



March 16, 2021

The Honorable Tom Vilsack
Secretary
U.S. Department of Agriculture ("USDA")
1400 Independence Ave., S.W.
Washington, D.C. 20250

Dear Secretary Vilsack,

RE: Please restore the 2016, USDA Determination to Protect Grand Canyon National Park and the Havasupai Tribe from a Proposed Massive New Destructive Development.

On March 4, 2016, under your leadership as President Obama's USDA Secretary, the USDA Forest Service rejected as "not in the public interest" the request for a Kaibab National Forest road easement by developer Gruppo Stilo and the Town of Tusayan ("Stilo").¹ Granting of the easement continues to be "not in the public interest" because granting of the easement would allow a massive proposed development to proceed near the south entrance of Grand Canyon National Park that will still harm the Park and the nearby Havasupai Tribe. The Stilo development cannot proceed without the Forest Service easement.

Unfortunately, on September 28, 2020, at the frenzied end of the Trump Administration, the March 4, 2016, decision to reject the easement request was suddenly and inexplicably reversed.²

Except for cosmetic changes to the development proposal, nothing changed between March 4, 2016 and September 28, 2020, to contradict the Forest Service's earlier factually supported rationale that:

"the proposal is deeply controversial, is opposed by local and national communities, would stress local and Park infrastructure, and have

¹ Correspondence, from Heather Provencio, Forest Supervisor, Kaibab National Forest; to Craig Sanderson, Mayor, Town of Tusayan; RE: Stilo/Tusayan development "is not in the public interest," March 4, 2016, https://www.biologicaldiversity.org/programs/public_land/forests/pdfs/tusayan/20160304-CORRESPONDENCE-USFS-to-TUSAYAN-re-APPLICATION-REJECTION.pdf.

² Correspondence, from Heather Provencio, Forest Supervisor, Kaibab National Forest; to Craig Sanderson, Town of Tusayan Mayor and Stilo Development Group, RE: "your proposal is now accepted"; September 28, 2020, https://www.biologicaldiversity.org/programs/public_land/forests/pdfs/tusayan/20200928-correspondence-USFS-to-TUSAYAN-STILO-re-PROPOSAL-MEETS-MINIMUM-REQUIREMENTS.pdf.

untold impacts to the surrounding Tribal and National Park lands ... the proposal is not in the public interest."³

Nothing changed that is, except for Trump. The project still proposes to develop more than 2,000 new homes and millions of square feet of new commercial space.⁴

On February 25, 2014, former Grand Canyon National Park Supervisor David Uberuaga wrote regarding the Stilo development:

"...We have stated several times throughout the comment process that the increase in residents and visitation will have tremendous negative (and possibly irretrievable) impacts on the park infrastructure and resources for which the park was established, including the fragile seeps and springs that represent some of the least altered water resources in the southwest.

Grand Canyon springs and seeps are extremely important ecologically to the park's plants and animals, and nurture a high percentage of the park's ecological diversity. These water resources are dependent on the R-aquifer. In a recently published study for the potential Airport water-well development, Montgomery and Associates validated previous studies that identify current and projected decreases of flows to water sources within the Grand Canyon and Havasu Creek on the Havasupai Reservation due to water wells and extraction in Tusayan. ..."5

On July 6, 2014, the Los Angeles Times reported in "National Park Service calls development plans a threat to Grand Canyon," the following:

"...a major housing and commercial development, jeopardizes the fragile ecology and water supply on the arid South Rim plateau. The Tusayan development would add 2,200 homes and 3 million square feet of commercial space to a town two blocks long.

Park officials say existing development around the park and the scarcity of water have already stressed the park's ability to handle visitors. The new projects would only make matters worse.

³ Correspondence, from Heather Provencio, Forest Supervisor, Kaibab National Forest; to Craig Sanderson, Mayor, Town of Tusayan; RE: Stilo/Tusayan development "is not in the public interest," March 4, 2016, https://www.biologicaldiversity.org/programs/public_land/forests/pdfs/tusayan/20160304-CORRESPONDENCE-USFS-to-TUSAYAN-re-APPLICATION-REJECTION.pdf.

⁴ "National Park Service calls development plans a threat to Grand Canyon," Julie Cart, Los Angeles Times, July 6, 2014, https://www.biologicaldiversity.org/programs/public_land/forests/pdfs/tusayan/news-20140706-National-Park-Service-calls-development-plans-a-threat-to-Grand-Canyon-LAT-2200-HOMES-3-MILLION-SQUARE-FEET-COMMERCIAL-SPACE-print.pdf; Proposal for Special Use Authorization, New Application for Transportation and Utility Systems and Facilities on Federal Lands, Stilo Development Group and Town of Tusayan, January 23, 2020, https://www.biologicaldiversity.org/programs/public_land/forests/pdfs/tusayan/20140225-correspondence-GCNP-to-TUSAYAN-re-GENERAL-PLAN-COMMENTS.pdf.

⁵ Correspondence, from Grand Canyon National Park Supervisor David V. Uberuaga, to Tusayan Town Planner Richard Turner, RE: Summary comments from Grand Canyon National Park regarding the Draft General Plan; February 25, 2014, https://www.biologicaldiversity.org/programs/public_land/forests/pdfs/tusayan/20140225-correspondence-GCNP-to-TUSAYAN-re-GENERAL-PLAN-COMMENTS.pdf.

