

12 July 2016

Honorable Barack Obama
President of the United States
The White House
1600 Pennsylvania Avenue
Washington DC 20500

Re: Protected Public Lands Will Benefit Nevada's Economy

Dear President Obama,

For years Southern Nevadans have been protecting the landscapes that make our region unique. Places like Red Rock Canyon and Mt Charleston are a source of community pride as they improve our quality of life while also helping to drive our economy. I fully understand the need to protect the region's recreational, cultural and natural resources. That is why I support protecting Gold Butte ... Nevada's piece of the Grand Canyon.

Tourism is the lifeblood of Nevada and recreational tourism has a significant role as an economic driver. In addition to consumer spending, recreational tourism provides a significant number of jobs that cannot be sent offshore. Permanent protection of Gold Butte will direct some of this consumer spending and additional jobs to the Mesquite community.

To me, as a member of the Mesquite City Council, it is important to preserve Gold Butte because the City of Mesquite will derive economic benefits from such an action. Recent studies show that designation and protection of Gold Butte may draw up to 35,000 additional visitor trips annually and if only a small % of such visitors stay in Mesquite, the economic impact on our community would be significant. Additionally, having protected lands near Mesquite will increase the likelihood of more retirees relocating to our community. The multiplier effect that new retirees would have on our local economy would also be significant.

I strongly urge you to take action to permanently protect Gold Butte as a National Monument by utilizing the Antiquities Act by the end of your term. It is of vital importance that we safeguard Gold Butte's economic, as well as cultural and environmental benefits for future generations.

Sincerely,

A handwritten signature in cursive script that reads "Richard L Green".

Richard L Green

City of Mesquite

10 East Mesquite Blvd

Mesquite, Nv. 89027

cc: Senator Reid

Congresswoman Titus

C Goldfuss, Managing Director - White House Council on Environmental Quality

S Jewell, Secretary - US Department of the Interior

N Kornze, Director - Bureau of Land Management

March 18, 2016

The Honorable Barack Obama
President of the United States
The White House
1600 Pennsylvania Avenue
Washington, DC 20500

Re: Protected Public Lands Benefit Nevada's Economy

Dear President Obama:

As a former Mayor of the City of Mesquite, preservation of Gold Butte was and continues to be at the forefront of my desires. For decades much of the land known as the Gold Butte complex has been designated as an Area of Critical Environmental Concern and concern has always focused on how the BLM managed the area around Lake Mead and Gold Butte.

Indeed, in or about May/June 2013, both Senator Harry Reid and Congressman Horsford advanced legislation for the management and preservation of Gold Butte. Congressman Horsford's legislation H.R. 2276 mirrored Senator Reid's in setting aside approximately 350,000 acres south of Mesquite and Bunkerville, extending to the shores of Lake Mead. Approximately 120,000 acres would have been designated wilderness at scattered spots throughout the region. But more importantly, in an attempt to achieve inclusiveness and to build a consensus, each piece of legislation established a Virgin Valley Advisory Council.

Despite these efforts within the last ten years and as a result of delay, this treasured landscape has seen a larger increase in destruction to critical habitat, ancient petroglyphs and pioneer heritage sites.

I, and many others, believe the time has come for preservation of this wonder for generations to come. Gold Butte is not just about preserving a treasure for Clark County or Nevada, but rather one of America's wonders. Gold Butte is a treasure trove of cultural, historic, and natural wonders. These wonders include thousands of petroglyphs; historic mining- and pioneer-era artifacts; rare and threatened wildlife such as the Mojave Desert tortoise and desert bighorn sheep; dramatic geologic features like sculpted red sandstone and rock spires; and fossil track-sites dating back 170 to 180 million years ago.

Southern Nevadans have been protecting the landscapes that make our region so unique. Places like Red Rock Canyon and Mt. Charleston are a source of community pride. Every year millions of Americans spend time outdoors. When people visit public lands and spend time in recreational pursuits they frequently spend money in local communities on lodging, meals, gear, licenses, etc. As we just now begin to emerge from the not too distant recession, economics must remain an awareness for all. In 2010 an estimated 5.9 million

Page Two ...

tourists visited BLM lands in Nevada and those visits had an economic impact of \$283.6 million dollars. As a Nevadan, I understand the need to protect the region's recreational, cultural, and natural resources. That is why I support protecting Gold Butte, Nevada's piece of the Grand Canyon.

I ask you to help us create a legacy by taking action to permanently protect Gold Butte now, by either encouraging Congress to pass Senator Reid and Congresswoman Titus's current legislation (S.199 and H.R. 856) or by utilizing the Antiquities Act to designate Gold Butte as a National Monument. It is vitally important that we safeguard Gold Butte's economic, as well as the cultural, and environmental benefits for future generations.

Sincerely,



Susan M. Holecheck, C.P.O., R.P.

(b) (6)

cc: Senator Harry Reid
Congresswoman Dina Titus
Christy Goldfuss, Managing Director, White House Council on Environmental Quality
Sally Jewell, Secretary, U.S. Department of Interior
Neil Kornze, Director, Bureau of Land Management



STEVE SISOLAK
Commissioner

Board of County Commissioners

CLARK COUNTY GOVERNMENT CENTER
500 S GRAND CENTRAL PKY
BOX 551601
LAS VEGAS NV 89155-1601
(702) 455-3500 FAX: (702) 383-6041

September 13, 2016

Dear President Obama:

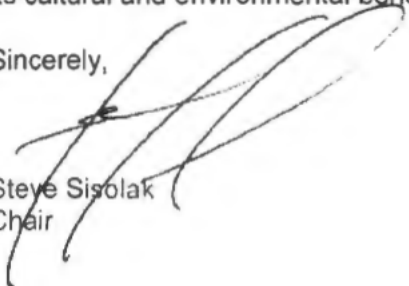
For years Southern Nevadans have been protecting the landscapes that make our region so unique. Places like Red Rock Canyon and Mt. Charleston are a source of community pride. They improve our quality of life and help to drive our economy. As a Nevadan, I understand the need to protect the region's recreational, cultural, and natural resources. That is why I support protecting Gold Butte, Nevada's piece of the Grand Canyon.

