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**FROM GRAND STAIRCASE TO GRAND CANYON
PARASHANT:
IS THERE A MONUMENTAL FUTURE FOR THE
BLM?**

SECRETARY OF THE INTERIOR BRUCE BABBITT

TRANSCRIPT OF REMARKS

UNIVERSITY OF DENVER COLLEGE OF LAW CARVER LECTURE
FEBRUARY 17, 2000

**I. INTRODUCTION TO THE CARVER LECTURE BY UNIVERSITY OF
DENVER COLLEGE OF LAW PROFESSOR JAN LAITOS**

The University of Denver College of Law is quite fortunate to have an endowed lectureship that permits the law school to invite distinguished officials in natural resources law to speak to the student body. This lecture series is named the “Carver Lecture,” after DU Law Professor (Emeritus) John A. Carver, Jr., who worked as Under Secretary of the Interior during the Kennedy and Johnson administrations. Over the years, the annual Carver Lecture has been presented by several past Secretaries of the Interior (Stewart Udall, Cecil Andrus, and Donald Hodel), as well as the then-current Chief of the United States Forest Service (Mike Dombeck) and then-current Director of the United States Bureau of Land Management (Pat Shea). The Carver Lecture has also been delivered by the Head of Region 2 for the United States Forest Service (Elizabeth Estil), and the Chief of the Rocky Mountain Region for the United States Park Service (John Cook).

These speakers all have something in common—they have worked with the federal government’s primary agencies for managing and regulating our public lands and resources, the Departments of the Interior and of

Agriculture. The policies of these speakers have been quite instrumental in shaping how this country views, and uses, the enormous treasure it has in its publicly owned lands. Each of the speakers has, in the Carver Lecture, acknowledged the vast changes that public land policy is undergoing now. Perhaps more than ever before we are experiencing a radical shift in how we perceive and use our public lands. These lands were for many decades valuable chiefly for the economic value associated with the commodities found on them—water, forage, minerals, timber, and energy fuels. Now, they are vast playgrounds for recreationalists, as well as homes for wildlife, archeological treasures, and wilderness.

Perhaps no one individual has played a greater role in assisting this transformation of federal lands use than this year's Carver Lecturer, Secretary of the Interior Bruce Babbitt. He has exercised his powers as Secretary of Interior to help bring about a transition from commodity to recreation and preservation uses of public lands. His Carver Lecture, delivered on February 17, 2000, reflects this change. Lands and "vistas" in the West increasingly are subjected to protection from extractive industries and are dedicated to long-term preservation. Federal agencies that were once devoted to assisting ranchers, water developers, miners, and lumbermen (*e.g.*, the Bureau of Land Management) are now being asked by the Interior Department to function more like the National Park Service. These are important, fundamental changes in the roles for these agencies. Secretary Babbitt has helped to accelerate their changed mission. The College of Law is truly fortunate to have him deliver the Carver Lecture, because he will surely be remembered as one of the key government officials who was, over the past century, respectful of federal lands and resources.

Whoever follows Secretary Babbitt into the office of Secretary of the Interior will confront the legacy that Secretary Babbitt left behind: a different role for the Interior Department, one that incorporates a different set of expectations about our public lands. This year's Carver Lecture suggests why the Interior Department had to change, and provides a glimpse into the changing future of public land policy in this country.

II. INTRODUCTION OF SECRETARY OF THE INTERIOR BRUCE BABBITT BY DEAN NELL NEWTON

I want to thank you all for coming this morning. I especially would like to thank the Natural Resources/Environmental Law Program and the Carver Chair, which is held and ably managed by Jan Laitos, for sponsoring this wonderful event and welcoming the Secretary of the Interior Bruce Babbitt to the University of Denver College of Law. It is my great pleasure to introduce Secretary Babbitt, who was appointed by President Clinton in 1993. He has had one of the longest tenures of any Secretary of the twentieth century, ranking with other great Secretaries of the Interior, Stewart Udall and Harold Ickes, in length of service.

