

**RESOLUTION NO. 2023-06-001**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF  
HILDALE, UTAH, DECLARING THE CITY OF HILDALE IS IN  
OPPOSITION TO THE CREATION OF THE PROPOSED GRAND CANYON NATIONAL  
MONUMENT**

**WHEREAS**, the Antiquities Act of 1906 grants the President authority to “declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated on land owned or controlled by the Federal Government to be national monuments.” 54 U.S.C. §320301(a); and

**WHEREAS**, the Antiquities Act of 1906 restricts the President’s authority by stating that “[t]he President may reserve parcels of land as a part of the national monuments. The limits of the parcels shall be confined to the smallest area compatible with the proper care and management of the objects to be protected.” 54 U.S.C. §320301(b); and

**WHEREAS**, a plain reading of the Antiquities Act of 1906 reveals that the President may only declare national monuments to protect eligible objects which are limited to “historic landmarks, ““historic” or “prehistoric structures,” or “other objects of historic or scientific interest.” 54 U.S.C. §320301(a); and

**WHEREAS**, a plain reading of the Antiquities Act of 1906 reveals that the President may only reserve the “smallest area compatible with the proper care and management” of the eligible objects. 54 U.S.C. §320301(b); and

**WHEREAS**, the President of the United States has sole authority to designate a national monument, but groups, individuals, tribes, and elected officials may from time-to-time propose a national monument for the President’s designation; and

**WHEREAS**, in April 2023, Arizona Senator Kyrsten Sinema and U.S. Representative Raúl Grijalva (AZ-07), together with a small coalition of tribal nations, unveiled a proposal to encourage President Biden to designate the “Baaj Nwaavjo I’tah Kukveni Grand Canyon National Monument” (the “Grand Canyon National Monument”); and

**WHEREAS**, if designated, the Grand Canyon National Monument would restrict access to

approximately 1.1 million acres of private, state, and federal land in Northern Arizona in the remote region of our state known as the “Arizona Strip”; and

**WHEREAS**, the Arizona Strip is an extremely unique region consisting of all the land north of the Grand Canyon and south of the Utah border, and provides world class opportunities for ranching, farming, mining, logging, hunting, and recreation; and

**WHEREAS**, the residents of Southern Utah and the Arizona Strip currently utilize the Arizona Strip to make a living through ranching, farming, mining, logging, and hunting while simultaneously enjoying the beautiful landscape for recreation and sight-seeing; and

**WHEREAS**, the residents of Southern Utah and the Arizona Strip are able to access and use the lands within the boundaries of the proposed Grand Canyon National Monument for all “multiple use” purposes as defined under the Federal Land Policy and Management Act. 43 U.S.C. 1701, et seq.; and

**WHEREAS**, the coalition of politicians and tribal leaders mentioned supra are intent on working with President Biden and the Department of the Interior to permanently designate much of the eastern half of the Arizona Strip as the proposed Grand Canyon National Monument and take those lands out of “multiple-use”; and

**WHEREAS**, the Grand Canyon National Monument proposal has failed to indicate any “objects” eligible for designation as a national monument, as defined in the Antiquities Act of 1906; and

**WHEREAS**, the Grand Canyon National Monument proposal has failed to indicate why 1.1 million acres is “the smallest area compatible with the proper care and management of the objects” as defined in the Antiquities Act of 1906; and

**WHEREAS**, in 2021 President Biden designated both the Grand Staircase-Escalante National Monument (“GSENM”) and Bears Ears National Monument (“BENM”), which together locked up approximately 3.23 million acres in neighboring Utah; and

**WHEREAS**, in the Proclamations for both the GSENM and BENM, President Biden inserted a

provision allowing for the permanent retirement of grazing permits and the federal lands covered by said grazing permits within the GSENM and BENM (the “Grazing Retirement Clause”). Presidential Proclamation 10285, Presidential Proclamation 10286; and

**WHEREAS**, an Animal Unit Month (AUM) is the metric used to determine the number of livestock that can be grazed on federal land grazing allotments, each AUM equals the amount of forage necessary to sustain a 1,000lb mother cow and her calf for one month; and

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**WHEREAS**, at least three independent studies have shown that through multiplier effects, each AUM permitted for use in the GSENM region generates approximately \$100 in economic activity, stimulating economic ripple effects within the community. See Bureau of Land Management, U.S. Department of the Interior, Grand Staircase-Escalante National Monument, Livestock Grazing Plan Amendment EIS, Socioeconomic baseline report. P. 1-2; and

