

Final Wilderness Recommendation

2010 Update

Grand Canyon National Park Arizona

National Park Service
U.S. Department of the Interior

NOTE: This document is a draft update to the park's 1980 *Final Wilderness Recommendation* submitted to the Department of Interior in September 1980. The 1980 recommendation has never been forwarded to the president and Congress for legislative action. The 2010 draft update is to reconcile facts on the ground and incorporate modern mapping tools (Geographical Information Systems), but it does not alter the substance of the original recommendation. In 1993, the park also completed an update that served as a resource for the 2010 draft update. The official wilderness recommendation map remains the map #113-40, 047B, submitted to the Department of Interior in 1980.

FINAL WILDERNESS RECOMMENDATION

2010 Update

GRAND CANYON NATIONAL PARK

ARIZONA

THE NATIONAL PARK SERVICE RECOMMENDS THAT WILDERNESS OF 1,143,918 ACRES WITHIN GRAND CANYON NATIONAL PARK, ARIZONA, AS DESCRIBED IN THIS DOCUMENT, BE DESIGNATED BY AN ACT OF CONGRESS. OF THIS TOTAL, 1,117,457 ACRES ARE RECOMMENDED FOR IMMEDIATE DESIGNATION, AND 26,461 ACRES ARE RECOMMENDED FOR DESIGNATION AS POTENTIAL WILDERNESS PENDING RESOLUTION OF BOUNDARY AND MOTORIZED RIVER ISSUES.

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WILDERNESS RECOMMENDATION**I. Requirement for Study:**

The Grand Canyon National Park Enlargement Act of January 3, 1975, as amended by the Act of June 10, 1975, required the National Park Service to prepare a wilderness recommendation. By September, 1980, the National Park Service submitted a wilderness recommendation consisting of 980,088 acres recommended for immediate designation, and 131,814 recommended for potential wilderness designation. Subsequent acquisition of grazing, mineral and other leases and completion of land use studies necessitated a revision of the recommendation. A 1993 update of the 1980 recommendation was based upon changes in the land status of recommended potential wilderness, the 1969 Field Solicitor's opinion regarding the western boundary of the Navajo Reservation, and refinements in acreage determined by the Geographical Information System. This 2010 update (as directed by NPS Management Policies 2006) of the wilderness recommendation incorporates clarifications and corrections to the wilderness boundary descriptions outlined in the 1980 and 1993 GRCA wilderness documents. The proposed changes are intended to be consistent with previous updates and meet the intent of the GRCA wilderness recommendation submitted to the DOI (Assistant Secretary for Fish Wildlife and Parks) in 1980.

II. Wilderness Recommendation:

Four units totaling 1,143,918 acres^{endnote prel} are proposed for wilderness designation in Grand Canyon National Park. These units include about 94 percent of the park's total area. Of this total, 1,117,457 acres are recommended for immediate wilderness designation; and 26,461 are recommended for designation as potential wilderness, pending resolution of boundary and motorized riverboat issues. Represented within these units are examples of all the park's physiographic regions.

III. Wilderness Summary:

The Grand Canyon National Park proposed wilderness compliments other designated and proposed wilderness units in northern Arizona. There are 354,489 acres of designated wilderness on BLM and USFS lands in the Arizona strip north of Grand Canyon NP, of which 45 miles of designated wilderness boundary are shared with Grand Canyon NP. In addition, there are 190,480 acres of proposed wilderness north of Grand Canyon NP within the Grand Canyon-Parashant NM, of which 325 miles of proposed wilderness boundary are shared with Grand Canyon NP. The proposed wilderness designation will not close any visitor facilities or uses (such as campgrounds, traditionally used camp sites, trailheads or overlooks). Road closures are consistent with closures already in effect through the park's Compendium.

The Grand Canyon recommended wilderness (1,143,918 acres) consists of four units. The Grand Wash Cliffs unit on the western edge of the Park is divided from the rest of the Park by a non-wilderness section of the Colorado River. The non-wilderness developed area of the north rim village / cross canyon corridor / south rim village / Desert View divides the Park into the Western Park and Eastern Park wilderness units. And finally, the Navajo Nation unit

is east of the Colorado River and north of the Little Colorado River. The major portion of this unit is an inholding of the Navajo Nation.

SUMMARY
(Acres)

Unit	Wilderness	Potential Wilderness	Non-wilderness
1 Grand Wash Cliffs	22,767		
2 Western Park	863,310	6,204	15,982
3 Eastern Park	222,661	4,513	1,838
4 Navajo Nation	8,718	15,744	
Village corridor			55,856
Total	1,117,457	26,461	73,676

IV. Description of the Wilderness Units:

UNIT 1, Grand Wash Cliffs:¹

This area contains the Grand Wash Cliffs escarpment on the south side of the Colorado River. The cliffs are generally considered to be the western boundary of the Grand Canyon.

9,642 acres of this area were previously recommended as potential wilderness, pending acquisition of a small parcel of state land and the obliteration of primitive subdivision roadways. Title acquisition for these lands is complete.² The entire area is recommended for immediate designation.³

Gross Acreage:	22,767 acres
Wilderness Acreage	22,767 acres
Recommended Immediate Designation:	22,767 acres
Recommended Potential:	0 acres
Non-wilderness	0 acres

- Legal Description: The Grand Wash wilderness is located in the extreme western portion of the park. It is bounded on the north by the 1229-foot contour of Lake Mead reservoir,⁴ and on the west, south, and east by the Park boundary.

UNIT 2, Western Park:

Approximately 869,515 acres west of the North Rim and South Rim developed areas are included within this large region. Many of the natural and geographic wonders of the Grand Canyon, its associated side canyons, plateaus and mountain ranges are represented here.

Gross Acreage:	885,496 acres
Wilderness Acreage	863,514 acres
Recommended Immediate Designation:	863,310 acres
Recommended Potential Wilderness:	6,204 acres
- River (Mile 88.6-239.8):	6,142 acres
- Curtis-Lee Tracts:	62 acres
Non-wilderness:	15,982 acres
Unpaved 300-foot-wide Road Corridors:	2,774 acres

Developed areas:	8 acres
Pasture Wash island:	1,065 acres
Great Thumb:	7,358 acres
River below Separation Cyn (Mile 239.8-277.4):	4,777 acres

- **Legal Description** ^{endnote 4b}: The area is bounded on the north by the Park boundary, on the west by the Park boundary; on the south by the north bank of Lake Mead reservoir (1229-foot contour⁵) to Separation Canyon (approximate GCMRC mile 239.8 ^{endnote 5b})⁶; then cross the river in line with the base of Separation Canyon (bearing approximately 220°) to the park boundary⁷; then in an easterly direction along the park boundary^{endnote 7b} to Uquala Point on the rim of the Great Thumb; then along the rim of the Great Thumb in a northerly direction to Great Thumb Point; then along the rim in a southerly direction to the main drainage of Forster Canyon; then along said drainage in an easterly direction to the Park boundary; then along the Park boundary in an easterly direction to 150 foot north of the Pasture Wash road centerline (road W-9, continuation of FS328) (a distance of approximately 490 feet north of boundary monument 6238T, or approximately 0.65 miles southwest of BM 6297) paralleling the road at a distance of 150 feet west, until intersecting the boundary road (road W-1) 1,420 feet west by northwest of BM 6296, and then paralleling this road from that point 150 feet north of the road centerline to the 1/16 line in Section 32 approximately 0.8 mile east of BM 6456, then due north to the South Rim, then following the South Rim to Powell Point; on the east by the ridge extending from Powell Point to the inner canyon rim (inner canyon rim at this point as determined by the contour line 3600 feet), then following the inner canyon rim (e.g. contour 3600) ^{endnote 7b2} to BM 3702 and then due north to the historic high water line of the south bank of the Colorado; then east along the high water line to a point 0.1 mile west (approximate GCMRC river mile 88.6) of the Silver Bridge; then cross the river paralleling Silver Bridge (approximately north by northwest) and continue on the same bearing until 0.1 mile to the west side of Bright Angel Creek^{endnote 7c}, then northerly paralleling Bright Angel Creek at a distance of 0.1 mile to a ridge ascending to Bright Angel Point (this ridge beginning at the confluence of Transept Canyon and Bright Angel Canyon, continues to BM5921 and up to Bright Angel Point^{endnote 7c2}); then paralleling the paved trail that follows the ridgeline to the rim and then follows along the rim in a westerly direction at a distance of 30 feet to the southwest of the centerline (including the overlooks) until the overlook to the southwest of the lodge (to 30 feet to the west of this overlook trail meets the rim)^{endnote 7d}, then following the North Rim to a point 0.45 mile northeast⁸ of Bright Angel Spring^{endnote 8b}, then due northwest a distance of 1.3 miles to an unnamed drainage, then along same drainage to its intersection with W-1, a point immediately west of the landfill on W-1, then north along unnamed drainage to its junction with Hades Lake, then due east to a point 0.1 mile west of road W-1A, then northerly paralleling 0.1 mile west of W1A and Highway 67 to about 0.2 mile south of the Park boundary, then paralleling 0.1 mile west of the utility corridor to the park boundary.

Special consideration of each of the unit's geographic areas is necessary for clarity.