Among his many legacies is the preservation and restoration of a great deal of land to the public for multiple uses, including recreation. Secretary of the Interior Babbitt is also charged, I would be remiss in not bringing

this up, with supervision of Indian Affairs. And he has been one of the most open and fair-minded Secretaries of the Interior dealing with this nation's Indian tribes. He certainly will be regarded as one of the great Secretaries of the twentieth century, and I want to thank him again for coming. I now turn the podium over to Bruce Babbitt, the Secretary of the Interior.

III. SECRETARY OF THE INTERIOR BRUCE BABBITT

Dean, thank you very much. I appreciate the introduction. I was just refreshing my memory about asking the Dean whether or not it would be absolutely necessary for me to subject myself to questions. She said, "Yes, that is a condition of appearing at the University of Denver Law School."¹

I wanted to come here, and I accepted this invitation from the Dean and the faculty with great enthusiasm, because I'm on my way to Grand Junction. I have been coming to western Colorado for the last seven years, and have received, I must say, mixed responses, varying from lynch mobs to pretty productive discussions over time. But, this time I think there's something in the wind, not only in Grand Junction but also throughout Colorado and the West, that I would like to talk about.

The West is once again quickening to the issues of how we live on this landscape and what kind of open space we want, and how it is we're going to strike a more sensitive balance on the landscape in terms of development, the use of natural resources, and our long-term presence on this landscape. Colorado got off to a good start on these issues at the turn of the century with the creation of many national parks, monuments, and forests, an extraordinary legacy. But in recent decades, Colorado's been quiescent. In fact, quiescence has occurred all over the West. And the fact that has changed is that the West is filling up, the open spaces are now beginning to close, and the West is becoming an urban place. And there is now, I think, a sense of urgency, about not just celebrating the visionary acts of a lot of great leaders in the first half of the century but turning to the future and saying: "What is it that we want to see fifty and a hundred years from now?"

I'm going to talk specifically about Colorado, because I do think there is a sense of urgency, and to some degree there's been a sense of impasse on this landscape—I believe attitudes are changing, the demand that we address these issues is now palpably returning, and, I think, we have a tremendous opportunity—but before I talk about Colorado and my adventure out toward Grand Junction, I want to talk just a moment about Arizona, because, among other things, I grew up in Arizona. I was, for a magical nine years, the Governor of Arizona. It was the last golden age of governments in Arizona. Someone surveying my successors since I left office said: "The progression is conclusive proof that Darwin was wrong." I don't mean that seriously, obviously.

1. A question and answer session followed the Carver Lecture but has not been included.

But I thought, about a year ago, that I would turn to Arizona, where I have special connections and a long history, to try to join this dialogue on “what should this landscape look like?” and “what is our place on the landscape?” And I went back to Arizona and started at the Grand Canyon. I said to the people of Arizona: “This is a national shrine, but there’s something wrong here because the Grand Canyon National Park is not co-extensive with the ecosystem of the Grand Canyon.” Because, as inspired as Teddy Roosevelt and all of the others were, they saw the Grand Canyon from a platform on the south rim. They had no concept of the grandeur, and the extent and the glory of an ecosystem that runs 300 miles along the Colorado River and extends up the tributaries into the volcanic highlands of the Arizona strip. I said to the people of Arizona: “We’ve got to pick up where these people left off, because there isn’t a lot of time left. We need to have a sort of vision of what kind of space we want in the long run.” I did it, incidentally, in a few other places in Arizona that nobody had ever heard of which I thought were pretty interesting and where I’ve spent a lot of time.

We got a wonderful dialogue going. But then the Arizona Congressional delegation said that any use by the President of the Antiquities Act would be a shocking abuse of executive authority. “Stay out of here and we’ll get it done by ourselves.” Well, I kind of bought into that line in a moment of weakness and said, “Okay, I’ll stay my hand.”

