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Heritage in the Landscape
Tribal Heritage at the Grand Canyon: Protecting a Large Ethnographic Landscape to Sustain Living Traditions

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The Grand Canyon is not only a geological wonder but also sacred land with an essential role in maintaining the cultural identity and sustaining the living traditions of at least 11 Native American tribes. The storied landscape is the traditional setting for ongoing cultural practices that long predate the European presence in the Americas.

Grand Canyon National Park (GCNP), established in 1919, is one of America’s “Crown Jewel” national parks and a World Heritage Site. Visitation has increased dramatically in recent years: the National Park Service (NPS) tallied 6.3 million visitors in 2018, more than double the number from 30 years ago. This surge and

Franklin Martin, Sr., Diné (Navajo), co-owns a sustainable tourism operation on the East Rim of the Grand Canyon called “Sacred Edge Tours.”

PHOTO BY BRIAN TURNER
associated interest in developing the park’s tourism potential have placed unprecedented pressure on the region’s fragile resources. At the same time, the Bureau of Land Management and the U.S. Forest Service are processing applications for mining projects on the landscapes surrounding the park, which have the potential to damage groundwater resources that feed the Grand Canyon’s seeps and springs.

These threats have stimulated inquiry into the significance of the land to tribes. The encroaching pressures have also compelled some tribes to share knowledge about the significance of this landscape with federal land managers in hopes of informing long-term management strategies that emphasize cultural resource protection. It is now incumbent on federal agencies to use this privileged information to sustain tribal traditions. This should include considering the eligibility of the landscape for listing on the National Register of Historic Places with an emphasis on protecting intangible cultural practices, which are commonly overlooked in National Register nominations.

In 2014 the National Trust for Historic Preservation listed the Grand Canyon as a National Treasure, bringing national attention to the threats it faces. The National Trust conducted this campaign in close coordination with local partners and tribes to sensitively highlight the significance of the cultural assets in the canyon, support sustainable economic development, and take strategic action in accordance with the organization’s expertise in federal law and policy.

TRIBAL PERSPECTIVES ON THE GRAND CANYON

The 1,902-square-mile GCNP contains evidence of more than 12,000 years of human occupation across more than 4,000 known archaeological and historic properties. Adjacent lands outside the park boundary hold thousands more such properties in federal, state, tribal, and private ownership; they are also important parts of this cultural landscape.

Oral traditions identify the Grand Canyon as the place of origin for the Hopi and Zuni tribes; the place where the Pai people—Havasupai, Hualapai, and Yavapai—and the bands of the Southern
Paiute—San Juan, Kaibab, Shivwits, Las Vegas, and Moapa—were taught how to live; and an ancient storied landscape with sacred qualities to the Diné (Navajo). The 1979 World Heritage nomination stressed the significance of the Grand Canyon as a cultural resource, stating that “perhaps nowhere else in the [United States] can such a finely tuned adaptation to the land be seen.”

While each tribe traditionally associated with the Grand Canyon has a unique perspective, the landscape is commonly viewed as more than the sum of its parts. The preservation of tangible resources such as artifacts and petroglyphs is a means for preserving the intangible values that give these places meaning and context.

**RECENT THREATS TO THE GRAND CANYON**
Accelerating energy development and culturally insensitive tourism are creating mounting pressures on the Grand Canyon’s resources.

**Uranium Mining**
Uranium mining is permanently harming aquifers that feed Grand Canyon springs and streams, and many wells now contain uranium concentrations that exceed federal drinking water standards. In January 2012 the U.S. Department of the Interior issued a 20-year ban on all new uranium claims on 1 million acres of public lands adjacent to GCNP. Existing claims, however, are still being processed, despite being a danger to the Grand Canyon and its surrounding communities. In July 2018 UNESCO expressed significant concerns about the threats these mines pose to the canyon’s outstanding universal values.