Covering almost 350,000 acres in southeastern Nevada, Gold Butte is a treasure trove of cultural, historic, and natural wonders. These wonders include thousands of petroglyphs; historic mining and pioneer-era artifacts; rare and threatened wildlife such as the Mojave Desert tortoise and Desert bighorn sheep; dramatic geologic features like sculpted red sandstone and rock spires; and fossil track sites dating back 170 to 180 million years ago.

But more importantly, time is running out for Gold Butte. In the last 18 months, this treasured landscape has seen a large increase in the destruction to critical habitat, ancient petroglyphs and pioneer heritage sites. Due to this, I feel it is important to preserve Gold Butte as a National Monument to serve both as a beautiful place to visit as well as an educational and exciting treasure for our generation and future generations.

I strongly urge you to take action to permanently protect Gold Butte. Current legislation led by Senator Harry Reid and Congresswoman Dina Titus (S. 199/H.R. 856) has little chance of passing this Congress, so I ask you to utilize the Antiquities Act to designate Gold Butte as a National Monument. It is vitally important that we safeguard Gold Butte's economic, as well as its cultural and environmental benefits for future generations.

Sincerely,


Steve Sisolak
Chair

Mayor
John J. Lee

Council Members
Anita G. Wood
Pamela A. Goynes-Brown
Isaac E. Barron
Richard J. Cherchio



Your Community of Choice

City Manager
Dr. Qiong X. Liu, P.E., PTOE

Office of the Mayor and City Council

2250 Las Vegas Boulevard, North · Suite 910 · North Las Vegas, Nevada 89030
Telephone: (702) 633-1007 · Fax: (702) 649-1339
www.cityofnorthlasvegas.com

September 12, 2016

President Obama
The White House
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500.

Dear President Obama:

For years Southern Nevadans have been protecting the landscapes that make our region so unique. Places like Red Rock Canyon and Mt. Charleston are a source of community pride. They improve our quality of life and help to drive our economy. As a Nevadan, I understand the need to protect the region's recreational, cultural, and natural resources. That is why I support protecting Gold Butte, Nevada's piece of the Grand Canyon.

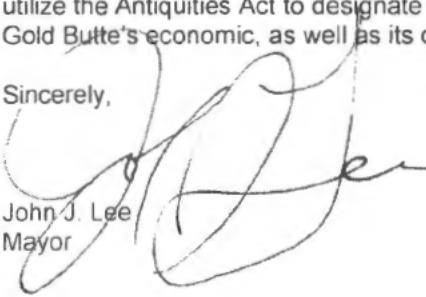
Covering almost 350,000 acres in southeastern Nevada, Gold Butte is a treasure trove of cultural, historic, and natural wonders. These wonders include thousands of petroglyphs; historic mining and pioneer-era artifacts; rare and threatened wildlife such as the Mojave Desert tortoise and Desert bighorn sheep; dramatic geologic features like sculpted red sandstone and rock spires; and fossil track sites dating back 170 to 180 million years ago.

But more importantly, time is running out for Gold Butte. Due to recent events in the last 18 months, this treasured landscape has seen a large increase in the destruction to critical habitat, ancient petroglyphs and pioneer heritage sites.

Over the years my family and I have enjoy hiking, biking, camping and simply taking in the fresh air and beauty of the outdoors. I firmly believe it is important to preserve Gold Butte as a National Monument to serve both as a beautiful place to visit as well as an educational and exciting treasure for our generation and future generations.

I strongly urge you to take action to permanently protect Gold Butte. Current legislation led by Senator Harry Reid and Congresswoman Dina Titus (S. 199/H.R. 856) has little chance of passing this Congress, so I ask you to utilize the Antiquities Act to designate Gold Butte as a National Monument. It is vitally important that we safeguard Gold Butte's economic, as well as its cultural and environmental benefits for future generations.

Sincerely,


John J. Lee
Mayor

July 22nd, 2016

Honorable Barack Obama
President of the United States
The White House
1600 Pennsylvania Avenue
Washington, DC 20500

Dear President Obama:

For years Southern Nevadans have been protecting the landscapes that make our region so unique. Places like Red Rock Canyon and Mt. Charleston are a source of community pride. They improve our quality of life and help to drive our economy. As Nevadans, we understand the need to protect the region's recreational, cultural, and natural resources. That is why we support protecting Gold Butte, Nevada's piece of the Grand Canyon.

Covering almost 350,000 acres in southeastern Nevada, Gold Butte is a treasure trove of cultural, historic, and natural wonders. These wonders include thousands of petroglyphs; historic mining- and pioneer-era artifacts; rare and threatened wildlife such as the Mojave Desert tortoise and desert bighorn sheep; dramatic geologic features like sculpted red sandstone and rock spires; and fossil track-sites dating back 170 to 180 million years ago.

But more importantly time is running out for Gold Butte--due to events in the last two years, this treasured landscape has seen a large increase in destruction to critical habitat, ancient petroglyphs and pioneer heritage sites. As Nevada state Latino elected officials we believe strongly in protecting and preserving the environment, especially historic sites, to share it's amazing story and beauty with many generations to come. It is important for the Nevada Hispanic Legislative Caucus to preserve Gold Butte because, by taking action, we are protecting a piece of our young state's history, while at the same time continuing to ensure we're doing our part to protect the environment and continue to make Nevada a better place to live.