(a) Havasupai Traditional Use Lands: The 1975 Grand Canyon Enlargement Act dealt directly with the question of occupancy and use of the lands of Grand Canyon National Park. First, it declared a reservation of approximately 185,000 acres to be held in trust for the Havasupai Tribe, and specified conditions on the uses of those trust lands.⁹

The Act also provided for an additional 93,980 acres as "Havasupai Use Lands" within Grand Canyon National Park where the Secretary may allow tribal uses "subject to such reasonable regulations as he may prescribe to protect the scenic, natural, and wildlife values thereof."¹⁰ Congressional intent to include these lands within the wilderness recommendation was explicit.¹¹

The 1980 wilderness recommendation proposed the 93,980-acre Havasupai Use Lands as a potential wilderness addition, pending the outcome of a range capacity and terrestrial ecosystem study.¹² That study was completed in November of 1982 and described the grazing potential as "very low." The study concluded that grazing by domestic livestock would be uneconomical and damaging to the environment.¹³ It was further concluded as unlikely that any portion of the Havasupai Use Lands would economically support domestic grazing. Should the Havasupai Tribe desire to maintain "existing water catchments at springs and conduct minor improvements at others,"¹⁴ these actions alone would not disqualify the area as wilderness.¹⁵

Approximately 7,358 acres on the Great Thumb between the Park boundary and the rim are excluded from wilderness to provide the Havasupai people mechanized access to their reservation lands, and to allow continued mechanized access to the 140 Mile Canyon trailhead. The dramatic, precipitous rim provides a logical, identifiable wilderness boundary. In addition, implementing wilderness management objectives within the one-quarter mile strip between the Havasupai Reservation boundary and the rim would be difficult at best.

(b) Sanup Plateau: The broad expanse of this plateau is flanked on the north by the towering cliffs of the intruding Shivwits Plateau. The Sanup is contiguous or near to six BLM/NPS proposed wilderness units within Grand Canyon-Parashant National Monument (181,880 acres).¹⁶ From the south side, canyons probe the interior of the plateau. Included are the well-known Separation Canyon and nearby Surprise Canyon. The contrasting cliffs looming above, and the incised canyons providing views below, allow for an isolated viewing experience in an area that has always been wild.

Four road corridors in the Dry Canyon and Andrus Canyon vicinity were identified to remain open until grazing permits expired in 1985.¹⁷ The grazing permits have expired, these corridors are abandoned and recommended for immediate wilderness designation.

(c) Uinkaret Mountains: The southern extension of this range, sometimes referred to as the Pine Mountains, contains peaks in excess of 7,000 feet, offering a contrast to the Colorado River over a mile below. Pine forests grow on the north-facing slopes with an occasional patch of Douglas fir. The area is noted for its fine deer habitat. Panoramic views of the Grand Canyon region are available from the higher points along the range. Wilderness designation would complement contiguous designated wilderness areas within Grand Canyon-Parashant National Monument, such as the Mt. Logan Wilderness (14,600 acres), and the nearby Mt. Trumbull Wilderness (BLM, 7,900 acres) as well as the proposed contiguous wilderness unit Lava (11,650 acres). Natural restoration is occurring on approximately 6.5 miles of abandoned primitive roads within the Uinkaret Mountains.

A small area around the Mt. Emma radio repeater on the park boundary is excluded from wilderness. This extends in a circle 30 feet beyond the repeater ^{endnote 17b}.

(d) Toroweap Valley: This geographic area is bounded by the picturesque Uinkaret Mountains on the west and by the limestone Toroweap Cliffs on the east, rising 2,000 feet above the valley floor.

Ten miles of primitive roads in Toroweap Valley are closed now that lifetime grazing leases have expired.¹⁸ These primitive roads will be allowed to return to a natural state. A landfill along Cove Road has been closed and cleared out, and is being allowed to return to a natural condition.

The minor road corridor ^{endnote 18a} (300-foot wide) through Toroweap Valley, 6.8 miles in length; the Toroweap Campground (300-ft wide corridor on campground roads) and the area between the campground and the Toroweap Valley road, together with the corridor on the west side of Vulcan's Throne to, and including, the Lava Falls trailhead, 2.3 miles in length; and the Toroweap Ranger Station complex with a 100 foot non-wilderness buffer around it will be excluded from wilderness designation.

The Lee and Curtis Tracts (66.67 acres) comprise the plateau's potential wilderness additions. ^{endnote 17a}

(e) Kanab Plateau: This area is characterized by flat to gently rolling expanses of pinyon and juniper woodlands. These lands present a contrast to the Esplanade and inner canyon below. The extension of wilderness to these uplands provides an uninterrupted wilderness through an area preserved for its primitive natural character and geological significance.

- **Tuckup Point:** One ^{endnote 18b} minor road corridor (300 feet wide), about 8 miles in length, will be retained to the Tuckup Canyon trailhead. All other roads and man-made water catchments will be allowed to return to a natural condition. With the exception of the road corridor, the entire point is proposed as wilderness.

- **SB Point:** The old Jensen Tank grazing allotment permit has expired. A minor non-wilderness road corridor (300 feet wide) will provide mechanized access to SB Point Overlook and the 150-Mile Canyon--Tuckup trailhead. Car camping at the trailhead will be within the non-wilderness road corridor. All other roads and man-made water catchments will be allowed to return to a natural condition.

- **Kanab Point:** A primitive mechanized road corridor to the Kanab Point overlook and the road along the rim at Kanab Point to the camping areas on each end will be excluded from wilderness ^{endnote 18c}. The remaining primitive roads are closed and will be returned to a natural state.

(f) North Rim: The relatively cool and wet Kaibab Plateau offers a wilderness where the solitude of the forests can be enjoyed, complementing wilderness proposed in the desert areas surrounding the plateau. The North Rim of the Grand Canyon represents the last wilderness remnant (approximately 20%) of the original ponderosa-mixed conifer ecosystem found on the Kaibab Plateau.¹⁹

Fire management, including prescribed burning, continues to be applied in the North Rim's forested areas to reduce the buildup of fuels which have accumulated during 100 years of fire suppression. This change in management philosophy has allowed the Park to close approximately 72 miles of roads previously needed for fire control purposes ^{endnote 19b}. Access to the interior of the North Rim wilderness will be by foot, horseback, or by helicopter should

it be necessary to control fires that may endanger human life, property, sensitive resources, or adjacent lands.

The Sublime Point Road ^{endnote 19c} (15.5 miles) and a 300-foot-wide, non-wilderness corridor will be retained in a semi-primitive state to provide mechanized access. Sublime Point, as included in the road corridor, will be excluded from wilderness for the purpose of providing a semi-primitive overlook site.

The historic Kanabownits fire tower and cabin will be excluded from wilderness for administrative purposes.

Swamp Point road ^{endnote 20} (and the ¼ mile spur road to the north park boundary, FS268b; 7.9 miles), including a 300-foot-wide corridor, is not proposed for wilderness to allow for mechanized access to the Powell Plateau-North Bass trailhead.

Fire Point road within the park (0.95 miles in length) and a 300-foot-wide, non-wilderness corridor will be retained in a semi-primitive state to provide mechanical access to a popular viewpoint.

(g) Esplanade: The Esplanade is the broad plateau that extends from the base of the limestone cliffs to the rim of the red rock of the inner canyon. It is subdivided by numerous side canyons extending north from the main artery of the inner canyon.

(h) Tonto Platform: The flattest continuum on both sides of the inner gorge of the Colorado River in the central and eastern portions of the Park is the Tonto Platform. It is more than a mile in width in many places and is a major portion of the proposed wilderness in Unit 1. The Tonto Platform lies predominantly below 4,500 feet and is cut by numerous tributary canyons to the Colorado River.

(i) Inner Canyon: Within the near-vertical walls of the inner canyon flows the Colorado River, the lifeblood and creator of the Grand Canyon. Tributaries feed the mighty river as they have through eons of time, providing force to the cutting edges of soil suspended in the rushing water. Red rock walls of changing colors provide a curtain that encompasses the gorge to the rim of the Esplanade.

(j) South Rim (west of Hermits Rest): Excluded from wilderness are the Pasture Wash Ranger Station and a minor road corridor 6.5 miles in length (300-feet wide) to Bass Trailhead and to Havasupai Point^{20b}.

(k) Recommended Potential wilderness:

- **Colorado River:** consists of approximately 6,142 acres of the Colorado River Corridor (at an historic high-water flow of 97,000 cfs) from 0.1 mile below Silver Bridge (GCMRC mile 88.6) to Separation Canyon (GCMRC mile 239.8).

- **Curtis-Lee Tracts:** 66.67 acres of private land.

(l) Non-wilderness:

- **Great Thumb:** A quarter-mile wide corridor between the Park boundary and the rim will be excluded from wilderness to permit vehicular access to the 140-

Mile Canyon trailhead, and to permit the Havasupai people access to reservation lands on the Great Thumb.

- **North Rim Primitive Roads:** Point Sublime, Swamp Ridge, a spur road from Swamp Ridge to the north park boundary, and the road to Kanabownits station are primitive road corridors (300 foot-wide). There is also a USFS road (FS268) that crosses onto NPS lands near Swamp Ridge. A 300 foot-wide non-wilderness road corridor surrounds this road, as well as NPS land north of the road is also non-wilderness.

- **Kanab Plateau Primitive Roads:** Kanab Point, Tuckup Point--Tuckup Canyon Trailhead, and the SB Point--150 Mile Canyon Trailhead primitive roads (corridor 300 feet wide). Also, three BLM roads near Tuckup Canyon that cross the park boundary onto NPS lands.

