

DEPARTMENT OF THE INTERIOR

WASHINGTON

June 26, 1918.

ADDRESS ONLY
THE SECRETARY OF THE INTERIOR

Hon. Carl Hayden,

House of Representatives.

Dear Mr. Hayden:

Miss Thompson told me of your call this morning and that you wished some comments from me on the Grand Canyon National Park Bill, S. 390, and particularly on lines 13 and 14 of Sec. 5.

Section 5 provides that whenever consistent with the primary purpose of the park, the existing water-power permit act of February 15, 1901, "and subsequent acts" shall be and remain applicable to the lands included within the park. The act of 1901 is now applicable only to the Yosemite, Sequoia and General Grant National Parks. The first part of Section 5 would make it applicable to the new Grand Canyon Park. I think this is a good idea because, as you know, there are great power possibilities on the Colorado and they should, in my opinion, be open to development, particularly as the law of 1901 and Sec. 5 of S. 390, vests a certain amount of discretion in the Secretary as to refusing to grant them if they interfere with

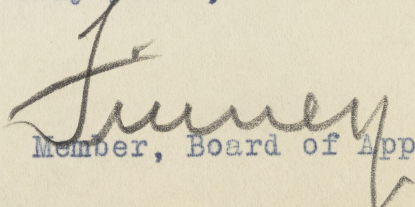
the park purposes. Of course it is not likely that they will interfere because the development will be down at the bottom of the canyon and not interfere with the scenic features. The clause "and subsequent acts" seems to me rather broad, and personally I doubt its advisability. I am informed, however, that Secretary Lane considered and practically wrote Sec. 5, including the clause in question. Of course I would not oppose anything that the Secretary suggested. I think probably the purpose he had in mind was to make sure that the new water-power bill, if passed, would be applicable to development of the Grand Canyon, and I think it would apply even if the clause "and subsequent acts" was cut out of S. 390. You will note on page 8 of the Committee Print of the water-power bill, lines 16 to 22, a provision that licenses for water power can be ^{granted} developed within "any reservation" if the commission shall find that the development will not interfere with the purpose for which the reservation was created or acquired. This makes it clear to my mind that if the water-power bill is enacted, the commission will have authority to issue water-power leases in the Grand

Canyon, and personally I am inclined to the view that the words "and subsequent acts", should be left out of S. 390, because they are so broad and indefinite that it might be claimed that acts passed some time in the future inimical to the park might nevertheless be applicable to it.

Section 7, dealing with reclamation, is designed to authorize the Secretary, where he finds it not incompatible with the park interests, to authorize Government reclamation works in the canyon. This was put in undoubtedly to pave the way for use of reservoir sites, if any there be, in the bottom of the canyon, for storing the waters of the Colorado River for the irrigation of lands below in Arizona and California. This provision was urged by Secretary Lane and I think a wise one. I can see no harm to the park by the creation of either power or irrigation reservoirs in the bottom of the canyon.

I certainly hope that the Committee and yourself will see their way clear to push this bill, as the Grand Canyon should have been in a national park years ago. If there is any further information which you want or which I can give you, please let me know.

Very truly yours,


Member, Board of Appeals.