THE
NEVADA HISPANIC
LEGISLATIVE CAUCUS

EMPOWERING HISPANIC FAMILIES AND
COMMUNITIES TO ACHIEVE SUCCESS AND
CREATE A STRONGER, MORE VIBRANT NEVADA.



We strongly urge you to take action to permanently protect Gold Butte now, by either encouraging Congress to pass Senator Reid and Congresswoman Titus's current legislation (S. 199 and H.R. 856) or by utilizing the Antiquities Act to designate Gold Butte as a national monument. It is vitally important that we safeguard Gold Butte's cultural, environmental, and economic benefits for future generations.

Sincerely,

Olivia Diaz, Assemblywoman and NHLC Chair

Nelson Araujo, Assemblyman and NHLC Vice-Chair

Edgar Flores, Assemblyman and NHLC Secretary/Treasurer

Teresa Benitez-Thompson, Assemblywoman

Irene Bustamante-Adams, Assemblywoman

Richard Carrillo, Assemblyman

Moises Denis, State Senator

Ruben Kihuen, State Senator

Dina Neal, Assemblywoman

Tick Segerblom, Assemblyman

Nevada Hispanic Legislative Caucus

P.O. Box 365072

North Las Vegas, NV 89101

cc: U.S. Senator Harry Reid

U.S. Representative Dina Titus

Christy Goldfuss, Managing Director, White House Council on Environmental Quality

Sally Jewell, Secretary, U.S. Department of Interior

Neil Kornze, Director, Bureau of Land Management

THE 2016 NEVADA STATE DEMOCRATIC PARTY PLATFORM

- 219 We support legislation requiring a small fee for disposable bags.
- 220 We oppose use of fracking in the State of Nevada.
- 221 We support regulations that identify chemicals used in the fracking processes.
- 222 We support biologically sound, ethical and sustainable land management policies and wise management of
223 public lands.
- 224 We support the collaboration and coordinated efforts of federal, state, local agencies, and private stakeholders
225 to maintain and increase the sage grouse population saving them from federally designated endangered species
226 status.
- 227 We support adequate funding for the agencies that manage Nevada's lands.
- 228 We support keeping public lands in public hands.
- 229 We oppose the disposal, transportation and reprocessing of nuclear and toxic wastes in or through Nevada.
- 230 We support legislation holding polluters responsible for the costs of mitigation and remediation of pollution.
- 231 We support renewable energy transportation systems.
- 232 We oppose the inhumane treatment of animals.
- 233 We support the historical significance, protection, and humane treatment of the wild horse population and
234 burro populations, while maintaining protection of our ecological biodiversity on public lands in Nevada.
- 235 We support maintaining Lake Tahoe's pristine environment through environmentally sound planning and
236 continued participation in the Tahoe Regional Planning Agency.
- 237 We support making Gold Butte a National Monument.
- 238 We support hemp farming.

ELECTIONS and GOVERNMENT

- 240 We support open and fair elections through voter protection programs.
- 241 We support future reforms to the Presidential Primary process, including super-delegates, while ensuring
242 Nevada remains an early state and *First in the West*.
- 243 We support legislation creating automatic and same-day voter registration through Election Day e-poll books.
- 244 We support expanding the times and locations for early voting.
- 245 We oppose photo ID requirements for voting and/or any other efforts aimed at voter suppression



Mesquite Veterinary Clinic, Inc.

Peggy Purner, DVM

September 19, 2016

Honorable Barack Obama
President of the United States
The White House
1600 Pennsylvania Avenue
Washington, DC 20500

Re: Protected Public Lands Benefit Nevada's Economy

Dear President Obama:

For years Southern Nevadans have been protecting the landscapes that make our region so unique. Places like Red Rock Canyon and Mt. Charleston are a source of community pride. They improve our quality of life and help to drive our economy. As a Nevadan, I understand the need to protect the region's recreational, Cultural, and natural resources. That is why I support protecting Gold Butte, Nevada's piece of the Grand Canyon.

Covering almost 350,000 acres in southeastern Nevada, Gold Butte is a treasure trove of cultural, historic, and natural wonders. These wonders include thousands of petroglyphs; historic mining-and pioneer-era artifacts; rare and threatened wildlife such as the Mojave Desert tortoise and desert bighorn sheep; Dramatic geological features like sculpted red sandstone and rock spires; and fossil track-sites dating back 170 to 180 million years ago. But more importantly time is running out for Gold Butte – due to recent events in the last 18 months, this treasured landscape has seen a large increase in destruction to critical habitat, ancient petroglyphs and pioneer heritage sites.

For me, Gold Butte is a spectacular region that I have enjoyed hiking, horseback riding and driving in for the last 25 years. It is important to preserve Gold Butte because it has so much geologic, and cultural significance. It is important to preserve this valuable resource.

I strongly urge you to take action to permanently protect Gold Butte as a national monument by utilizing the Antiquities Act by the end of your term. It is vitally important that we safeguard Gold Butte's economic, as well as the cultural, and environmental benefits for future generations.

Sincerely,

Peggy Purner, DVM

Cc: Senator Reid

Congresswoman Titus

Christy Goldfuss, Managing Director, White House Council on Environmental Quality

Sally Jewell, Secretary, U.S. Department of Interior

Neil Kornze, Director, Bureau of Land Management

August 25, 2016

Honorable Barack Obama
President of the United States
The White House
1600 Pennsylvania Avenue
Washington, DC 20500

Re: Protected Public Lands Benefit Nevada's Economy

Dear President Obama:

For years Southern Nevadans have been protecting the landscapes that make our region so unique. Places like Red Rock Canyon and Mt. Charleston are a source of community pride. They improve our quality of life and help to drive our economy. As a Nevadan, I understand the need to protect the region's recreational, cultural, and natural resources. That is why I support protecting Gold Butte, Nevada's piece of the Grand Canyon.