- **South Rim Primitive Roads:** Pasture Wash, South Bass trailhead, Havasupai Point, Boundary road from junction with Pasture Wash road to south rim village will have road corridors 300 feet wide.

- **Pasture Wash:** The area of land bounded on the west by the road, on the south by the park boundary, and on the east and north by the boundary road is excluded from wilderness (approximately 1,000 acres).

- **Other:** Toroweap and Pasture Wash ranger stations, Toroweap campground, Signal Hill fire tower, Mt Emma radio repeater, and Kanabownits fire tower and Kanabownits cabin.

- **Colorado River:** The Colorado River from Separation Canyon (GCMRC mile 239.8) and downstream to the park boundary is excluded from wilderness. The wilderness boundary in this area is at the 1229 foot contour on the north bank.

UNIT 3, Eastern Park:

The main features of this unit are Marble Canyon, the North Rim area and associated viewing points east of Highway 67, and the inner canyon region with its numerous plateaus, shrines, thrones, temples, Colorado River, and other colorful features which add to the breathtaking beauty of the Grand Canyon. Marble Canyon includes the narrow northeasterly segment of the unit where the Colorado River is confined in comparison to the broad expanse of erosional remnants found beyond Nankoweap Rapid. Also included are the Palisades of the Desert and the adjacent rim lands. Wilderness designation would complement the contiguous USFS wilderness area, Saddle Mountain Wilderness (40,539 acres).

Gross Acreage:	229,012 acres
Wilderness Acreage	227,174 acres
Recommended for Immediate Designation:	222,661 acres
Recommended Potential Wilderness:	4,513 acres
- River (Mile 4.6 to 87.7):	4,187 acres
- Hearst Properties:	325.5 acres
Non-wilderness:	1,838 acres
Paved 600-foot-wide Road corridors:	1,610 acres
Above Navajo Bridge:	228 acres

- **Legal Description:** This wilderness area is bounded on the north by the Park boundary to a point on the boundary 1.0 mile east of BM 8801 then south 0.6

mile, then west approximately 0.57 mile to a line in a southeast-to-northwest orientation, 0.35 mile east of BM 8737 extending through a point 0.1 mile east of BM 8801 ^{endnote 21b}; on the west by the above described orientation about 4.8 miles south intersecting a point 300 feet north of the centerline of Highway 67 and paralleling the highway south to a point 300 feet due east of the intersection of Highway 67 with the Cape Royal--Point Imperial Road; then 0.6 mile along a line in a southeast-to-northwest orientation [extending from said intersection to a point on the Ken Patrick Trail 0.1 mile (or 300 feet?) east of the mule barns] ^{endnote 21c}; then 0.2 miles along a line to Roaring Springs Canyon [extending from the last point to the middle spring of Roaring Springs], then continuing on the same bearing to a line 0.1 mile east of and paralleling the easterly edge of an intermittent stream flowing through the base of Roaring Springs Canyon until intersecting the base of the Redwall Limestone, then along the lowest edge of the Redwall on the east side of Roaring Springs Canyon leaving the Redwall north of Roaring Springs (on the ridgeline coming up from the confluence of Bright Angel Creek and the intermittent stream at the base of Roaring Springs Canyon), and then southeasterly intersecting a point on Bright Angel Creek approximately 0.1 mile northeast of the confluence of the intermittent stream in Roaring Springs Canyon and Bright Angel Creek,²² then 0.1 mile southeasterly at a perpendicular to the creek, then paralleling Bright Angel Creek a distance of approximately 0.1 mile east to a point approximately 0.1 mile north of the confluence of Bright Angel Creek with the Colorado River, then along a line approximately 0.1 mile north of the historic high-water line on the north shore of the Colorado River, then due south through a point 0.5 miles northeast of the mouth of Bright Angel Creek on the high-water line of the north bank of the Colorado River (GCMRC mile 87.73); then directly south across the river and up the unnamed ridge in a southerly direction to the Tonto Rim;²³ then westerly following the Tonto Rim to a point along the Tonto Rim 0.1 mile from the Kaibab Trail; then paralleling the Kaibab Trail a distance of approximately 0.1 mile east to the South Rim at Yaki Point; then in an easterly direction along the south rim to a drainage approximately 1.0 mile southeast of Desert View Watchtower²⁴ [0.15 mile west of ridge 7047]; then in a southeasterly direction .05 mile to a jeep road (road E-14); then in a northeasterly direction along said jeep road for approximately 1.5 miles to the junction of a road converted to trail, then northerly to south fork of Straight Canyon and BM 6446; then in an easterly direction along the base of Straight Canyon to the park boundary; then in a northerly direction along the park boundary to the north bank of the Little Colorado River, then along the north bank of the Little Colorado river to the historic high-water line of the east bank of the Colorado River, then along the east bank of the Colorado River a point 0.1 mile south of Navajo Bridge (the newer, automobile Navajo bridge, downstream of the old Navajo bridge) (GCMRC mile 4.6);²⁵ then directly across the river to the park boundary, and then in a southerly and westerly direction along the park boundary to a point on the boundary 1.0 mile east of BM 8801.

The 13.6-mile road corridor to Cape Solitude is closed to mechanized access and is currently used as a trail.²¹ The roads to Cape Final and the Saddle Mountain trailhead have been closed and converted to trails, and the remaining unpaved roads are closed.

(a) Potential Wilderness:

- **Private Lands:** Potential wilderness additions consist of the 326-acre Hearst properties on Tonto Plateau above Sockdologer Rapid.

- **Colorado River:** Consists of approximately 4,177 acres at a high water flow level of 97,000 cfs from 0.1 mile below Navajo Bridge to 0.5 mile upstream of the confluence with Bright Angel Creek (83.1 miles; GCMRC mile 4.6 to mile 87.7).²⁶

(b) Non-wilderness: North Rim Paved Roads: Excluded from wilderness will be major road corridors (600 feet wide) to Point Imperial and to Cape Royal, including the parking areas at Point Imperial and Cape Royal (non-wilderness area extends 300 ft from parking area edges)^{endnote26b}. Except that where the roads and parking areas approach the rim, the non-wilderness area shall not go below the rim. In addition, all of Cape Royal Point above the rim beyond the parking lot will be excluded (This includes the paved trails to the overlooks).^{endnote 26c}

UNIT 4, The Navajo Indian Properties:

This area mainly comprises the eastern side of Marble Canyon and is a narrow strip of land between the Colorado River and the Park boundary, north of the Little Colorado River. These lands include an approximately 15,199-acre²⁷ inholding within the authorized boundary of Grand Canyon National Park, including all lands generally west of the Marble Canyon Rim (the authorized boundary of the Park as specified by the 1975 Enlargement Act) and east of the NPS boundary located one-quarter mile from the east bank of the river.²⁸

Gross Acreage:	24,463 acres
Wilderness Acreage:	24,463 acres
Recommended for Immediate Designation:	8,718 acres
Recommended Potential Wilderness:	15,744 acres
- Navajo inholding	15,199 acres
- NPS land above rim	545 acres
Non-wilderness	0 acres

- **Legal Description:** The area is bounded on the north by a line paralleling Hwy 89 at a distance of 0.1 miles south of the road, on the west by the historic high-water line of the east bank of the Colorado River, on the south by the north bank of the Little Colorado River, and on the east by the Park boundary.

VI. ENDNOTES:

prel. Acreages provided are approximate pending resolution of Park boundaries with adjacent landowners (addressed in subsequent endnotes), improved mapping, determination of the definition of 'rim' and how to cross side canyons as a boundary line, and finalizing an accurate Park boundary map in GIS. Resolution of boundary locations should not affect the descriptions of wilderness boundaries. However, if Park boundaries are located along roads, the wilderness boundary may need a non-wilderness offset. Final park-wide acreage is estimated to change less than 0.2% than presented here.

1. Actually, the entire Grand Wash Cliffs wilderness study area consists of three contiguous parcels administered by three distinct governmental entities. The total area is approximately 39,000 acres. Adjacent to Unit 1 are the 14,020-acre Pearce Ferry (Lake Mead National Recreation Area) recommended wilderness unit and the Bureau of Land Management's Grapevine Wash Wilderness Study Area (#2-014).

2. Master Deed printout, 04/30/92 copy on file at Division of Resources Management, Grand Canyon National Park. The Master Deed Listing, Status of Lands also shows that the 141.36 acres of State land were acquired in 1986.

3. The 1980 "Final Wilderness Recommendation" (modified 1977 Wilderness Recommendation), p.16, states:

An area of about 9,642 acres in the southern Grand Wash Cliffs was not considered for wilderness or potential wilderness in the preliminary proposal because of a conglomerate of private, state, and subdivided lands with a multitude of owners. Title to all but 141 acres of state lands has now been acquired and the 9,642 acres are recommended as potential wilderness pending the obliteration of a primitive subdivision roadway, and future acquisition of the small parcel of state land.

Since that time title for all lands has been acquired (See Master Deed printout, 04/30/92).

4. This is level of Lake Mead described in the 1986 Lake Mead General Management Plan. U.S. Department of Interior, National Park Service. 1986. "Final Environmental Impact Statement for the General Management Plan for Lake Mead National Recreation Area." Two volumes. Denver, CO.: Denver Service Center. Volume I, page iii.

