlpin March 2011 – December 2014

Mark Wimmer August 2015 –

#### **NPS Monument Superintendents**

Darla Sidles 2001 – 2005

Jeff Bradybaugh Acting in Spring 2005; January 2006 – October 2010

Rosie Pepito Acting in Fall 2009 and Fall 2010; February 2011 – 2017

Chad Corey Acting in 2017; February 2018 –

## Appendix 3

### Budgets

FY 2000 BLM funding for planning:	\$200,000
NPS funding for planning:	\$45,000
	Total: \$245,000
FY 2001 BLM funding for planning and operations:	\$1,300,000
NPS funding for planning and operations:	\$790,000
	Total: \$2,090,000
FY 2003 BLM funding for planning and operations:	\$1,012,681
NPS funding for planning and operations:	\$796,000
	Total: \$1,808,681
FY 2007 BLM base funding, labor and operations:	\$994,739
BLM one-year flexible funding:	\$2,111,993
NPS base funding, labor and operations:	\$834,000
NPS one-year flexible funding	\$143,600
	Total: \$4,084,332
FY 2009 BLM base funding, labor and operations	\$797,419
BLM one-year flexible funding:	\$100,000
NPS base funding, labor and operations	\$1,446,400
NPS one-year flexible funding:	\$198,062
	Total: \$2,541,881
FY 2013 BLM base funding, labor and operations:	\$1,029,901
BLM one-time funding:	\$340,454
NPS base funding, labor and operations:	\$1,528,800
NPS project funding:	307,553
	Total: \$3,206,708

FY 2014 BLM base funding:	\$790,664
BLM other:	\$409,753
NPS base funding:	\$1,610,200
NPS project funding:	\$142,991
	Total: \$2,953,608
 FY 2015 BLM base funding:	 \$746,422
BLM other:	\$347,484
NPS base funding	\$1,616,700
NPS project funding:	\$237,581
	Total: \$2,948,187

Sources: For FY 2000, Minutes of Parashant Coordinating Meeting, June 29, 2000; for FY 2001, Minutes of Parashant Coordinating Meeting, January 23, 2001; for FY 2003, Minutes of Interagency Coordinating Meeting, December 10, 2003 (BLM) and Grand Canyon-Parashant National Monument Superintendent's Report Fiscal Year 2003 (NPS); for FY 2007, FY 2009, and FY 2013-2015, Manager's Annual Reports.

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PARA General Administrative Files Jan. 2000 to 2010, Grand Canyon-Parashant National Monument (PARA gen. admin. files Jan. 2000 to 2010, PARA)

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#### **Comments on Draft Report**

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