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But more importantly time is running out for Gold Butte--due to recent events in the last 18 months, this treasured landscape has seen a large increase in destruction to critical habitat, ancient petroglyphs and pioneer heritage sites.

For me, it is important to protect the petroglyphs, the rare bear poppies, and the open spaces for hikers. I feel it is important to preserve Gold Butte so that everyone can enjoy it's unique desert environment.

I strongly urge you to take action to permanently protect Gold Butte as a national monument by utilizing the Antiquities Act by the end of your term. It is vitally important that we safeguard Gold Butte's economic, as well as the cultural, and environmental benefits for future generations.

Sincerely,



(b) (6)

cc: Senator Reid
Congresswoman Titus
Christy Goldfuss, Managing Director, White House Council on Environmental Quality
Sally Jewell, Secretary, U.S. Department of Interior
Neil Kornze, Director, Bureau of Land Management

August 25, 2016

Honorable Barack Obama
President of the United States
The White House
1600 Pennsylvania Avenue
Washington, DC 20500

Re: Protected Public Lands Benefit Nevada's Economy

Dear President Obama:

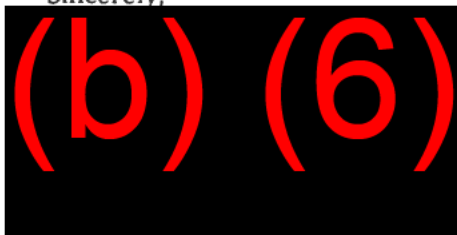
For years Southern Nevadans have been protecting the landscapes that make our region so unique. Places like Red Rock Canyon and Mt. Charleston are a source of community pride. They improve our quality of life and help to drive our economy. As a Nevadan, I understand the need to protect the region's recreational, cultural, and natural resources. That is why I support protecting Gold Butte, Nevada's piece of the Grand Canyon.

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I am especially interested in Gold Butte being designated a national monument because if this area is protected, a large, continuous swath of land from the Grand Canyon through the Lake Mead Nat'l Recreation Area will be in the public domain for future generations. Being residents of Mesquite, NV, my husband and I have spent many days out in this area, specifically Gold Butte, and we would like to see it remain wild for posterity. In addition, I feel that protecting this area will have a positive impact on the Mesquite economy.

I strongly urge you to take action to permanently protect Gold Butte as a national monument by utilizing the Antiquities Act by the end of your term. It is vitally important that we safeguard Gold Butte's economic, as well as the cultural, and environmental benefits for future generations.

Sincerely,

A black rectangular redaction box covers the signature area. Overlaid on the box are two large, red, stylized characters: a lowercase 'b' inside a red circle on the left, and a '6' inside a red circle on the right. This indicates that the signature and name are redacted under FOIA exemption (b)(6).

cc: Senator Reid
Congresswoman Titus
Christy Goldfuss, Managing Director, White House Council on Environmental Quality
Sally Jewell, Secretary, U.S. Department of Interior
Neil Kornze, Director, Bureau of Land Management



400 East Stewart Avenue
Las Vegas, Nevada 89101

(702) 943-7777
(702) 446-4667

May 25, 2016

Honorable Barack Obama
President of the United States
The White House
1600 Pennsylvania Avenue
Washington, D.C. 20500

Dear Mr. President,

On behalf of the nearly 1,500 employees of Zappos.com, Inc. and its affiliates, located in downtown Las Vegas, we are writing to encourage you to protect Gold Butte as a national monument for future generations of Nevadans and all Americans.

Zappos chose Las Vegas as our home and headquarters over ten years ago. For more than a decade, our family of employees has been enjoying the outdoor areas that make this region so unique – places like Red Rock Canyon National Conservation Area, Valley of Fire State Park and Mount Charleston. Not only are these scenic landscapes a source of community pride, but they also drive the local economy through tourism and outdoor recreation and improve our quality of life. Most recently, efforts have turned to protecting Gold Butte, a beloved place of recreation and discovery for Zapponians and Nevadans alike. Spanning 350,000 acres in southeastern Nevada, Gold Butte is a treasure trove of cultural, historic and natural wonders including thousands of petroglyphs, historic pioneer-era artifacts and dramatic geologic features such as sculpted red sandstone, rock spires and fossil track sites. However, despite being one of Nevada's most valuable outdoor cultural and recreation resources, Gold Butte is also one of the most endangered.

Zappos exists to "live and deliver WOW", creatively going above and beyond expectations to help customers and causes. Mr. President, you too have delivered WOW by designating more national monuments than any other administration; including one special place close to our home – Basin and Range National Monument. Today, we strongly urge you to take action and add the protection of Gold Butte to your legacy.

Sincerely,

Scott Schaefer
Vice President
Las Vegas, NV

CC: The Honorable Harry Reid, U.S. Senate
The Honorable Dina Titus, U.S. House of Representatives
The Honorable Sally Jewell, Secretary, U.S. Department of the Interior
The Honorable Neil Kornze, Director, Bureau of Land Management
The Honorable Christy Goldfuss, Managing Director, Council on Environmental Quality

August 9, 2016

Honorable Barack Obama
President of the United States
The White House
1600 Pennsylvania Avenue
Washington, DC 20500

Re: Protected Public Lands Benefit Nevada's Economy

Dear President Obama:

For years Southern Nevadans have been protecting the landscapes that make our region so unique. Places like Red Rock Canyon and Mt. Charleston are a source of community pride. They improve our quality of life and help to drive our economy. As Nevadans, we understand the need to protect the region's recreational, cultural, and natural resources. That is why we support protecting Gold Butte, Nevada's piece of the Grand Canyon.

