

Inclusion in NPS management at Grand Canyon: tribal involvement and integration

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Grand Canyon National Park has a long history of relationships with Indian tribes. Unfortunately, much of the history reflects the history of the U.S. government when it comes to tribal relations. In the last decade, the National Park Service (NPS) at Grand Canyon has made a concerted effort to change the legacy we have inherited regarding resource management and relationships with our tribal neighbors. Specific negotiations with the Hualapai and Havasupai tribes relative to management alternatives and resource issues provides opportunities to examine ways in which consultation and coordination between the sovereign nations can be achieved for the betterment of resource management in the greater Grand Canyon region. This integration has afforded NPS managers an avenue for meaningful involvement of our neighboring tribes in park management. Concerns over development, conflicting management strategies, natural and cultural resources, economic development, and the preservation of sovereignty are core issues of our ongoing process. Successes have been hard to achieve, although perseverance has shown that success is both positive and possible.

Grand Canyon National Park is located in northern Arizona, the most prominent geologic province of the Colorado Plateau. Just as Euro-Americans were overwhelmed with its power and beauty, Native Americans saw the Grand Canyon as a special place, one that is often intertwined with the origin histories of the native peoples themselves. Nine separate contemporary tribal governments ascribe some affiliation to the Grand Canyon, one of them coming forward only this past year indicating that they have a connection to the place. The Havasupai, Hopi, Hualapai, Kaibab Paiute, San Juan Southern Paiute, Navajo, Paiute Indian Tribe of Utah, Zuni, and, most recently, the White Mountain Apache all have some history that ties their people to the Grand Canyon.

As the political boundaries of Indian reservations and national parks were created, many of the tribes' ancestral affiliations were overlooked by federal managers. At Grand Canyon, the last ten years have seen a dedication to actively working with our neighboring tribes and including them in park management decisions. The relationship Grand Canyon has with the Havasupai and Hualapai are among the most complicated and vexing relationships the NPS has, largely due to conflicting legislation and diametrically opposed management concerns.

The Havasupai are one of the 14 bands of Pai who have historically lived in the southwestern United States. They see themselves as the guardians of the Grand Canyon, and their responsibilities for guardianship extend far beyond their canyon home. The Havasupai Tribe and the park have a history defined by legislation and legal battles—most importantly the 1975 Grand Canyon Enlargement Act. In that act, not only was the park expanded to its present 1.2 million acres, but the Havasupai Indian Reservation was expanded by 185,000 acres of rim land, and the tribe was afforded use of an additional 95,300 acres of Grand Canyon National Park for hunting and gathering (i.e., traditional activities). The act was controversial; most notable was the opposition of the Sierra Club against the expanded reservation and use of lands within the park for traditional subsistence activities. One provision of the act that has complicated the park's relationship with the tribe was the requirement that the tribe

give up all claims to Supai Camp. Supai Camp is a 160-acre parcel of land to the west of Grand Canyon Village on the South Rim of the canyon. This small area was set aside in the 1930s by NPS for the development of an Indian Camp. NPS built a number of cabins on the site and moved local Havasupai families into the cabins and out of their traditional dwellings. The superintendent responsible for the camp, Minor Tillotsen, planned a large community at Supai Camp, consisting of upwards of 36 cabins and common facilities. Although the full plan never materialized, five cabins still remain at the camp, along with a “washeteria” and a community building now used as a home.

The history of the Havasupai people and NPS is dotted with instances in which the Park Service attempted to move the Havasupai off the South Rim, preferring they remain on the small (originally slightly over 500-acre) reservation in Havasu Canyon. Many ranger reports and superintendent annual reports can be found in the files that tell of the attempts of park rangers to burn the Havasupai camps each time the residents went back to Havasu as part of their seasonal round of subsistence activities. This history is very real and very present to today’s Havasupai, with many tribal members remembering the stories told by their parents and grandparents of the way that NPS treated them. These stories, and the retelling of them to each successive generation, have provided a folk history that has been hard to live beyond. However, Grand Canyon National Park has been trying.

Over the last two years, the park and the Havasupai Tribe have been engaged in a program to allow a mechanism for the tribe to use and occupy Supai Camp through a special memorandum of understanding. This would seem like a simple document to develop, but because of the 1975 Enlargement Act and the NPS history with the Havasupai people, it has been very difficult to negotiate. NPS is prohibited from giving away any land under its jurisdiction; only Congress can do that. NPS does not have the ability to lease land either. Yet, since the 1930s NPS has allowed the Havasupai to occupy Supai Camp, living primarily in the five cabins originally built for tribal use. After the 1975 Enlargement Act, the park entered into five-year “special use permits” with the tribe for its continued use of the area. The five-year agreements did not provide the security the tribe needed to procure funds for improvements to the camp, an action the tribe wanted to do to improve the living conditions for its members, even though the majority of the buildings were owned by the NPS. In addition to the mistrust of the five-year agreements, park managers in the early 1980s attempted to shut down the camp through an Arizona Department of Health action brought on by the opening of a new sewage plant. The new plant did not serve the camp, and, once it became operational, the camp would be without water and sewer facilities, thereby triggering a state closure.