4b. Parts of this section were reworded to improve clarity and to correct typographical errors and omissions.

A slight modification is the addition of a 30 foot offset from the paved trail from Bright Angel Point to the lodge instead of using the paved trail as the wilderness boundary.

5. See endnote number 4.

5b. River miles down the Colorado River used the "Belknap system" in the 1980 Wilderness Recommendation and the supporting references cited. The current document uses the newer and more accurate "GCMRC system". River miles are provided as a convenience and are not the basis of the legal descriptions.

6. The river corridor area downstream of Separation Canyon was deleted as potential wilderness in 1980. See National Park Service. 1980. "Final Wilderness Recommendation for Grand Canyon National Park" (Modified 1977 Wilderness Recommendation). Document on file at the Division of Resources Management, Grand Canyon National Park, p.16.

7. The Park boundary consists of the south bank historic high water line of the Colorado River from Separation Canyon (River Mile 239.8) to River Mile 165.2. This interpretation is based on the Grand Canyon Enlargement Act (September 3, 1964, Public Law 88-577. 78 Stat. 890), Section 3(a) which expanded Grand Canyon National Park to include "approximately one million two hundred thousand acres, located within the boundaries as depicted on the drawing entitled 'Boundary Map, Grand Canyon National Park,' numbered 113-20.021 B and dated December 1974 [copy on file at the Division of Resources Management, Grand Canyon National Park]." That map describes the boundary as the "South Bank of Colorado River (River Mile 164.8 to 273.1)." The December 1976 "Boundary Description of Concurrent Criminal Jurisdiction of Grand Canyon National Park [copy on file at the Division of Resources Management, Grand Canyon National Park]" reflects the congressional intent specified in the Enlargement Act, and describes the boundary as the "high water line on the South bank of the Colorado River, river mile 164.8....[to] river mile 273.1." See also U.S. Department of the Interior. 1976. "Solicitor's Opinion regarding the Hualapai Indian Reservation--Grand Canyon National Park boundary at the Colorado River." Memorandum on file at Division of Resources Management, Grand Canyon National Park. See also Nov. 25, 1997, U.S. Department of the Interior, Office of the Solicitor, John D. Leshy, letter to Earl Havatone, Hualapai Nation. Copy on file at Division of Resources Management, Grand Canyon NP.

Multiple documents regarding the location of the park boundary refer to the historic high water line of the Colorado River. However the location of the historic high water line has not been clearly defined. In this document, a GIS model of a river flow of 97,000 cfs is used as the historic high water line between the Paria River and Diamond Creek (GCMRC river miles 0.8 to 226). If a legal determination of the historic high water line is subsequently made, references in this document will then follow the legal determination.

7b. The 1980 Recommendation described the wilderness units in terms of distance along the Colorado River without specifying which riverbank. However, it also described the Colorado River as Potential wilderness to the high water line. Thus the current wilderness description has been rewritten in reference to the appropriate river bank.

7b2. The 1980 Final Wilderness Recommendation used the inner canyon rim as the wilderness boundary. This specification of the inner canyon rim being the 3600 ft contour at this location is a clarification for added precision.

7c. The 1980 Recommendation proposed that the Colorado River from 0.1 mile below Navajo Bridge to Separation Canyon be proposed potential wilderness. However, it is considered that the portion of the Colorado River which passes through the cross canyon non-wilderness corridor (spanned by two bridges) should likewise be non-wilderness. The 1980 Recommendation also followed the north bank of the Colorado River to 0.1 miles west of the confluence with Bright Angel Creek. This places the north abutment of Silver Bridge in proposed wilderness. It is more appropriate to place the bridge in non-

wilderness, thus moving the boundary from 0.1 mile below the confluence with Bright Angel Creek to 0.1 mile downstream of Silver Bridge.

7c2. The 1980 Final Wilderness Recommendation referred to the ridge ascending to Bright Angel Point, however the lower reaches of this ridgeline separate into multiple ridgelines. For this lower section the ridge between Transept Canyon and Bright Angel Creek was chosen as the most distinct ridge and readily identified in the field.

7d. The 1980 Final Wilderness Recommendation followed the ridgeline to the rim, and then followed the rim. However, there is a paved trail along the upper part of the ridge and along the rim below North Rim Lodge. The wilderness boundary has been moved 30 feet to the southwest and paralleling this paved trail to allow for maintenance of the trail.

8. The description in the 1980 "Wilderness Recommendation," p.35[14], states: "...then following the north rim to a point .1 mile southwest of Bright Angel Spring." The 1962 15-minute quad (Grand Canyon and Vicinity, N3600-W11145/28X60) places Bright Angel Spring approximately 0.1 mile northeast of the intersection of an unnamed drainage containing Bright Angel Spring and the 8,000-foot contour. The new 1988 7.5 minute quad (Bright Angel Point, Arizona) places Bright Angel Springs approximately 0.45 mile southwest of the same point. Therefore used the point 0.45 miles NE of spring on the 7.5 quad map.

8b. From this point to the north park boundary, the 1980 Final Wilderness Recommendation text differs from both the 1977 and 1980 Wilderness Plan maps (Exhibit A) regarding placement of the wilderness boundary. It is assumed that the two maps (1977 and 1980) are the more accurate. The boundary on the maps parallels the powerlines, and the following description approximates this.

9. The 1975 Grand Canyon Enlargement Act stated that the new reservation lands may be used for traditional purposes and are available for agriculture and grazing purposes on a sustainable basis. The Act called for a study of lands uses that "shall not be inconsistent with, or detract from, park uses and values." The Act further stated that no commercial mining or mineral production, timber production, or commercial or industrial development would be permitted on the reservation lands. Hunting and recreational uses of the lands by non-members is permitted, and except for the uses specified, the lands were to remain "forever wild and no uses shall be permitted...which detract from the existing scenic and natural values of such lands." 16 U.S.C. 228i(b) (7).

10. U.S.C. 228i(e).

11. See the "Joint Statement of the Committee of Conference, Conference Report [to accompany S1296]," Report No. 93-1611, December 17, 1974, p.7:

In this connection, the conferees specifically noted that the lands designated by the Act as "Havasupai Use Lands" -- which are entirely within the park boundaries -- should be considered by the Secretary in making any recommendations for a wilderness area within the Grand Canyon National Park notwithstanding allowed tribal uses.

12. 1980. "Final Wilderness Recommendation," p.44-45 [23-24].

13. U.S. Department of Agriculture, Forest Service. 1982. "Range Capacity and Terrestrial Ecosystem Evaluation of the Havasupai Traditional Use Lands." Document on file at the Division of Resources Management, Grand Canyon National Park.

14. 1980. "Final Wilderness Recommendation," p.48.

15. U.S. Department of Interior, National Park Service. 2006. Management Policies. Washington, D.C.: Government Printing Office. Chapter 6:5; 6:9.

16. These six proposed wilderness areas are Balanced Rock (14,700 acres), Cockscomb (16,800 acres), Shivwits Plateau (84,900 acres), Whitmore Point (37,700 acres), Andrus Point (16,130 acres), and Lava (11,650 acres). A seventh proposed wilderness area is Azure Ridge (8,600 acres) 6 miles to the northwest of the park.

17. 1980. "Final Wilderness Recommendation," p.38(17). These roads include S-1 at Fort Garrett and S-2 near Mollie's Nipple.

17a. The 1980 Final Wilderness Recommendation set aside approximately 8,000 acres of land as potential wilderness due to private ownership, state ownership or outstanding mineral reservations or repurchase rights. All land and rights in unit 2 have been acquired by Grand Canyon NP except for the Curtis/Lee tracts.

17b. The radio repeater is approximately 20 feet inside the Park boundary. Access to this repeater for servicing is by helicopter landing on the adjacent BLM lands.

18. Grand Canyon National Park Enlargement Act. 1975. Act of January 3, 1975. Public Law 93-620. 88 Stat 2089; Sec.7. The Act states "That no such renewals [grazing lease, permit, or license] shall be extended beyond the period ending ten years from the date of enactment of this Act, except that any present lease, permit, or license within the boundaries of the Grand Canyon National Monument as abolished by subsection 3(b) of this Act may be renewed during the life of the present holder which renewal shall terminate upon the death of the present holder. That lease, according to the Master Deed printout (04/30/92), has expired. See also, U.S. Department of the Interior, National Park Service. 1980. "Final Wilderness Recommendation," p.38(17).

18a. For all non-wilderness road corridors in the park, road corridors do not end abruptly at the ends of roads, but arc around the road ends with the exclusion radius. E.g. the 150 ft exclusion on one side of the road curves around the end of the road with a radius of 150 ft until meeting the 150 ft exclusion on the other side of the road. Where roads cross the park boundary (i.e. leave the park), the non-wilderness road corridors continue to the side of the road until the corridor also meets the park boundary.

18b. The road to Toroweap Point Overlook (road K-2) was proposed as a non-wilderness road corridor in the 1980 Final Wilderness Recommendation. However, a road inventory done in 2009-2010 found that the last few miles of this road are rehabilitating naturally due to lack of use. Based on this lack of use and on the roads natural rehabilitation, it is no longer recommended for exclusion from wilderness. In addition, the access from the park boundary is now proposed to be the more heavily used road K-10 instead of K-2 as recommended in 1980.