We know that tourism is the lifeblood of Nevada and recreational tourism is a part of that driver. Each year, outdoor recreation drives over \$646 billion in consumer spending and creates over 6.1 million jobs that can't be sent offshore. In Nevada that translates to almost \$15 billion dollars in consumer spending and 147,600 direct, local jobs. We can continue to improve these statistics by supporting permanent protection for Gold Butte.

My husband and I have lived in and have owned a small business in Mesquite, Nevada for eight years. Before the recession Mesquite was growing exponentially. From 2008-2014 we saw little or no growth in our town, tourism dropped and many businesses closed. As we see things start to pick up again we are hopeful that many more people will find Mesquite a destination for many recreation activities including safely exploring and enjoying Gold Butte. We believe that with increased visitation to Gold Butte comes an increase in tourism to Mesquite thus bringing more customers to all of our businesses. And with the increased traffic in this beautiful area protection is needed to keep the history and the landscape in Gold Butte safe.

We strongly urge you to take action to permanently protect Gold Butte as a national monument by utilizing the Antiquities Act by the end of your term. It is vitally important that we safeguard Gold Butte's economic, as well as the cultural, and environmental benefits for future generations.

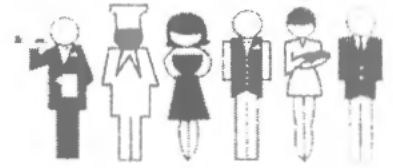
Sincerely,



Michelle Brooks
Ready Golf & Gear, Mesquite, NV

cc: Senator Reid
Congresswoman Titus
Christy Goldfuss, Managing Director, White House Council on Environmental Quality
Sally Jewell, Secretary, U.S. Department of Interior
Neil Kornze, Director, Bureau of Land Management

CULINARY WORKERS UNION, LOCAL 226



Affiliated with UNITE HERE INTERNATIONAL UNION

July 12, 2016

Honorable Barack Obama
President of the United States
The White House
1600 Pennsylvania Avenue
Washington, DC 20500

Re: Gold Butte National Monument

Dear President Obama:

For years Nevadans have come together to protect the landscapes that make our region so unique. In fact, Nevadans across the political spectrum recently confirmed in a Center for Western Priorities poll that they supported access to public lands overwhelmingly with a universal 96% saying outdoor spaces are an important part of what makes Nevada a good place to live.

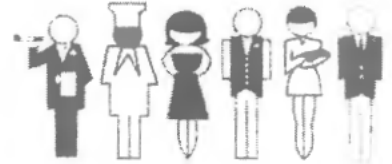
The Latino population and other minority communities have been an unrepresented dynamic in the efforts to preserve public lands. There have been numerous polls that show that communities of color believe the federal government should protect these lands for recreation and the overall health of the environment and our families.

Important to our membership is the health of our economy too and we know that by protecting our public lands we are adding jobs and dollars to our state. Outdoor recreation contributes \$14.8 billion dollars and 147,000 jobs to our economy here in Nevada and increases tourism visits to our state. Public lands improve our quality of life, protects habitat and our sacred spaces. And there is one space in Nevada that is desperate for permanent protection—Gold Butte.

Covering almost 350,000 acres in southeastern Nevada, Gold Butte is Nevada's piece of the Grand Canyon. The landscape includes thousands of petroglyphs; historic mining- and pioneer-era artifacts; dramatic geologic features like sculpted red sandstone and rock spires; and rare wildlife species.

Time is running out for Gold Butte--due to recent events in the last few years, this unique landscape has seen a large increase in destruction to sites that are begging for more support. For us, a union that represents 60,000 members and their families, it is important to preserve Gold Butte now. We have seen first hand the damage that has been done by Congressman Crescent Hardy allowing Cliven Bundy to hold this land hostage. In addition

**CULINARY
WORKERS**
UNION, LOCAL 226



Affiliated with UNITE HERE INTERNATIONAL UNION

to prioritizing electing new leadership in that Congressional district, we must also ensure that the land in this district is protected before it's too late.

We strongly urge you to take action to permanently protect Gold by utilizing the Antiquities Act by the end of your term. It is vitally important that we safeguard Gold Butte's economic, as well as the cultural, and environmental benefits for future generations.

Sincerely,

Yvanna Cancela
Political Director, Culinary Union 226

cc: Senator Reid

Congresswoman Titus

Christy Goldfuss, Managing Director, White House Council on Environmental Quality

Sally Jewell, Secretary, U.S. Department of Interior

Neil Kornze, Director, Bureau of Land Management





August 1, 2016

Honorable Barack Obama
President of the United States
The White House
1600 Pennsylvania Avenue
Washington, DC 20500

Dear President Obama:

Greetings from Las Vegas.

I recently authored an opinion piece to mark the one-year anniversary of the Basin and Range monument declaration, a copy of which is included with this letter. It was a proud moment to stand alongside our federal delegation and one of our After School All Star students as you signed the order that day.

It has been an honor to be among your early supporters. No doubt, the use of your executive authority to protect Basin and Range as a National Monument will be a highlight for me of your time as President. The country and the state of Nevada are better off for having this and other beautiful public lands and unique spaces protected. I am especially grateful to you for keeping your commitment to education, healthy families and our public lands.

As you and Senator Reid enter the twilight of your elected careers, I know you both will continue to do more to add to the legacy of our treasured landscapes before you leave office. I, too, feel the need to marshal on. I am pleased to join the many thousands of supporters in Nevada who continue to advocate for one more monument for the area known as Gold Butte. I know that protecting the heritage sites of early pioneers is necessary to preserve rich petroglyphs and the habitat of critical species. If successful, this will add to our ability as Nevadans, as Americans, to express how we value our sacred spaces and desire to share them with the future generations.