About three months later the Arizona delegation introduced a bill called the “Grand Canyon Protection Act” which expanded the boundaries and then reduced the existing protections under the general land laws. They said, “We’ll add a million acres to the Grand Canyon, but in this new edition of the Grand Canyon we’re going to encourage mining, we’re going to remove the existing restraints upon the division of private land, mining, all of these other extractive activities.” That’s the point at which I went to President Clinton in December and said “You have a little over a year to draw this dialogue in Arizona to a close. We’ve offered to engage the Congress, and what we got in turn was a sham piece of legislation.” That’s the reason that President Clinton went to the Grand Canyon in January.

It was an awesome day. He wanted to do it in the most remote part of Grand Canyon. You can’t get there from Arizona. You have to go to Utah—and even when you’re in Utah you can’t get to most of it. So, they decided that we would helicopter in. On a marvelous January day we landed in Marine One on this vast plain. There was nothing in sight. It doesn’t look like anybody’s been there since the end of the Triassic. And, I’m looking out as we land, and there’s a Marine in dress uniform, standing in a patch of salt bush, the only guy on the whole landscape for a hundred miles. And, it had its moments. We sat at a little table, the President signed, and I looked over and all of the reporters were in line in front of a baby blue port-a-john which was right next to Marine One. I thought, “You know, there’s sort of transcendent and mundane detail on this landscape.” But, in any event, apart from the details, he added a million acres to the protected area of Grand Canyon National Park.

Interestingly, the response in the Arizona press showed that seventy-eight percent of the people in Arizona said, "That's a great idea." And the split was the same for democrats and republicans, urban and rural.

And, that kind of brings me to Colorado, because I sense the same kind of disconnection on the Colorado landscape. I suspect if you took a poll statewide in Colorado which asked a similar Colorado question, and I'll come to the specifics, you'll probably get a similar answer. But it's not reflected in the political process, as it was not reflected in Arizona.

So, that's the reason I'm on my way to Grand Junction: to see if we can join a dialogue in which I'm saying on the front end: "It would be great to get these protection issues resolved in the Congressional, legislative process." But if that's not possible, I'm prepared to go back to the President, and not only ask, not only advise, but also implore him to use his powers under the Antiquities Act. I'm prepared to say to him: "Mr. President, if they don't, and you do, you will be vindicated by history for generations to come." Just as President Harrison, President Cleveland, Woodrow Wilson, Taft, notably Teddy Roosevelt, Franklin D. Roosevelt, Jimmy Carter, virtually every President in the past century has done, often in the midst of intense controversy, but in every single case, validated by history and the generations of Americans who have this passion for the western landscape.

Now the specific issues in Colorado—and I'm going through each of them in a little bit of detail, so I can hopefully sort of dry out some of the issues in this kind of historic dialogue that goes on in the West.

The first one is southwestern Colorado. The country down below Durango and out toward Cortez and Dove Creek is the richest, most extraordinary archeological landscape in North America. I won't detail the kinds of discoveries that are coming off of that landscape, but it is truly incredible. In the nineteenth century, people who were down there saw Mesa Verde immediately, and it is a . . . I think it may in many ways be the most evocative of all of our national parks. Now, I'll immediately deny having said that when I'm in Arizona. But, I probably would stick by it, because there is something about being on that landscape—a sense, a palpable sense of the presence of our ancestors and the magical way that they lived on that land in absolute resonance with the landscape and the life on the land that is . . . it is just really incredible. I can't describe it.