**Grand Canyon Escalade**
Confluence Partners LLC proposed a massive resort to the Navajo Nation. The Grand Canyon Escalade would have been built at the
confluence of the Colorado and Little Colorado rivers at the edge of a boundary between federal land and tribal land. Its main attraction was slated to be a rim-to-river gondola tramway that would have transported up to 10,000 people per day to the bottom of the canyon.

Many Diné, as well as members of other tribes, who consider the confluence uniquely sacred and its protection essential to the preservation of their cultures, vigorously opposed the project. The Navajo Nation has thus far rejected the proposal, but permanent protections for the land will be needed to thwart future threats.

**Tusayan Resort**

The Forest Service has received an application for road and utility easements to facilitate a $500-million commercial development in the newly incorporated town of Tusayan, Arizona. Construction would occur about a mile from the south entrance to the GCNP. The development has no identified local water source, and the applicant has not ruled out using the aquifer that sustains culturally and ecologically significant springs on the South Rim and is the source of all water for Havasu Falls, the cultural foundation of the Havasupai tribe.

The Forest Service—at the urging of the National Trust, among many others—has thus far rejected the proposal. However, 2018 news reports indicate that the developers are likely to return with a revised application for a resort that would include high-end lodging, dining, and retail space.

**Overflights**

In parts of the Grand Canyon near the national park boundaries, the quiet natural soundscape is disrupted by overflights from the nearly 100,000 airplane and helicopter air tours offered each year. In 2012 the NPS was on the verge of approving a plan that addressed the noise pollution, but Congress responded to industry concern by curtailing the agency’s authority and putting a hold on plans to further regulate overflights.
THE GRAND CANYON AND THE NATIONAL REGISTER OF HISTORIC PLACES

The NPS has determined that the Grand Canyon is eligible for listing on the National Register under traditional cultural property (TCP) guidance, but to date its recognition has been only informal, a result of project-level review. In the early 2000s, a draft *Colorado River Management Plan* proposed experimental water releases, which triggered review under Section 106 of the National Historic Preservation Act (NHPA). The process resulted in a consensus determination that the Grand Canyon is significant under all four National Register criteria: association with historic events, association with historically significant persons, distinctive design/construction, and historic information potential. The review also led several tribes to develop their own individual determinations of eligibility based on their particular views and ongoing religious practices.

This determination of eligibility was an important acknowledgment of tribal views in assessing how and why the Grand Canyon should be recognized as a historic place. Since 1990 the Guidelines for Evaluating and Documenting Traditional Cultural Properties, as outlined in *National Register Bulletin 38*, have been the primary tool for recognizing the eligibility of historic places based on their role in maintaining the continuity of a community’s cultural identity. While the National Register regulations remain unchanged, the publication of Bulletin 38 allowed for consideration of a wider range of property types. It affirmed that properties could...
be eligible because of their linkage to the continuation of contemporary traditions. While places of traditional and religious importance to Native American tribes had previously been included on the National Register, their significance to Native peoples had not been adequately emphasized. Bulletin 38 gave federal agencies a stronger basis for defending listings of nontraditional property types that reflect diverse worldviews. Courts have acknowledged the significance of this change, holding federal agencies accountable for failure to consider TCPs during Section 106 reviews.

Further, the 1992 amendments to the NHPA provided a firm legal foundation for federal agencies to recognize tribal values in assessing the eligibility of a place for the National Register. While Congress did not adopt the TCP terminology, it did confirm that properties of “traditional religious and cultural importance” to a Native American tribe or Native Hawaiian organization are eligible for inclusion on the National Register.

THE CONTEXT STATEMENT AND BEYOND

Despite its work to recognize the Grand Canyon’s validity as a cultural landscape, the NPS currently lacks information about cultural resources that would help guide sustainable development at the Grand Canyon. In its 2010 Foundational Statement for the park, a review of the General Management Plan, it found that only about 5 percent of the park’s land had been subject to archaeological inventories. Moreover, ethnographic inventories are incomplete “and most information is gleaned through project consultation.” The agency acknowledged that “this limited knowledge hampers staff ability to appropriately manage resources and values.”