I appreciate that your plate is more than full as the hours count down. I hope that you will add protecting Gold Butte to your remarkable legacy.

Sincerely,

Elaine Wynn

ELAINE P. WYNN & FAMILY FOUNDATION



Social Media Support for the Antiquities Act on its 110th birthday (6/8/2016)

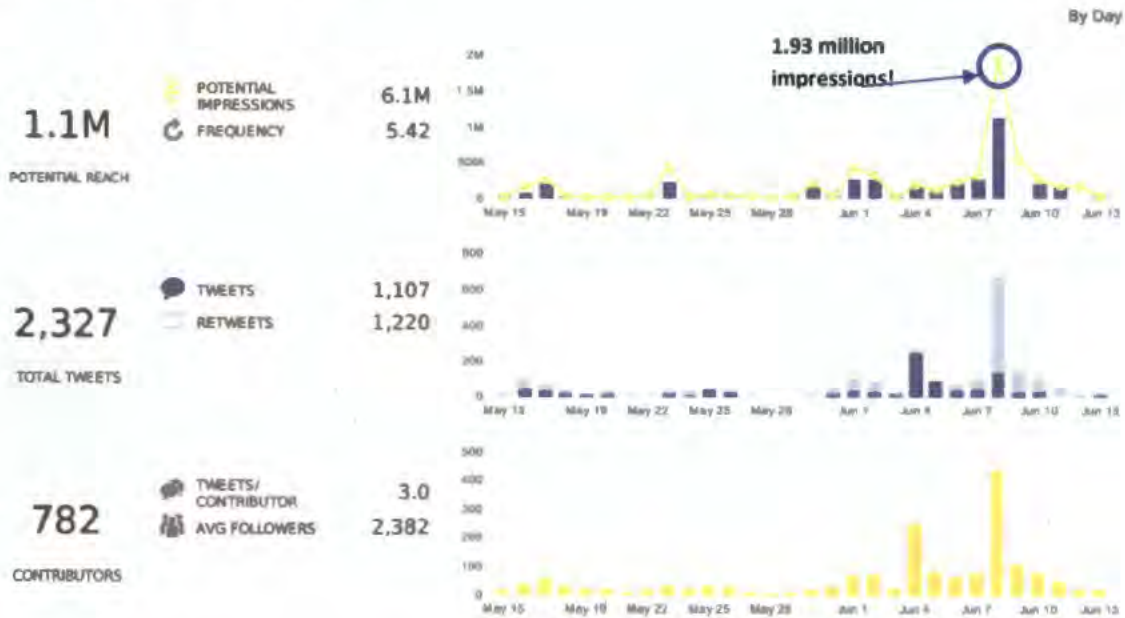
Overview

Wednesday June 8th, 2016 marked the 110th anniversary of the signing of the Antiquities Act into law by President Theodore Roosevelt. To mark the anniversary and highlight the importance of the Antiquities Act in preserving national monuments that protect our shared history, a campaign to recognize the anniversary was begun focusing primarily on congressional outreach and social media. Ultimately, the anniversary led to a huge spike in attention. As outlined below, the overall activity on twitter spiked by a large degree with the hashtags #AntiquitiesAct and #MonumentsforAll generating nearly 2 million total impressions that day alone!

Additionally, nearly 30 members of Congress or congressional caucuses/committees recognized the anniversary on social media as did numerous local and national organizations.

TWITTER TRACKER: ANTIQUITIES ACT

May 15, 2016 - Jun 13, 2016



Enclosed please find a representative sampling (but by no means a complete list) of the posts from this celebration as well as a final Twitter report on the activity.

Thanks for all you have done to give us #Monumentsforall to celebrate so enthusiastically!

Non-government organization support by state

Arizona Conservation Partners (Arizona)	19
Grand Canyon Heritage (Arizona)	19
Cotoni-Coast Dairies (California)	19
Center for Western Priorities (Colorado)	20
Friends of Nevada Wild (Nevada)	20
Protect Gold Butte (Nevada)	21
Public Lands Interpretive Association (New Mexico)	21
New Mexico Wildlife Federation (New Mexico)	21
Grand Canyon Trust (Arizona)	22
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House Republican Member Support

Rep. Ryan Costello (R-PA-06)



Rep. Ryan Costello
@RepRyanCostello



Follow

110 years ago, the [#AntiquitiesAct](#) became law to protect & conserve our national monuments, including in PA. [#Monumentsforall](#)

RETWEETS 6 LINES 14



9:43 AM - 8 Jun 2016

Rep. Robert Dold (R-IL-10)



Rep. Robert J. Dold
@RepDold



Follow

110 years ago yesterday President Teddy Roosevelt signed Antiquities Act allowing for 100+ [#MonumentsForAll](#). Proud to support.

RETWEET 1 LIKE 1



11:45 AM - 9 Jun 2016

Rep. Dan Donovan (R-NY-11)



Dan Donovan
@RepDanDonovan



Follow

110 years strong! Happy (belated) birthday to the [#AntiquitiesAct](#), creating [#MonumentsForAll](#) across the country since 1906!