The people who were down there then said: "These sites need protecting." And they protected Mesa Verde in the form of a national park. But then they went west onto this landscape of riches, would see a ruin, and would make a national park or a monument out of only the forty acres surrounding the ruin. And if you go down to Hovenweep National Monument, it's like little postage stamps on the landscape. Somebody saw a ruin and fenced off twenty acres, ten, five, forty around it. And you begin looking across this landscape and say: "Hey, wait a minute. This isn't about a ruin here or there. Don't you see, it's about a whole, interwoven landscape? It's about communities that were living in and on this land and relating to each other and moving across this landscape and drawing their living and their inspiration and their spirituality from a landscape." Doesn't it make sense in light of a subsequent 100 years of

understanding to say that we have room in the West to protect the landscape, if you will, an anthropological ecosystem? The real science on these landscapes doesn't come out of digging out a room and extracting a few pots. That was the nineteenth century, and it was important. The real discoveries today come from asking the deeper question of "How did communities manage to live in spiritual and physical equilibrium with the landscape?" And don't we need to assess all of the traces that have been left in so many intense and variegated ways, whether it's with petroglyphs, diversion structures for water, ramadas, all of those things. So, that's the question in southwestern Colorado: Do we have the wisdom and foresight to say, before it's too late, before these landscapes start to get chopped up, that we can do better than to protect five or six Indian ruins out on that land and say that there is room in this culture for a quarter million acres from which we honor the past and, more importantly, from which we learn and take inspiration?

The Colorado delegation in the last day or two, maybe week, has introduced a bill to establish a protected area along these lines. Now, the hour is late. This discussion has been going on for a year now. And I am reminded of the Arizona experience. So we're going to have an, I think, very important moment where we're now in, say, the seventh inning and this team isn't just going to walk off the field. So, we have a nice dialogue going there.

Now, let me take you to the San Luis Valley because this, too, illustrates these lessons. The San Luis Valley is, first of all, an important cultural landscape. It represents the northernmost reach of Spain in the seventeenth century. The Spanish Empire made its way northward up the Rio Grande to the founding of Santa Fe in 1620, the subsequent spread of Spanish culture through northern New Mexico, and into the San Luis Valley.

If you go down to those towns in the San Luis Valley, those communities are still there and their traditions are intensely alive. They speak of their presence on that landscape as if the seventeenth century were just yesterday. And what's happened on that landscape is a series of events which began about a decade ago when the City of Denver—I shouldn't say the City of Denver, I should say some promoters in the best western fashion—decided that they could sell water to Denver by going to the San Luis Valley where there is a huge groundwater basin which has been charged with water since the glacial ages, pump that water out, and send it into Denver. I think you can see the implications of that kind of decision. That's basically saying: "We will take a rural valley that's been inhabited by people on the land for three centuries and destroy the rural culture in the name of satisfying projected demands in Denver."

Do I exaggerate by saying it would destroy the valley? No. Because, you're going to have a groundwater table that's got a 1,000 feet of water in it. As the promoters were saying: "There's a Lake Huron underground in the San Luis Valley." What they neglect to mention is that it's the top 100 feet of this underground Lake Huron that sustains the landscape, the springs, the wetlands, which nourish the migrating flocks that come down off the western flyway from Alaska to Central America. When you take

the top 100 feet off of this underground Lake Huron the landscape goes dry, the springs disappear, the creeks dry up, and the people who have been living in balance in this valley are all of a sudden at the mercy of outsiders.

Enter a National Monument called Great Sand Dunes National Monument. It's an interesting National Monument, kind of like what there is in southwestern Colorado. It was established by Presidential proclamation back in the days when people thought of the landscape as full of curiosities. And the curiosity which led to Great Sand Dunes was some admittedly great sand dunes. But, you know, that's it. You go down to the San Luis Valley, go out from Alamosa in the morning, and watch the sun come up over this valley. It's sort of a scintillating white light that reflects off the crest of the Sangre de Cristos covered with snow at 14,000 feet and begins a backlight across this valley. And the sand dunes are nice. But there's a lot more there.

And now, in dialogue with the local communities, we're saying: "Shouldn't we have something that is more adequate to the landscape?" Let's look at those sand dunes. First, look up. There's a 14,000 foot peak of the Sangre de Cristos range that you can almost reach out and touch, and an entire ecosystem coming down the flanks of those mountains down to a four or five thousand foot valley.