18c. The 1980 Wilderness Recommendation proposed vehicle access to Kanab Point would be via roads K-33, K-30, and K-36, with a single overlook at the point. However it is proposed that the more heavily used access route K-38, K-37, K-36 be used (or alternatively K-37, K-36), and that the K-39 road along the rim be retained with camping sites at both ends. (NOTE: The decision will be included in the updated 1988 Backcountry Management Plan (DEIS expected in 2013))

19. The North Kaibab Ranger District reports (Brian Avery, March, 1992) the following acreage:

- Grass and sage: 136,000 acres.
- Mixed conifer: 60,000 acres.
- Ponderosa: 157,000 acres.
- Pine Mix (PJ-oak-mixed conifer): 132,000
- Spruce-fir: 22,000
- Pinyon-juniper: 149,000

According to these figures, the total acreage for the North Kaibab Ranger District is 656,000 acres. The total acreage for mixed conifer, ponderosa, pine mix, and spruce fir for the Forest is approximately 371,000 acres. This figure added to the NPS acreage (99,500, based upon the GRCA GIS system estimate for ponderosa, mixed conifer, and mixed grass and forbs) is approximately 470,000.

Total acreage of 755,000 acres for the Kaibab Plateau is based upon the 656,000 acreage for the North Kaibab Ranger district and the NPS 99,500 acres. The total Kaibab Plateau wilderness (202,000 acres) consists of the canyonlands of Kanab Creek Wilderness (61,890 acres), the predominantly pinyon-juniper, sage and grasslands of the Saddle Mountain Wilderness (40,610 acres), and the boreal forests of the proposed Grand Canyon wilderness.

19b. These six primitive fire roads are: E-4 (Komo Point), E-5 (Francois Matthes Point), E-6 (Walhalla Glades), W-1C (Widforss Point), W-1D (Tiyo Point), and a portion of W-4 (the junction of W-4 with W-1 to Tipover Springs), as well as E-4A, E-5B, E-6B

19c. The W-3 road proposed as access to Sublime Point in the 1980 Wilderness Recommendation is no longer in use. It is still unresolved whether future access to the point will be by the W-1 road or the W-4 road.

20. It is proposed that the Swamp Point road remain a non-wilderness road corridor to provide vehicle access to the trailhead on the rim. This is a popular, frequently used road. The Swamp Point road was proposed to be converted into a trail in the 1980 Wilderness Recommendation.

20b. The 1980 Final Wilderness Recommendation proposed access to Havasupai Point via the W-9 road, however popular use is to access the point via the W-9b road from the South Bass trailhead. Therefore it is proposed that the W-9b road be retained as a non-wilderness corridor.

21. See 1980 "Wilderness Recommendation," p.42(21).

21b. This is a slight modification to the 1980 Final Wilderness Recommendation based on more accurate mapping. The wilderness boundary is moved approximately 250 feet east. The earlier legal description would have placed a utility corridor in wilderness.

21c. This is a modification to the 1980 Final Wilderness Recommendation, making an additional 160 acres non-wilderness. Through oversight a road and maintenance facility were placed in proposed wilderness. The wilderness boundary is moved to exclude the road and mule barns from wilderness.

22. The 1980 "Wilderness Recommendation," p.15. emphasized that the Roaring Springs water supply system and pumping station complex were not intended for inclusion as wilderness or as potential wilderness additions.

23. The 1980 "Wilderness Recommendation," p.16 (also see 1980 Map [exhibit A]) called for the deletion from wilderness the Kaibab Trail and the area between the Kaibab Trail and Garden Creek. This is mentioned in the section 'Additions and Deletions' as a change from the 1977 recommendation, but was not incorporated in the 1980 legal description. The distance of 0.1 mile east of the Kaibab Trail for the wilderness boundary was proposed in the 1993 Final Wilderness Recommendation.

24. The following is a change from the 1977/1980 Recommendations. The original (1977) description (Unit 4, pp.41-42) defined the boundary as "on the south by the South Rim and Straight Canyon." Straight Canyon does not cross the Rim, so the jeep road is presented as a definable boundary. (Note: The south fork of Straight Canyon can be followed to a point on the rim approximately 1 mile west of BM6446, which appears to match the 1980 map. This 1993 change to the 1977/1980 recommendations changes approximately 500 acres from non-wilderness to wilderness. There are no roads or facilities within this 500 acres.)

25. The preliminary (1977) "Wilderness Recommendation" extended the proposed wilderness to the Paria, however the 1980 recommendation, p.15, stated that the area in the vicinity of and north of the Navajo Bridge was not intended for inclusion as wilderness or as potential wilderness. See also 1980 Map (Exhibit A) that presents the boundary as a point immediately south of Navajo Bridge. 0.1 mile was chosen as a consistent unit for corridor exclusions. The 1980 Wilderness Recommendation did not propose wilderness east of the Colorado River and north of the Little Colorado, but left it as "subject to concurrence of Navajo Nation".

26. See endnote 25.

26b. This is a clarification to the 1980 Final Wilderness Recommendation.

26c. The 600 ft wide corridor is measured from the centerline of the major roads, not the turnouts. Unless stated otherwise, non-wilderness road corridors do not go below the rim, but end at the rim.

27. The 1989 Land Protection Plan for Grand Canyon (p.1) specifies 24,288 acres as inholding. Recent evaluation through the Park's Geographic Inventory System (GIS) indicates that the total acreage for the inholding (between the rim and the NPS boundary located one-quarter mile east of the river) is 15,199 acres. The GIS acreage between the river and rim is approximately 24,463 acres.

28. See "Location of the Boundary between the Navajo Indian Reservation and Marble Canyon National Monument, Arizona." June 16, 1969. Memorandum from the

Field Solicitor, Santa Fe; to the Regional Director, Southwest Region, National Park Service. Copy on file at the Division of Resources Management, Grand Canyon National Park. See also a letter, November 29, 1991, from the BLM Deputy State Director to the Superintendent, Glen Canyon National Recreation Area, copy on file at Division of Resources Management, Grand Canyon National Park. The BLM conducted its own review of this issue and concluded that the west boundary of the Navajo Indian Reservation is one quarter mile east of the Colorado River.

DRAFT

APPENDIX I
POTENTIAL WILDERNESS

There are five areas, or approximately 26,461 acres, recommended for designation as "potential wilderness" pending resolution of issues which affect the wilderness suitability of each unit. These issues have been analyzed in the formulation of the proposed wilderness.

1. Navajo Properties: The Grand Canyon National Park Enlargement Act (January 3, 1975; Amended June 10, 1975. Public Law 94-31. 88 STAT 2089. Sec.4[a]) states: "[w]ithin the boundaries of the Grand Canyon National Park, as enlarged by this Act, the Secretary of the Interior...may acquire land and interest in land by donation, purchase with donated or appropriated funds, or exchange." No action to date has been taken on these lands under this provision of the Act. These lands comprise an approximately 15,199-acre¹ inholding within the authorized boundary of Grand Canyon National Park. The Navajo Indian Reservation unit consists of all lands generally west of the Marble Canyon rim (the authorized boundary of the Park as specified by the 1975 Enlargement Act) and east of the NPS boundary located one-quarter mile from the east bank of the river. Although none of the Navajo Properties were included within the 1980 Wilderness Recommendation, the 15,199-acre inholding (beyond one-quarter mile east of the river to the rim) will be recommended potential wilderness until Navajo Tribal concurrence regarding land and interest acquisition through "donation, purchase..., or exchange" is obtained.² Acquisition of these lands or rights needs to be pursued with the objective of eventual Federal ownership of all lands within the park's authorized boundary.

In addition, the disputed boundary issue between Grand Canyon National Park and the Navajo Reservation needs resolution. The Navajo Tribe claims ownership of the entire 24,463-acre area from the river to the rim. Based upon the Field Solicitor Opinion³, the National Park Service maintains that the Park boundary lies one-quarter mile east of the Colorado River, and that approximately 8,718 acres previously classified as reservation lands actually comprise part of Grand Canyon National Park. These lands are recommended for immediate wilderness designation.

In addition, there is a small amount of National Park land (approximately 545 acres) within one-quarter mile of the river, which is above the rim. There are roads on this land that appear to be actively used (possibly going to viewpoints on the rim). This area is proposed potential wilderness until concurrence is reached with the Navajo Nation.