LIKE 1

7:20 AM - 9 Jun 2016

House Democrat Member Support

Rep. Ruben Gallego (D-AZ-07)



Ruben Gallego
RepRubenGallego

⚙️ Follow

HBD to the #AntiquitiesAct! 110 years of conservation at its finest! #MonumentsForAll

REPLY 1 LIKES 2

3:34 PM · 8 Jun 2016

Rep. Raul Grijalva (D-AZ-03)



Raul M. Grijalva · RepRaulGrijalva · 4h

Lets celebrate 110 anniversary of #AntiquitiesAct by creating a monument for greater #GrandCanyon! #MonumentsForAll



Anti-Government Extremism and Protecting the Grand Canyon

This week marks the 110th anniversary of the Antiquities Act, a landmark law allowing presidents to designate national monuments on land owned ...
dailykos.com

🔗 🗨️ 📌 ⋮

Rep. Lois Capps (D-CA-24)



Lois Capps
RepLoisCapps

⚙️ Follow

Thanks to Antiquities Act passage 110 years ago today, Presidents can designate national monuments like our Carrizo Plain.
#MonumentsForAll

REPLY 5 LIKES 14

1:02 AM · 8 Jun 2016

Rep. Jared Huffman (D-CA-02)



Rep. Jared Huffman
RepHuffman

⚙️ Follow

Happy bday to the [#AntiquitiesAct](#), signed by Teddy Roosevelt and used by [@POTUS](#) in 2014 to protect lands on the Mendo coast [#MonumentsForAll](#)

RETWEETS 8 LIKES 9

2:21 PM - 8 Jun 2016



Rep. Derek Kilmer (D-CA-06)



Derek Kilmer
19 hrs

Like Page

Happy 110th anniversary to the Antiquities Act! Olympic National Park was created because of this legislation, and continues to be a place for friends and family to explore the outdoors. We understand the value of the environment in our neck of the woods, and are proud to have a national park that celebrates our commitment to it. Here's a photo from the National Park Service of the park!



Like Comment Share

62

Chronological



Rep. Derek Kilmer
RepDerekKilmer

⚙️ Follow

Happy 110th anniversary to the [#AntiquitiesAct](#)! It made [#OlympicNationalPark](#) possible!



RETWEETS 4 LIKES 10

12:01 PM - Jun 2016

Rep. Mike Thompson (D-CA-05)



Mike Thompson
RepThompson

Follow

For 110 years, #AntiquitiesAct has protected our lands for future generations!
#Monumentsforall



RETWEETS
5

LIKES
14



10:50 AM · 8 Jun 2016



Congressman Mike Thompson

Like Page

20 hrs
Today our country celebrates the 110th Anniversary of the Antiquities Act. Signed into law by President Teddy Roosevelt, the Antiquities Act grants Presidents the ability to designate public lands as national monuments. From the Grand Canyon, to the newly-designated Berryessa Snow Mountain National Monument, we have the Antiquities Act to thank for over 100 national monuments across our country! #Monumentsforall



Like Comment Share

30

Rep. Nikki Tsongas (D-MA-03)



Niki Tsongas
nikinthehouse

⚙️ Follow

Pres. Theo Roosevelt signed Antiquities Act into law 110 yrs ago today to allow 100+ [#MonumentsForAll](#) since. A milestone for [#conservation](#)

RETWEETS
8

LIKES
9



2:23 PM - 8 Jun 2016



Congresswoman Niki Tsongas

17 hrs

Today marks the 110th anniversary of the passage of the Antiquities Act, a landmark conservation tool signed into law on June 8, 1906 by President Theodore Roosevelt that allows for future Presidents to designate areas of public land with natural or historic importance as national monuments. 110 years later, this important law has helped designate over 100 national monuments, many of which Congress has later turned into national parks that preserve our cultural, historic and natural sites for this generation and the next.

👍 Like 💬 Comment ➦ Share



👍❤️ 24

Rep. John Sarbanes (D-MD-03)



Congressman John Sarbanes

22 hrs

👍 Like Page

Happy 110th Birthday to the Antiquities Act! Signed into law by Teddy Roosevelt, this groundbreaking conservation bill allows the President to designate national monuments, like Maryland's Harriet Tubman Underground Railroad National Monument, which was created by President Obama in 2013. [#MonumentsForAll](#)



Harriet Tubman Underground Railroad National Monument

GO

👍 Like 💬 Comment ➦ Share



👍❤️ 19

Top Comments

Rep. Betty McCollum (D-MN-04)



Betty McCollum
BettyMcCollum04

⚙️ Follow

Today we celebrate 110 years of the Antiquities Act, which preserves national treasures like MN's Pipestone as [#MonumentsForAll](#)

RETWEETS
4

LIKES
10



0:32 AM - 8 Jun 2016

Rep. Beto O'Rourke (D-TX-16)

Rep. Beto O'Rourke RepBetoORourke Follow

Let's make sure Castner Range is preserved forever: youtu.be/AJCB6caaG7I #Caster4Ever #MonumentsForAll



One Minute: Antiquities Act
Speaking on the 110th Anniversary of the Antiquities Act
youtube.com

1 REPLY 2 LIKES

10:03 AM · 9 Jun 2016

Congressman Beto O'Rourke Like Page
51 mins ·

Celebrating the 110th Anniversary of the Antiquities Act by asking my colleagues to support greater diversity in our parks and Castner Range National Monument. #Castner4Ever #MonumentsForAll



177 Views

Like Comment Share

25

Chronological

1 share

2 comments

Rep. Don Beyer (D-VA-08)

Congressman Don Beyer RepDonBeyer Like Page
18 hrs ·

Happy 110th birthday to the #AntiquitiesAct! President Theodore Roosevelt left us a great legacy of public lands protection, including some great monuments right here. #MonumentsForAll



Like Comment Share

Rep. Don Beyer RepDonBeyer 19h
Happy 110th birthday to the #AntiquitiesAct, signed #OTD by President Theodore Roosevelt in 1906! #MonumentsForAll



Senate Member Support

Sen. Michael Bennet (D-CO)