The majority of the cabins at Supai Camp were built and are still owned by NPS. Up until sometime in the mid-1980s, the residents were charged rent for the units, ostensibly to help pay for upkeep and maintenance. No records of any maintenance on any of the cabins could be found in park files, and the charging of rent was discontinued then. The tribe, however, was very interested in upgrading the cabins, but fell into the same trap of not being able to procure funds to upgrade NPS-owned buildings. Every time they requested funds from the Bureau of Indian Affairs and other granting entities, they were denied this much-needed financial assistance because the tribe did not own the cabins, nor were they on tribal land. With the five-year agreements, there was no long-term commitment for their use by the tribe, and NPS could terminate their use of the camp at any time.

The tribe repeatedly came to NPS asking for a different type of agreement, one that would allow the tribe long-term use and occupancy of the camp. In early 2001, the park and the Havasupai Tribe signed a 25-year memorandum of understanding (MOU) for the use and occupancy of Supai Camp. The agreement could be challenged, as there is no legal precedence for it. However, given our responsibilities to the Havasupai through park legislation and a host of federal laws, executive orders,

and agency policies, an agreement with the tribe for truly long-term use of Supai Camp was necessary. Even with the signed agreement, residents of the camp are suspicious of the NPS and park managers. As we discuss the possibilities of rehabilitating and upgrading the cabins, residents express reluctance at moving, even temporarily, from the camp. We have a long way to go in establishing trust with the tribe and its members. One hopes that this agreement and the improvements already made at the camp will move us along that path.

Our relationship with the Hualapai is equally complicated, albeit for slightly different reasons. When Grand Canyon National Park was established, the Hualapai Reservation was over 30 years old. The reservation boundaries were established in 1883, with the description of the reservation boundary stating that the north boundary was along the south shore of the Colorado River. Verbal descriptions referred to the reservation as being “devoid of water,” suggesting that the Colorado was not within the reservation boundary. From a legal perspective, the federal government defined the reservation as being excluded from the park, with their boundaries adjoining for 108 miles along the Colorado. From a cultural and historic perspective, the Hualapai people believe that the Colorado River forms the backbone (*Hakataya*) of their lifeline and the center of the river is within their traditional lands. They do not agree with the federal government’s interpretation of the boundary and have challenged the Department of the Interior’s solicitor’s opinion on numerous occasions.

The park and the Hualapai Tribe have agreed to disagree, a situation that has allowed the parties to begin working cooperatively in the area where the boundaries between the two entities are unclear. Rather than discuss the boundary “dispute,” we now refer to the “area of cooperation” (AOC). Beginning in the summer of 1999, Grand Canyon National Park and Lake Mead National Recreation Area, representing the NPS, began negotiations with the Hualapai Tribe to begin a formal, cooperative, working relationship. After four meetings (and one recall election involving the tribal chairperson, vice-chairperson, and one council member), the three parties signed an “Agreement of Purpose” whereby we specify our roles and responsibilities of our relationship. In particular, the agreement acknowledges that all parties need to:

- Develop procedures to resolve disputes which may arise because of their geographic relationship;
- Look for opportunities for cooperation and sharing of resources; and
- Develop management options all parties can agree to.

The agreement set forth the principles and processes used to guide the negotiations leading to the development of a MOU between the parties.

On February 10, 2000, the parties signed the Agreement of Purpose, thereby formalizing the negotiation process. Over the next seven months, the parties worked on the MOU, achieving success in September 2000. The MOU formalizes a government-to-government partnership, sets forth a process to identify issues of mutual concern, develops mutual management options, encourages collaboration and creative problem solving, and provides a mechanism for implementation of agreed-upon management and operational protocols. While the MOU acknowledges the differing interpretations on the boundary, it provides a mechanism for specific actions for collaborative approaches in the AOC.

One important aspect of the MOU is the vision statement. Without shared vision, success will be difficult to achieve. All of the parties acknowledge a vision for the Colorado River and the Grand Canyon as a place of cultural significance, a place to be protected. Additionally, the parties recognize the tribe’s need to promote economic development and tourism within the AOC. These two notions could be incompatible, but it is our hope that through our working partnerships we can achieve protection for the canyon and sustainable development for the tribe.

Currently, the tribe, through its Grand Canyon Resort Corporation, operates Hualapai River Runners and Grand Canyon West within the AOC. Helicopter operations associated with Grand Canyon West have significant impacts upon the natural quiet of the park and the Hualapai Reservation. Both the tribe and NPS have concerns about the impacts caused by the helicopter noise, visitor traffic, and safety. An early success as part of our MOU process was the development of operational protocols for emergency response, as well as for river and helicopter operations. These guidelines, developed by a team representing the tribe, Grand Canyon, and Lake Mead, represent a positive move toward improving health and safety conditions for visitors and employees of the area.

Other subcommittees are beginning to work on additional areas of mutual concern. Fees and permits, integrated resource management, carrying-capacity standards, zoning, and inventory and monitoring protocols are all part of our plan for the future. While we recognize that the difficulty is working through many of these issues, we know that not addressing them will lead to increased tension and the inability to move forward managing a resource important to all of us.

Without the foresight of tribal leaders and park managers, this process would have stagnated, leading to the never-ending spiral of conflict between the NPS and the tribe. Through this process, we hope to be able to come to resolution on issues of concern to all parties, confronting difficult situations and working through them to a resolution amenable to all.

Although we have been working on this for two years, we are just beginning. We have addressed some easy issues, and are now entering negotiation on more difficult issues such as hunting, commercial uses, carrying capacities, and upriver travel. Only through ongoing dialogue can we hope to develop the mutual respect and trust required for a true partnership. If we are successful, the strength of what we have begun may help foster other partnerships between federal agencies and Indian tribes.