2. The Colorado River: Two hundred and forty miles of free-flowing river lie within Grand Canyon National Park. The area of the river corridor in the eastern Park (0.1 miles downstream of Navajo Bridge to Mile 87.7, or 83.1 miles) is approximately 4,177 acres. The river corridor in the western Park extends from 0.1 miles west of the Silver Bridge (Mile 88.6) to Separation Canyon (Mile 239.8), approximately 151.2 miles, or approximately 6,142 acres. Total acreage for the river corridor is approximately 10,319 acres.⁴

The non-conforming use identified in the 1980 Wilderness Recommendation was motorized riverboat use. Current recreational use of the Colorado River exceeds 20,000 visitors each year, 70 percent of whom travel by motorized rafts operated by concessioners. While there is no question that the Colorado

River passes through some of the most scenic wilderness characteristic of Grand Canyon, the current levels of motorized boat use probably contradict the intent of wilderness designation. This use is inconsistent with the wilderness criteria of providing outstanding opportunities for solitude and for a primitive and unconfined type of recreation.⁵

It is recommended that the river corridor be designated a potential wilderness addition, pending resolution of the motorized riverboat question. A special provision is recommended for Grand Canyon wilderness legislation giving the Secretary of the Interior the authority to designate "recommended potential" as wilderness, at such time he determines they qualify.⁶

3. Private Lands: There are 392.54 acres of private land within the wilderness recommendation:

a. The Lee and Curtis Tracts (66.67 acres): These tracts consist of 34.45 and 32.22 acres respectively. These areas are identified for fee acquisition, either through donation with exchange and negotiated purchase to be considered in the event donation is not possible.⁷ Until fee acquisition is attained, these tracts will remain recommended as potential wilderness.

b. Hearst Properties: These privately owned lands comprise 325.87 acres. Mining activity last occurred in this area in the late 1950's, and remains of historic mining developments are still present. The tract consists of very steep terrain. It is located near the north bank of the Colorado River in the southeast portion of the park. Access to the tract is by foot trail, river, or helicopter. Development of the tract for resort or residential uses, or the resumption of mineral extraction activities, would conflict with preservation of the area's wilderness values. The Land Protection Plan recommends fee acquisition, with donation or exchange as the preferred acquisition method.⁸

4. Other Unresolved Issues:

- **State Ownership:** The State of Arizona holds fee title to the bed of the Colorado River, amounting to approximately 15,378 acres. Acquisition of these tracts through exchange is the number two priority identified in the 1989 Land Protection Plan.⁹ State ownership of the river bed does not preclude wilderness designation.¹⁰

- **Hualapai Boundary:** The Hualapai Tribe claims title up to the middle of the Colorado River (GCMRC mile 165.2 to mile 273.9). The National Park Service, based upon the Grand Canyon Enlargement Act (September 3, 1964, Public Law 88- 577. 78 Stat. 890), Section 3 (a); and the 1976 Department of Interior Solicitor's Opinion, claims title up to the historic high water line.¹¹ This issue needs resolution.

Endnotes:

1. The 1989 "Land Protection Plan for Grand Canyon" specifies 24,288 acres (p.1) as inholding. Recent evaluation through the Parks Geographic Inventory System (July 2010) indicates that the total acreage between the Colorado River and the rim is approximately 24,463 acres. National Park lands within this area (land between the river and the NPS boundary, one-quarter mile east of the river) is approximately 9,264 acres, and the Navajo inholding

authorized by the Grand Canyon National Park Enlargement Act (land between one-quarter mile east of the river to the rim) is approximately 15,199 acres.)Note that the 9,264 acres of National Park land within one-quarter mile of the river includes approximately 545 acres above the rim.)

2. Grand Canyon National Park Enlargement Act (Act of January 3, 1975 Amended June 10, Sec.4[a])." 1975. Public Law 94-31. 88 STAT 2089. Within the boundaries of the Grand Canyon National Park, as enlarge by this Act, the Secretary of the Interior...may acquire land and interest in land by donation, purchase with donated or appropriated funds, or exchange."

3. The complex issue pertaining to the preservation of Grand Canyon wilderness resources involves ownership of lands east of the Colorado River in Marble Canyon (river mile 0 to 61). The National Park Service maintains ownership of land one-quarter mile east of the east bank of the Colorado River, while the Navajo tribe insists on title to at least the east river bank. The following argument supports NPS ownership claims and sufficiently questions Navajo title to lands within a quarter of a mile of the south bank as to warrant additional legal opinion.

A provision (sec. 28) of Arizona Enabling Act of 1910 (36 Stat 574-575),

reserved to the United States...all land actually or prospectively valuable for the development of water powers or power for hydro-electric use or transmission and which shall be ascertained and designated by the Secretary of the Interior within five years after the proclamation of the President declaring the admission of the State.

The date of the subsequent presidential proclamation was February 14, 1912.

Water Power Designation No. 7. Arizona No. 4 (February 9, 1917, submitted within 5 years of the presidential proclamation, as specified by Arizona Enabling Act) reserved for water power purposes "all land of the United States...within a quarter of a mile of the Colorado River" including townships from Glen Canyon Dam to the Little Colorado River.

The Navajo Boundary Act of June 14, 1934, (48 Stat 960, not codified in the united States Code) established the western boundary of the: Navajo reservation from the intersection of the Colorado at the Arizona-Utah border "down the south bank of that stream to its confluence with the Little Colorado River."

Significantly, the Act further states:

There are hereby excluded from the reservation as above defined all lands heretofore designated by the Secretary of the Interior pursuant of section 28 of the Arizona. Enabling Act of June 20, 1910 (36 Stat. L. 575), as being valuable for water-power purposes and all lands withdrawn or classified as power-site lands, saving to the Indians, nevertheless the exclusive right to occupy and use such designated and classified lands until they shall be required for power purposes and classified lands until they shall be required for power purposes or other uses [emphasis added] under the authority of the United States.

Proclamation 3930 of January 20, 1969, established Marble Canyon National Monument. The easterly boundary of the Monument was to be:

...the western boundary of the Navajo Indian Reservation (which is described by the act of June 14, 1934, as the south bank of the Colorado River to its confluence with the Little Colorado River excluding from the reservation all lands designated by Secretary of the Interior pursuant to section 28 of the Arizona Enabling Act of June 20, 1910 [36 Stat 575], as being valuable for water-power purposes and all lands withdrawn or classified as power-site lands)...

The proclamation abolished "any reservations or withdrawals" within the Monument. The western boundary was described in detail. The northern boundary was defined as the north line of T39N, R7E to its intersection with the western boundary of the Navajo Indian Reservation as prescribed by the act of June 14, 1934 (48 Stat. 960). This northern boundary is a few hundred yards south of the new Navajo Bridge construction site.

In an opinion dated June 16, 1969, the Departmental Field Solicitor in Santa Fe stated:

In conclusion, considering, in particular, Water Power Designation No. 7 Arizona No. 4, and the Act of June 14, 1934, as well as the proclamation establishing the Monument, the east boundary of the Monument is located on a meandered line generally north-south, one quarter mile to the east from the east or south bank of the Colorado River. This line is also the west boundary of the Reservation [emphasis added].

The 1934 Act, while stating that lands in power site withdrawals are not part of the Reservation, also saved for the Navajos exclusive rights of occupancy and use of such withdrawn lands, until such lands were "...required for power purposes or other uses..." The Field Solicitor opined that setting the withdrawn lands aside as part of Marble Canyon National Monument constituted "other uses." Consequently the exclusive rights of occupancy and use that the Navajos held to these non-Reservation lands ended on that date.

The Grand Canyon Enlargement Act of 1975, 88 Stat. 2089, states that the Grand Canyon's easterly boundary, as depicted on a map of December, 1974 (#113-20-021-B) is "...subject to any valid existing rights under the Navajo Boundary Act of 1934..." The map shows the easterly cliffs of Marble Canyon as the park's easterly boundary. Since the above lands within 1/4 mile of the bank of the Colorado River were not part of the Reservation as defined by the 1934 Act, they are not subject to "...any valid existing right under..." that Act. Thus, the National Park Service has title to, and management jurisdiction and responsibility for, the lands that lie within 1/4 mile of the east bank of the Colorado River in Marble Canyon.

4. The 1980 Wilderness Recommendation (modified 1977 Wilderness Recommendation, p.16) revised the original 277-mile (Paria to Grand Wash Cliffs, 17,009-acre) river corridor to the 235-mile (12,236 acres) section between Navajo Bridge and Separation Canyon. No formula or other rationale is given regarding the corridor area; however, by modeling the historic high water line in GIS for a 97,000 cfs flow a much more accurate estimate of river corridor acres is produced than provided in the 1980 Wilderness Recommendation.

5. Wilderness Act. 1964. Act of September 3, 1964, Public Law 88-577. 78 Stat. 890. See Section 2.

6. U.S. Department of the Interior, National Park Service. 2006. Management Policies. Chapter 6:3.

7. "Land Protection Plan for Grand Canyon National Park." 1989. Document on file at the Division of Resources Management, Grand Canyon National Park, pp.4,6.

8. 1989 "Land Protection Plan," p.6.

9. See U.S. Department of the Interior, National Park Service. 1991 (April). "Draft Authorities for Water Resources Decision Making on the Colorado River: Glen Canyon National Recreation Area; Grand Canyon National Park; and Lake Mead National Recreation Area." Document on file at Division of Resources Management, Grand Canyon National Park, pp.63065. Following the decision in Montana v. United States and Utah Division of State Lands v. United States and in absence of specific arid explicit language in the treaties and reservations for other Federal purposes and in the statute that admitted Arizona to the Union, it is assumed that Arizona holds title to the bed of the Colorado River in Grand Canyon.

See also, 1989 "Land Protection Plan," pp.4,6.

10. In U.S. v. Brown, the Court of Appeals addressed the question of the ability of the NPS to regulate activities within Park boundaries where the waters (and the beds of the waterbodies) are owned by the State. It said the ownership is not relevant when the Federal Government is acting under the Property Clause to regulate activities to protect visitors and wildlife. Therefore, under this reasoning, if there is a reasonable connection between the regulation and the purpose for which the Park was established, the NPS can act to promote and protect park purposes even when such actions may conflict with State authorities.

11. U.S. Department of the Interior. 1976. Solicitor's Opinion regarding the Hualapai Indian Reservation-Grand Canyon National Park boundary at the Colorado River. Memorandum on file at Division of Resources Management, Grand Canyon National Park. See also "Final Wilderness Recommendation, Grand Canyon National Park (1993 update)," endnote #7, pp.10-11.