Then, let's go out to these sand dunes in the spring and watch the water bubbling out of the sand and forming the tributaries that nourish the wetlands that form the headwaters of the Rio Grande. And isn't it time in this generation, with all of these development schemes pressing in, to say: "We've gone from curiosity to landscape. We can begin to think of an ecosystem, and there's still time to protect that ecosystem"? And, in the process, say to the people of Alamosa: "These water export schemes have just acquired a new adversary. A built-up adversary called the National Park Service, in charge of defending an ecosystem, an integral part of which is not just sand, but water"? And now the people of the San Luis Valley have an ally against all of these kinds of schemes. So, that's the issue down there. Can we look up, see it whole, and get protection?

Now, I was down there in this continuing dialogue about a month ago with members of the Colorado delegation, and there was legislation being drafted. I'm hopeful we can get something done. But again, I look over my shoulder at the Grand Canyon, remembering that experience, I'm looking at my watch saying "It's February. It's a Presidential election year. Congress will recess early and often." And we must bring this discussion to the kind of resolution that's important for the people of Colorado and the country.

Now lastly, back to Grand Junction. The story in Grand Junction is also interesting. It is a magnificent landscape. It's named, of course, because it is the junction in that valley of the Grand, and, actually, I get confused, because the Colorado River used to be named the Grand, and then Colorado woke up and said "No, it's grand, but it's Colorado." So they've been renaming rivers over there. In that valley, the Gunnison and the Grand—no, that can't be right—it's a junction of a couple of rivers over there okay! And it's in some truly remarkable . . . this is plateau

country. The Morrison formation—all the Jurassic, Triassic formations; trek across the landscape and you'll trip over a dinosaur. The Colorado River begins its course through the canyons moving westward into Utah. We have a national monument there because, clear back in 1910 a resident of Grand Junction used to take his horse and buggy out on Sunday afternoons to admire the red rocks immediately to the west of Grand Junction, and, in the spirit of the time, the curiosities—an Indian ruin, some sand dunes, nice red rocks right there. He was an early anti-sprawl guy, I guess, because he said: "We ought to protect those red rocks." And he contacted his Congressman and they got it done. So, we've got a national monument there. But the remarkable thing is, go to the national monument and start looking around and you'll say: "Hey, wait a minute. This isn't about the view from the visitor's center. It's about the wilderness areas on the south bank of the Colorado that extend unbroken, undeveloped, westward to Utah." It's about the Colorado River. It's the Colorado River stupid. I KNOW the name of the river there. Whatever the tributaries are, it's the Colorado River. But the monument doesn't extend to the most obvious resource in the whole place, which is the Colorado River.

Western Colorado is dinosaur city. There are quarries all over the landscape. And it's a wonderful complex. The quarries are all outside of the monument because, when this fellow from Grand Junction was protecting the view, he wasn't into dinosaurs, or rivers, or wilderness areas. So, doesn't that suggest that 100 years later it's time to assess our surroundings now that there are 100 times as many people and say "What is it going to come to?" Do we have the capacity to look up around us? Because, right now on this landscape it's pretty much either/or. Is it going to be a postage-stamp park, or wide-open public domain on which anything goes (that's called BLM land)? And, once again, the dialogue we will continue this afternoon relates to "Can we do it legislatively, or must we do it by the more traditional method—by Presidential Proclamation?"

Well, this in a nutshell is the dialogue that is taking place all over the West. It is taking place at this point in time because people are uneasy about the future of the West. The population is growing. People who came West precisely because of the extraordinary evocative power of the land where they felt that they could live in a different relationship with creation, are now finding that congestion, sprawl, thoughtless development, and unrestrained exploitation of the land is threatening to erase the very values, in the deepest of ironies, that not only brought them here, but created the very opportunity which now, carried on in linear, uncontrolled fashion, will threaten the end of the possibility of a new vision and a sustainable way of life on this landscape.

Thank you.