‘They are serious threats to the future of the park,’ said park Supt. Dave Uberuaga. ‘When you have that size and scope of potential development that close to the park, it will impact our visitor experience.’”⁶

Overcrowding has been and will again be an increasing problem post-Covid, as Grand Canyon National Park's decrepit infrastructure is already overwhelmed. Annual visitation has been approximately 6 million or more since 2016.⁷ The backlog of needed repairs for Grand Canyon National Park is \$313,866,913.⁸

Extraction of local well water to the level necessary for Stilo's development will harm the seeps and springs of Grand Canyon National Park and the Havasupai. Montgomery and Associates (1998),⁹ Kessler (2002),¹⁰ and USGS (2007)¹¹ establish the connectivity between the water pumped at Tusayan and the Grand Canyon National Park springs. They establish that “additional pumping of groundwater from the Redwall-Muav aquifer can significantly impact the seeps and springs below the South Rim.” (Kessler [2002] summarizing Montgomery and Associates [1998]) In addition, since March 4, 2016, the negative effects of the proposed massive Stilo project are now even more likely to occur based on the worsening local projections of diminishing future precipitation and increasing temperatures.¹²

The affected nearby Tribal communities continue to oppose the project and the Forest Service' granting of the lynchpin easement.¹³ On September 27, 2019, the Havasupai Tribe wrote to Kaibab National Forest Supervisor Heather Provencio:

“As in previous years, the Tribe remains opposed to this recent iteration of the Stilo proposal out of grave concern about the proposed development's threatened impacts to the Tribe's primary and near-exclusive water source – the Redwall-Muav Aquifer (the "R-Aquifer") and the Tribe's sacred places on the Coconino Plateau...

The Town of Tusayan currently draws on the R-Aquifer for its water supply, and its water supply, and its existing demands for water are already

⁶ National Park Service calls development plans a threat to Grand Canyon, Julie Cart, Los Angeles Times, July 6, 2014, <http://www.latimes.com/nation/la-na-grand-canyon-20140706-story.html#page=1>.

⁷ Grand Canyon National Park 2020 Statistics, <https://www.nps.gov/grca/learn/management/statistics.htm>, web accessed March 12, 2021.

⁸ NPS Deferred Maintenance by State and Park, Grand Canyon National Park, Arizona, Data as of September 30th, 2018; NPS, <https://www.google.com/search?client=firefox-b-1-d&q=nps+deferred+maintenance+by+state+and+park>, web accessed, March 12, 2021.

⁹ Montgomery & Associates, Inc., 1998. Supplemental Assessment of the Hydrologic Conditions and Potential Effects of Proposed Ground Water Withdrawal, Coconino Plateau Groundwater Sub-Basin, Coconino County, Arizona. 85 p., in Appendix of the Final Environmental Impact Statement for Tusayan Growth, Kaibab National Forest.

¹⁰ Kessler, 2002. Grand Canyon Springs and the Redwall-Muav Aquifer: Comparison of Geologic Framework and Groundwater Flow Models, Northern Arizona, December 2002.

¹¹ Bills, D.J., Flynn, M.E., and Monroe, S.A., 2007, Hydrogeology of the Coconino Plateau and adjacent areas, Coconino and Yavapai Counties, Arizona: U.S. Geological Survey Scientific Investigations Report 2005–5222, 101 p., 4 plates, <https://pubs.er.usgs.gov/publication/sir20055222>.

¹² Recent and projected precipitation and temperature changes in the Grand Canyon area with implications for groundwater resources, Fred D. Tillman, Subhrendu Gangopadhyay and Tom Pruitt, Scientific Reports, November 12, 2020, <https://www.nature.com/articles/s41598-020-76743-6>.

¹³ Correspondence, from: Hopi Cultural Preservation Office Director Leigh J. Kuwanwisiwma; to: Kaibab National Forest Supervisor Heather Provencio; RE: "...this action will adversely affect the Grand Canyon Traditional Cultural Property, and will have a significant adverse effect on the environment. Therefore, we strongly oppose the proposed action."; October 6, 2015, https://www.biologicaldiversity.org/programs/public_land/forests/pdfs/tusayan/20151006-CORRESPONDENCE-HOPI-to-USFS-re-REITERATION-OF-OPPOSITION.pdf.

jeopardizing flows into Havasu Creek and, by extension, the Tribe's livelihood. The Stilo proposal threatens to further strain the limited supply of groundwater from the R- Aquifer that the Tribe depends upon for its cultural identity and continued existence. Although the Stilo proposal would prohibit commercial use of groundwater, it nonetheless still proposes to support significant residential developments by pumping groundwater from the Town of Tusayan's existing wells. The Tribe's R- Aquifer water source cannot withstand even more stress from Stilo's proposed residential developments."¹⁴

Please reinstatement the March 4, 2016, decision to reject Stilo's easement application as "not in the public interest" to protect the Grand Canyon and the Havasupai.

If you have any questions, please contact Dr. Robin Silver, Center for Biological Diversity, PO Box 1178, Flagstaff, AZ 86002; phone: (602) 799-3275; or email: rsilver@biologicaldiversity.org.

Sincerely,



Robin Silver, M.D.
Co-Founder and Board Member

CC: Secretary of the Interior Deb Haaland
Senate Energy & Natural Resources Committee Chair Joe Manchin
House Natural Resources Committee Chair Raul M. Grijalva
Havasupai Tribal Chairwoman Eva Kisson
Hopi Tribal Chairman Timothy L. Nuvangyaoma

¹⁴ Correspondence, from: Havasupai Tribal Chairwoman Muriel Uqualla; to: Kaibab National Forest Supervisor Heather Provencio; RE: The Havasupai Tribe's Opposition to the Town of Tusayan and Stilo Development Group's Application for Road and Utility Easements in the Kaibab National Forest; September 27, 2019, https://www.biologicaldiversity.org/programs/public_lands/forests/pdfs/tusayan/20190927-correspondence-HAVASUPAI-to-USFS-re-NO-STILO_CONSULT.pdf.