APPENDIX II
BACKGROUND TO THE PROPOSAL

Grand Canyon National Park forms the core of a one and one-half million acre de facto wilderness consisting of designated and proposed wilderness units. This 1,555,468-acre wilderness complex consists of the Grand Canyon proposed wilderness (1,143,973 acres), five designated BLM or USFS wildernesses (221,015 acres) and seven BLM/NPS proposed wilderness units within Grand Canyon-Parashant National Monument (190,480 acres).¹

As required by the 1975 Grand Canyon Enlargement Act, the National Park Service prepared a wilderness recommendation in 1980 for Grand Canyon National Park. The recommendation called for 1,111,902 acres for wilderness designation: 980,088 acres for immediate wilderness designation, and an additional 131,814 acres as "potential wilderness."

Since 1980, the Federal government has acquired grazing, mineral and repurchase rights of some inholdings. Studies pertaining to grazing potential of the Havasupai Use Lands are completed. Based upon these acquisitions and studies, approximately 108,673 acres of land previously classified as "recommended potential" now qualify as "recommended for immediate designation."² This change in status is consistent with the conditions described in the 1980 Wilderness Recommendation. The total wilderness recommendation reflects the combined acreage of recommended potential wilderness and recommended for immediate designation as wilderness.

A. Public Hearings:

The notice of public hearings on the Grand Canyon Preliminary Wilderness Proposal, and its draft environmental statement, appeared in the Federal Register on July 23, 1976. Subsequently, public hearings were held at St. George, Utah, on August 24; at Flagstaff, Arizona, on August 25; at Grand Canyon Village on August 26; and at Phoenix, Arizona, on August 27, 1976.

Wilderness recommendation was delayed pending the development and approval of two interrelated and controversial plans. The Feral Burro Management Plan was approved on January 30, 1980 and resulted in feral burros being removed from the canyon. The Colorado River Management Plan (CRMP) was approved on December 13, 1981. A subsequent CRMP revision occurred in September, 1989. Both plans received extensive public review and comment from 1976 through 1980.

B. Description of Preliminary Proposal

The Preliminary Wilderness Proposal included 992,046 acres proposed as wilderness and 120,965 acres proposed as potential wilderness additions. Potential wilderness additions consisted of the Colorado River corridor, Havasupai Traditional Use Lands, non-Federal lands, lands subject to private rights, and motor vehicle access corridors for maintaining water catchments on grazing allotments in the Sanup Plateau area.

C. Hearing Attendance:

A total of 509 letters and written statements stemmed from the hearing and document review period. Forty-three oral statements were given at

the public hearings, 23 of which were duplicated in written statements. Comments were received from 23 Federal agencies, 17 State agencies, 3 Indian tribes, 39 organizations, 24 companies, and 501 individuals. Some groups or individuals submitted more than one letter, and some letters were signed by more than one individual. All letters were analyzed for substantive comments on the proposal.

D. Summary of Hearing Response:

The response from individuals and organizations was overwhelmingly in favor of the 1980 proposal.

- Only 14 individuals out of 501, and 2 organizations out of 38, wanted less land designated as wilderness.
- A total of 431 individuals and 25 organizations recommended that only non-motorized craft be used on the river and that the river corridor be included as wilderness.
- Some 286 individuals and 25 organizations suggested further enlargement of the area recommended for immediate wilderness designation by including all areas proposed as potential wilderness additions. Conservation organizations favored this approach along with the termination of motorized use of the river.
- The responses of companies engaged in commercial river trips were concerned with the issue of motors vs. no motors on the Colorado River in Grand Canyon National Park. On this issue, 13 companies were in favor of retaining motors, while 9 companies favored wilderness designation for the river and the elimination of motorized craft.
- The Water Resources and Power Service, Arizona Power Authority, Arizona State Water Commission, Arizona Office of Economic Planning and Development, and the Hualapai Tribe objected to wilderness status for the Colorado River and to the proposed repeal of the reclamation provision in Section 9(b) of the Grand Canyon National Park Enlargement Act (P.L. 93-620).
- Certain Federal and State agencies which are concerned with mineral development recommended that wilderness designation be delayed until a complete mineral inventory of the park had been made.

E. The 1980 Wilderness Recommendation:

As a result of public input, the National Park Service prepared a wilderness recommendation consisting of 980,088 acres recommended for immediate designation, and 131,814 recommended for potential wilderness designation. The recommendation signed on September 15, 1980, by the Assistant Secretary for Fish and Wildlife and Parks. No further action has been taken.

The 1980 recommendation was updated in 1993 and again in 2010 to reflect changes in land status regarding grazing, mineral leases, and ownership of several inholdings; completion of the Havasupai Use Land studies; and a refinement in acreage determinations credited to implementation of the computerized Geographical Inventory System.

Endnotes:

1. In addition to the 1,139,077-acre Grand Canyon NP proposal, ten additional designated or proposed wilderness components comprise the Grand Canyon wilderness complex. Three designated Wilderness units contiguous to Grand Canyon NP and administered by the Forest Service and BLM comprise approximately 124,275 acres. They are the Saddle Mountain Wilderness (USFS, 40,625 acres); Mt. Logan Wilderness (BLM, 14,650 acres); and Kanab Creek Wilderness (USFS/BLM, 69,000 acres). Four proposed Grand Canyon-Parashant NM wilderness units form a contiguous block with themselves, Grand Canyon NP and Mt. Logan Wilderness. These proposed units are the Shivwits Plateau (84,900 acres), Andrus Point (16,130 acres), Lava (11,650 acres), and Whitmore Point (37,700 acres). Two other proposed Grand Canyon-Parashant NM wilderness units form a contiguous block with Grand Canyon NP; Balanced Rock (14,700 acres) and Cockscomb (16,800 acres), with another proposed unit separated by less than a mile (Azure Ridge, 8,600 acres).

2. The lands formerly classified as "Recommended Potential" that now qualify for "Recommended for Immediate Wilderness" are:

1. Havasupai Traditional Lands:	86,621
2. Marble Canyon (East Bank)	8,718
3. Santa Fe Railroad Right-of-Way	3,200
4. Grand Wash Cliffs	9,645
5. State	<u>1,975</u>
Total	110,159

The Havasupai Traditional Use Lands total approximately 93,980 acres. The 7358-acre Great Thumb exclusion comprises lands from the Park boundary (located 1/4 mile from the rim) to the Canyon rim from Uqualla Point on the west to Forster Canyon on the east.

**APPENDIX III
HEARING OFFICER'S REPORT**

Introduction:

Public hearings to establish wilderness totaling 992,046 acres within Grand Canyon National Park were held in 1976 at four locations - St. George, Utah, on August 24; Flagstaff, Arizona, on August 25; Grand Canyon Village, Grand Canyon National Park, Arizona, on August 26; and Phoenix, Arizona, on August 27. The hearing officer for these hearings was John C. Preston, 460 Roosmoor Tower II, Laguna Hills, California 92653. Reporting services were provided by Federal Data Retrieval Systems, Incorporated, 1755 South Jefferson Davis Highway, Suite 1101, Arlington, Virginia 22202, for the St. George, Flagstaff, and Grand Canyon Village hearings; and by Allied Stenotype Reporters, Nine Ten Houston, Fort Worth, Texas 76102.

The St. George hearing opened at 7:00 p.m., with approximately 20 persons present, and four oral statements were presented. The hearing was closed at 8:15 p.m.

The Flagstaff hearing opened at 7:00 p.m., with approximately 165 persons present, and eight oral statements were presented. The hearing was closed at 8:05 p.m.

The Grand Canyon Village afternoon hearing opened at 1:30 p.m., with approximately 20 persons present, and three oral statements were presented. The afternoon hearing recessed at 2:30 p.m. The evening hearing resumed at 7:30 p.m., with approximately 20 persons attending, and two oral statements were presented. The hearing was closed at 8:00 p.m.

The Phoenix afternoon hearing opened at 1:30 p.m., with approximately 40 persons attending, and 14 oral statements were presented. The afternoon hearing recessed at 4:00 p.m. The evening hearing resumed at 7:30 p.m., with 20 persons attending, and 11 oral statements were presented. The hearing was closed at 8:30 p.m.

The following is reprinted from the preliminary wilderness proposal, the subject of the above mentioned public hearings:

[Copy]

FINDINGS

FIVE UNITS TOTALING 992,046 ACRES WITHIN GRAND CANYON NATIONAL PARK HAVE BEEN FOUND SUITABLE FOR PRESERVATION AS WILDERNESS AND ARE PROPOSED FOR INCLUSION IN THE NATIONAL WILDERNESS PRESERVATION SYSTEM. OTHER AREAS TOTALING 120,965 ACRES INCLUDING THE RIVER CORRIDOR, HAVASUPAI TRADITIONAL USE LANDS, STATE AND PRIVATE INHOLDINGS AND LANDS ENCUMBERED BY OUTSTANDING RIGHTS AND RESERVATIONS, AND GRAZING.ACCESS CORRIDORS ARE PROPOSED FOR POTENTIAL WILDERNESS ADDITIONS GIVING THE SECRETARY OF THE INTERIOR THE AUTHORITY TO DESIGNATE THESE AREAS AS WILDERNESS AT SUCH TIME HE DETERMINES THEY QUALIFY. [End of Copy]

**APPENDIX IV
ANALYSIS OF THE RECORD OF
PUBLIC HEARINGS AND WRITTEN RESPONSES**

Conservation Group Proposals:

The National Park Service wilderness proposal was considered excellent and supported by the majority of conservation-oriented organizations and individuals. In addition, most of them recommended that the Colorado River corridor and other potential wilderness additions be included as wilderness; in doing so, most of these groups further recommended that the river be navigated only by hand-propelled craft.

