

STATEMENT OF
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MOHAVE ELCETRIC COOPERATIVE CEO
AMERICAN CLEAN ENERGY RESOURCES TRUST
PUBLIC LISTENING SESSION
UNITED STATES HOUSE OF REPRESENTATIVES
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CONCERNING
“GOVERNMENT LAND GRABS—EXPOSING THE TRUTH”

When the Antiquities Act was first signed by President Theodore Roosevelt in 1906, Einstein had just proposed his theory of relativity, the first movie theatre in the U.S. opened, and Upton Sinclair had just written *The Jungle*. When the Act was amended in 1979, McDonald’s had just introduced the happy meal. And when it was amended again in 1988, Wrigley Field had just debuted its stadium lights for night games. The point here is not so much a history lesson but more an example of how times have changed. We are now in 2016, a time when technology is taking over, a new movie is released every week, and millennials are changing the definition of social interaction.

With change occurring in everything around us, we need to recognize that laws enacted over a century ago do not always reflect 21st century needs. The Antiquities Act is one such law. The original purpose of this legislation was to reduce the looting and destruction of archaeological sites and to give the President authority to preserve certain pieces of land for protection for specific reasons. Although some of that need still remains, the Act has also significantly reduced Western states’ control over their land, with the Federal government already controlling 70% of the land in Arizona. Broad brush establishment of an additional national monument in Arizona reduces the state’s control of its land even further, because upon designation, regulations typically reduce access to the land for grazing-rights, recreation, forest management, energy production and transmission. If the Grand Canyon Watershed National Monument succeeds, the 1.7 million acres included in this recognition will undoubtedly be subject to regulations which will reduce Arizonan’s access to those acres and their potential to utilize the land. It is important to point out that the proposal includes approximately 7,000 acres of privately held land. This type of additional regulatory burden on private land further exacerbates Arizona’s inequitable position with respect to privately held lands.

As General Manager of a rural electric cooperative, I want to specifically address how establishing the Grand Canyon Watershed National Monument could impact Arizona’s ability to expand reliable and affordable electric service. The additional regulatory impediments incorporated into the Resource Management Plans (RMP) associated with national monuments make new transmission infrastructure and maintaining or rebuilding infrastructure very difficult. As an example, cooperatives have some experience with these issues on the Ironwood National

Monument. Cooperatives installed and maintained a transmission line in that area prior to the establishment of that monument. Under the adopted RMP, the current right of way for that line makes reconstruction of that line or additional capacity nearly impossible. To make the issue worse, the monument designation takes away any flexibility of the managing agency to consider alternatives or make adjustments to the right of way. When that line is no longer functional, it will have to be re-routed and any new capacity needed in that area will need to come from somewhere else at greater expense, even if rebuilding or expanding capacity on the current line would be less intrusive or more efficient. This additional expense will be borne by those least able to afford it as co-op's have a higher than average percentage of our population living at or below the federal poverty line.

Additionally, the uranium mining that provides uranium to surrounding nuclear power plants will be greatly reduced, if not eliminated entirely. With this Administration's continued restrictions on coal and natural gas, uranium mining is an essential carbon free resource for baseload generation. These regulations negatively impact these alternative energy sources, and the associated economy will suffer as mining jobs are eliminated, along with the valuable economic development that mining provides to rural communities.

The Antiquities Act must remain a flexible document, and as demonstrated by today's changing society, must be amended to reflect current times. Congressman Gosar's bill, H.R. 3946, the Protecting Local Communities from Executive Overreach Act, would provide valuable protections for communities from extensive federal regulation. Moreover, it is imperative that the Grand Canyon Watershed National Monument be modified in order to preserve the energy sources and natural resources within those 1.7 million acres. The President's authority to unilaterally create a national monument is not only unreasonable given the present landscape in Arizona but defies the very core of our system of checks and balances. Maintaining the status quo with the Antiquities Act would not only prove detrimental to the land that will become highly regulated under the proposed Watershed, but will once again show that the laws of the United States are years behind today's inventors, researchers, and innovators and our economy will suffer accordingly.