Fortunately, in the past several years NPS cultural resources staff have secured agency-wide agreement on the need for a more proactive survey of cultural resources. In 2017 the GCNP received funding to enter into a cooperative agreement with the University of Arizona and the 11 tribes traditionally associated with the region to better document the Grand Canyon as a place of traditional cultural significance. The specific aim is to generate a Multiple Properties Documentation Form (MPDF), also known as a “context statement,” which will empower each tribe to submit its own
individual nomination to list the Grand Canyon and its associated features on the National Register. Park staff expect the MPDF to be completed in 2020.

For the purposes of Section 106 review, the MPDF will not create an immediate change. Precedent has been set to consider the Grand Canyon as an eligible historic district, and since eligible properties are protected under the law, further documentation is not technically necessary to confer additional legal protections during project review.

However, the new documentation is certain to be more comprehensive than previous efforts and has the potential to build stronger relationships that can inform future land-use decisions. Consistent with Section 110 of the NHPA, which encourages federal agencies to survey lands in their jurisdictions for cultural resources, the MPDF will help build broader appreciation for the ongoing relationship between tribes and federally owned ancestral lands.

The consultation process for developing the MPDF also creates an opportunity for the NPS to discuss information that is outside the specific context of National Register eligibility but is essential to understanding tribal perspectives on the landscape. While National Register eligibility has clear benefits as the basis for the regulatory protections conferred by Section 106, it has been criticized for constraining perspectives on significance to tangible places, largely ignoring the role of intangible heritage such as Leonard Selestewa, Hopi, leads a traditional corn harvest. PHOTO BY BRIAN TURNER
storytelling, rituals, songs, and dance, which give places context and meaning. U.S. law has not embraced, for instance, UNESCO’s definition of intangible heritage. The GCNP has an opportunity to look beyond National Register criteria and pay added attention on the role of intangible heritage at the Grand Canyon.

The MPDF can also help resolve different views of boundaries. As commonly happens with TCPs, tribes near the Grand Canyon have expressed significant discomfort about setting firm jurisdictional lines around the places that are significant to them within a large and complex ethnographic landscape. Some are discouraged by the National Register requirement that resources must be defined as district, site, buildings, structure, or object. While regulators want clear jurisdictional lines, TCPs may simply not fit any of those categories. Proactive identification efforts should allow tribes to describe boundaries by referencing the characteristics that define a place in their worldview.

Confidentiality is another concern that the MPDF can address. In the Section 106 context, sites must be identified, but some tribes are reluctant to document privileged knowledge. We assume that the park’s decision to prepare a context statement—as opposed to a National Register nomination—was a response to these concerns. Based on the context that is established, each tribe will be able to make its own decision regarding whether and how to advance National Register nominations. The context statement will empower tribes to use the National Register when appropriate, but also to use discretion when the Register is an inadequate tool for telling a complete story.

Some tribes may continue to feel that the National Register is an inadequate tool to sufficiently reflect their values. Nonetheless, these concerns should not deter federal agencies from meeting their obligations to consider and respect the viewpoints of indigenous people connected to the region in future management planning efforts. Complicated discussions surrounding the adequacy of the National Register can be avoided by emphasizing the Grand Canyon’s role as an “ethnographic landscape,” a term of art under NPS Management Policy (Section 5.3.5.3) and the Guidelines for
the Treatment of Cultural Landscapes. In other words, NPS staff have a process for documenting such resources, which can create a strong foundation for landscape treatment plans.

Full consideration for tribal viewpoints in planning efforts at the Grand Canyon is a matter of respect for the indigenous people connected to the region. While the nomination process is complex and imperfect, the context statement for the Grand Canyon as a National Register resource has the potential to provide federal agencies with crucial information to guide future planning. Sensitive use of the knowledge tribes have chosen to share can enhance the experience of the Grand Canyon for all who visit and provide a basis for long-term stewardship in accordance with the values of the people who have stewarded the Grand Canyon from time immemorial. FJ

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TAKEAWAY
A Grand Precedent: The Supreme Court and the Grand Canyon National Monument by Brian Turner on Preservation Leadership Forum