Tribal Proposals:

- Hualapai Tribe:

The Hualapai Indians opposed the repeal of Section 9(b) of Public Law 93-620, because repeal would endanger the tribe's interest in the Hualapai Dam should it become a feasible proposal in the future.

The Hualapai Tribe contended that the center of the Colorado River is the north boundary of the reservation and that the National Park Service would be imposing a wilderness designation on non-qualifying Indian lands., They opposed wilderness designation for the river because it would adversely affect their interests in the Hualapai Dam and require elimination of motors on their half of the river.

- Havasupai Tribe: The tribe desired to sustain grazing opportunities by maintaining existing water catchments at springs and perhaps making minor improvements at others. According to the tribe, this would be in keeping with grazing occurring in a "traditional manner."

Agency Proposals:

- Bureau of Reclamation: The Bureau of Reclamation proposed that there be excluded from the designated wilderness sufficient land area for the Hualapai Project, which includes a dam, reservoir, power plant, access and transmission line corridors, and possibly a pumped storage site and upstream sediment control structures on the Little Colorado River and Kanab Creek.

The repeal of Section 9(b) of Public Law 93-620 was not supported by the Bureau of Reclamation and they proposed eliminating it from the wilderness plan.

The Bureau also proposed that the wilderness boundary be established at the line 300 feet horizontally back from the high-water elevation of 1,229 feet for Lake Mead. They concluded that since the lake fluctuates daily any other boundary could preclude them from operating within their area of responsibility, which includes water measurements, quality evaluations, evaporation studies, and control of natural slide areas.

Arizona Power Authority: The Arizona Power Authority objected to the repeal of Section 9(b) of Public Law 93-620 and insisted that protective language be

included in any wilderness recommendation to allow for the future development of hydroelectric power.

Arizona State Water Commission: The commission objected to the proposal that Section 9(b) of Public Law 93-620 be repealed and proposed that this section be retained as provided for in the Grand Canyon National Park Enlargement Act.

Position of Governor of Arizona: Governor Raul H. Castro generally supported the National Park Service wilderness proposal. However, he proposed that the Havasupai Traditional Use Lands within the park not be encumbered by an intervening potential wilderness land classification until the tribe, Bureau of Indian Affairs, and the Secretary of the Interior completed their studies for this area.

Disposition of Hearing Record and Written Responses:

The official record, including letters received by the hearing officer, the Park, the Western Regional Office, and the Washington Office of the National Park Service, has been assembled and is available for review in the Washington Office.

Other Governmental Agencies Expressing Views on the Preliminary Wilderness Proposal:

Advisory Council on Historic Preservation

Department of Agriculture

Forest Service

Tonto National Forest

Soil Conservation Service

Department of the Army

Corps of Engineers

Department of Commerce

Department of Health, Education, and Welfare

Department of the Interior

Bureau of Indian Affairs

Navajo Area Office

Bureau of Land Management

Bureau of Mines

Bureau of Outdoor Recreation

Bureau of Reclamation

Fish and Wildlife Service

Geological Survey

National Park Service

Glen Canyon National Recreation Area

Western Archeological Center

Department of Transportation

Coast Guard

Federal Aviation Administration

Federal Highway Administration

Environmental Protection Agency

Federal Power Commission

House of Representatives, Allan T. Howe, Utah

State of Arizona

Office of the Governor



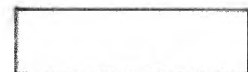










Bureau of Mines

Department of Transportation
Highways Division, Environmental Planning Services
Power Authority
State Land Department
State Parks Board
State Historic Preservation Officer
Office of Economic Planning and Development
State Water Commission
Northern Arizona Council of Governments

Indian Tribes
Havasupai Tribe
Hualapai Tribal Council (oral statement)

DRAFT

LEGEND

-  NATIONAL PARK BOUNDARY
-  WILDERNESS
-  NONWILDERNESS
-  HAVASUPAI USE LANDS (POTENTIAL WILDERNESS ADDITION)
-  NONFEDERAL LAND (POTENTIAL WILDERNESS ADDITION)
-  SANTA FE REPURCHASE RIGHTS OR OUTSTANDING MINERAL RESERVATIONS (POTENTIAL WILDERNESS ADDITION)
-  LAKE MEAD N. R. A. & GLEN CANYON N. R. A.
-  MAJOR ROAD - 600' CORRIDOR
-  MINOR ROAD - 300' CORRIDOR
-  POWER LINE
-  STOCK WATER TANK
-  STOCK WATER TANK (DRY)
-  MINE

ACREAGE
(Pending Final Boundary Determination)

GROSS ACREAGE	1,226,656
FEDERAL	1,188,140
NAVAJO NATION	24,288
PRIVATE	393
STATE	
RIVER BED	11,860
OTHER	1,975

RECOMMENDED WILDERNESS

UNIT	WILDERNESS	POTENTIAL WILD. ADD.
1	13,575	9,642
2	757,275	116,883
3	209,238	5,289
TOTALS	980,088	131,814

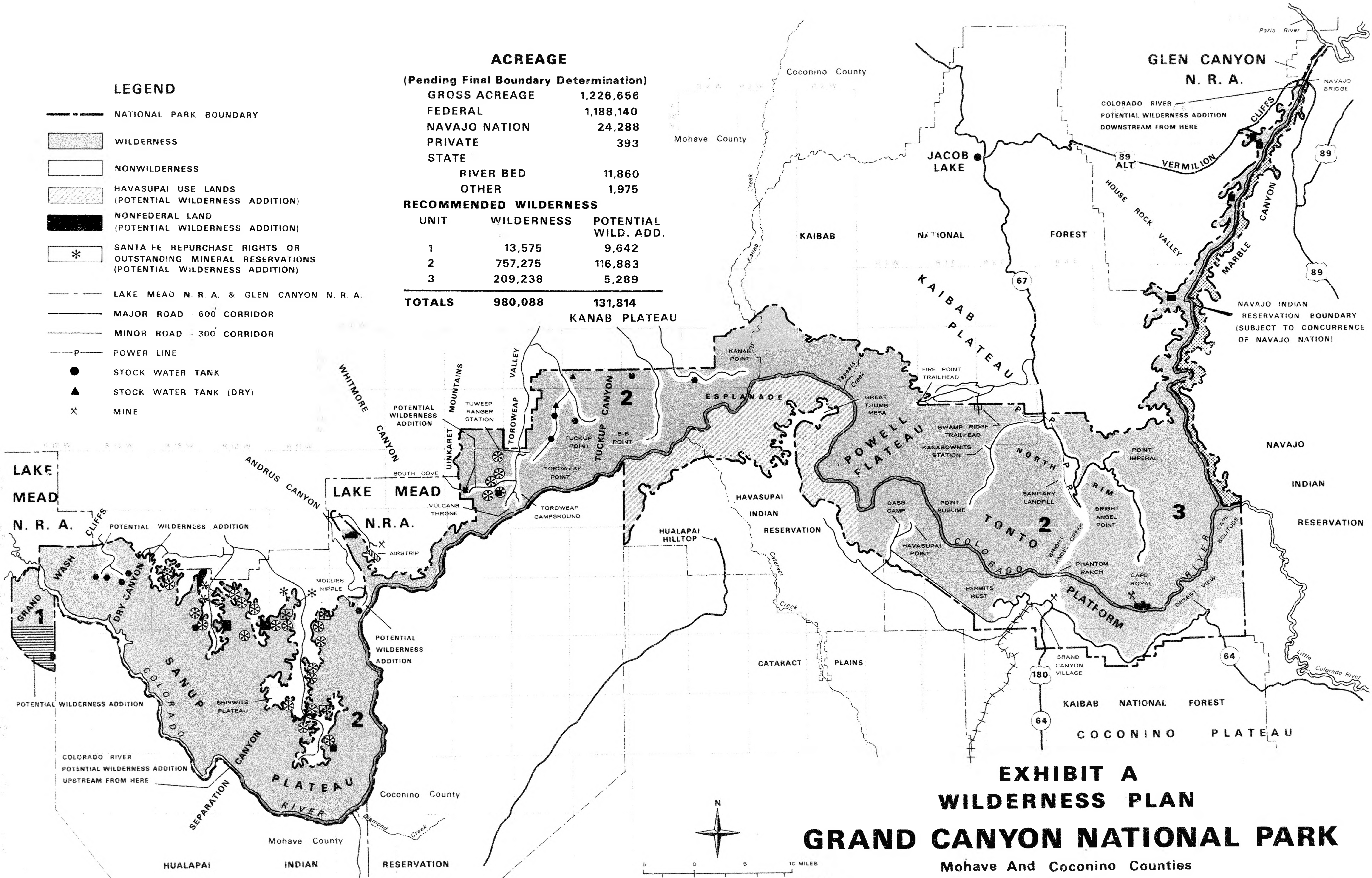


EXHIBIT A
WILDERNESS PLAN
GRAND CANYON NATIONAL PARK
Mohave And Coconino Counties
ARIZONA