**WHEREAS**, the Grazing Retirement Clause threatens the viability of the ranching industry in Southern Utah by eliminating valuable AUMs, and arguably violates both the Taylor Grazing Act of 1934 and the Federal Land Policy and Management Act of 1976; and

**WHEREAS**, many ranchers in the Utah/Arizona region graze their cattle in both states; and

**WHEREAS**, many ranchers in this region graze their cattle during the summer in higher altitudes in Southern Utah, while wintering in the lower elevations found on the Arizona Strip; and

**WHEREAS**, if the proposed Grand Canyon National Monument were to contain a Grazing Retirement Clause, then the proposed Grand Canyon National Monument would also threaten the viability of the ranching industry in both Southern Utah and Northern Arizona by making the valuable lower elevation grazing unavailable and eliminating valuable AUMs; and

**WHEREAS**, if the proposed Grand Canyon National Monument were to contain a Grazing Retirement Clause, then the proposed Grand Canyon National Monument would arguably violate both the Taylor Grazing Act of 1934 and the Federal Land Policy and Management Act of 1976; and

**WHEREAS**, uranium mining on the Arizona Strip was a major economic driver in years past;  
and

**WHEREAS**, Arizona news sources indicate one of the main purposes of designating the Grand Canyon National Monument is to extend the current uranium mining moratorium indefinitely; Page | 4  
and

**WHEREAS**, Arizona news sources indicate that a tribal coalition (including the Kaibab Band of Paiute Indians) will be given co-management of the proposed Grand Canyon National Monument; and

**WHEREAS**, the Bureau of Land Management (“BLM”) and the U.S. Department of the Interior (“DOI”) have published internal policy on co-stewardship of national monuments with tribal authorities, arguably no statutory authority allows the BLM or DOI to abdicate their land management duties in this manner; and

**WHEREAS**, the members of the Hildale City Council took an oath to support the United States Constitution, the Constitution of Utah and the laws of the State of Utah and today reaffirm our commitment that the Hildale City Council does support the United States Constitution, the Constitution of Utah, and the laws of the State of Utah;

**NOW, THEREFORE, BE IT RESOLVED**, that the Hildale City Council, by the authority granted by the laws of the State of Utah, and the people of the Hildale City, Utah, do hereby commit to stand and defend the rights and liberties as guaranteed by the U.S. and Utah Constitution; and

**BE IT FURTHER RESOLVED**, that the Hildale City Council opposes the designation of the proposed Baaj Nwaavjo I’tah Kukveni Grand Canyon National Monument; and

**BE IT FURTHER RESOLVED**, that the Hildale City Council takes the position that the designation of the proposed Baaj Nwaavjo I’tah Kukveni Grand Canyon National Monument by the President of the United States exceeds his authority under the Antiquities Act of 1906; and

**BE IT FURTHER RESOLVED**, that the Hildale City Council opposes any attempt to limit grazing within the boundaries of the proposed Baaj Nwaavjo I’tah Kukveni Grand Canyon

National Monument; and

**BE IT FURTHER RESOLVED**, that the Hildale City Council opposes any attempt to permanently ban uranium mining and exploration on the Arizona Strip, within the boundaries of the proposed Baaj Nwaavjo I'tah Kukveni Grand Canyon National Monument; and

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**BE IT FURTHER RESOLVED**, that the Hildale City Council opposes any attempt to limit “multiple-use” of the lands within the boundaries of the proposed Baaj Nwaavjo I'tah Kukveni Grand Canyon National Monument; and

**BE IT FURTHER RESOLVED** that the Hildale City Council opposes any attempt by the U.S. Department of the Interior to enter into any kind of co-management or co-stewardship agreement with tribal nations (including, but not limited to, the Kaibab Band of Paiute Indians) on the proposed Baaj Nwaavjo I'tah Kukveni Grand Canyon National Monument; and

**BE IT FURTHER RESOLVED** that the Hildale City Council hereby urges all elected officials in the State of Utah to oppose the proposed Baaj Nwaavjo I'tah Kukveni Grand Canyon National Monument; and

**BE IT FURTHER RESOLVED** that the Hildale City Council hereby urges President Joseph R. Biden to not designate the proposed Baaj Nwaavjo I'tah Kukveni Grand Canyon National Monument.

PASSED AND ADOPTED by the Hildale City Council at a regular meeting of the Council held on June 7, 2023.

HILDALE CITY

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Donia Jessop  
Mayor

ATTEST;

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Sirrene Barlow, Hildale City Recorder