Senator Michael Bennet added 2 new photos 19 hrs

Like Page

Colorado's approach to preserving natural treasures through the Antiquities Act – which celebrates its 110th anniversary today – is a model for the nation. Local communities and stakeholders have come together to build support for plans to protect places like Chimney Rock and Browns Canyon. Our office has been privileged to be part of those efforts. #MonumentsForAll



Like Comment Share



Sen. Al Franken (D-MN)



Sen. Al Franken @SenFranken 22h

National monuments—like Grand Portage and Pipestone in Minnesota—are a vital part of our state and the @NatlParkService. #MonumentsForAll

Retweet 10 Like 11

Non-government organization support by state

Arizona Conservation Partners (Arizona)

ConservationPartners @conservpartners 20h
Thanks to #AntiquitiesAct, we can enjoy the dark skies in Grand Canyon-Parashant National Monument #MonumentsForAll



azconservationpartners.org | photo: robert wick / bin

← 1 1 1 1 1

ConservationPartners @conservpartners 21h
Thanks to #AntiquitiesAct, we can wander thru saguaro forests in Sonoran Desert National Monument. #MonumentsForAll



azconservationpartners.org | photo: robert wick/bim

← 1 1 1 1 1

Grand Canyon Heritage (Arizona)

GrandCanyonHeritage @GreaterGrand 20h
Happy 110th anniversary to the **Antiquities Act**, the law used by 16 Presidents of both parties to protect... fb.me/88qEdJBx8

← 1 1 1 1 1

Cotoni-Coast Dairies (California)

Cotoni-Coast Dairies @CotoniCoastDNM 17h
Thanks to 110 years of the #AntiquitiesAct, @POTUS can designate Cotoni-Coast Dairies and other #MonumentsForAll



← 1 1 1 1 1

Protect Gold Butte (Nevada)



Protect Gold Butte @GoldButteNV 14h

Happy birthday to the #AntiquitiesAct! Celebrating 110 years of conservation through our nation's finest monuments!



Public Lands Interpretive Association (New Mexico)



PLIA publiclands-org @PublicLandsUSA 3h

Three cheers for the Antiquities Act, a powerful tool for executives to protect public lands. fb.me/4IEkZR2Jw



New Mexico Wildlife Federation (New Mexico)



NMWildlifeFederation @NMWildlife 16h

110 years strong! Happy birthday to the #AntiquitiesAct creating #MonumentsForAll across the country since 1906!



Government organization

Green Chamber Las Cruces (New Mexico)



Follow

The Antiquities Act celebrates 110 years of sound conservation work today! On June 8, 1906, President Theodore... fb.me/2maT4hcSZ

1:05 PM · 8 Jun 2016



GreenChamberLC @GreenChamberLC1 · 24h

Happy birthday to the #AntiquitiesAct! Celebrating 110 years of conservation through our nation's finest monuments!



Non-governmental organization support (national)

The Wilderness Society

The Wilderness Society

June 8 at 10:22am

Happy 110th anniversary to the Antiquities Act—signed into law by President Theodore Roosevelt to protect the most irreplaceable spots in America. <http://bit.ly/1WDuW8g>



Like Comment Share

You and 1.5K others

Top Comments



Wilderness Society Wilderness Jun 9

This week, we celebrate the 110th anniversary of the law that protected @GrandCanyonNPS: bit.ly/1YbE43z



Wilderness Society Wilderness Jun 8
110 years ago today, Teddy signed the Antiquities Act to protect #MonumentsForAll bit.ly/1YbE43z



National Parks Conservation Association



National Parks News @NPCA Jun 8

110 yrs ago today President Teddy Roosevelt signed the Antiquities Act into law allowing for 100+ #MonumentsForAll



👍 113 ❤️ 110

National Trust for Historic Preservation



Saving Places @SavingPlaces 22h

Celebrate 110 years of the Antiquities Act by showing your support at savingplac.es/1oaM6fl #MonumentsForAll



#MonumentsForAll
Save the Antiquities Act!
Statue of Liberty, NYC

👍 1 ❤️ 1

Sierra Club

Sierra Club Like Page

The Antiquities Act protecting our wild lands and historical places since June 8, 1906!



Amer

SierraClubSNG Follow

Happy 110th anniversary to the Antiquities Act, the law used by 16 Presidents of both parties to protect... fb.me/7vFx4FOYD

TWITTER TRACKER: ANTIQUITIES ACT

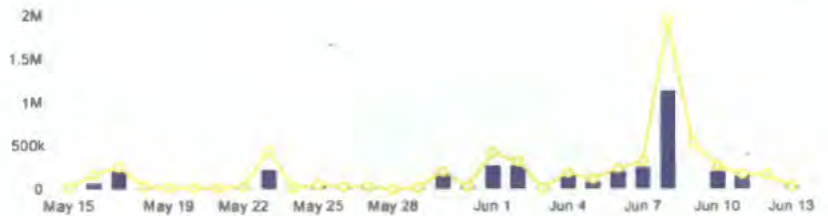
May 15, 2016 - Jun 13, 2016

By Day

1.1M
POTENTIAL REACH

POTENTIAL IMPRESSIONS
 FREQUENCY

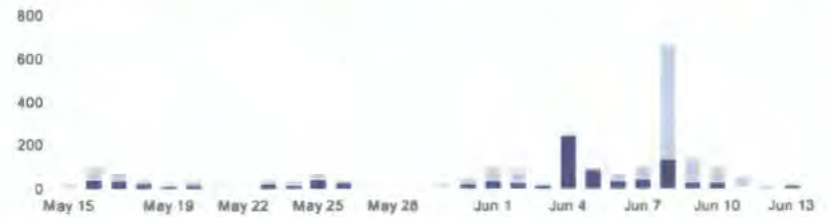
6.1M
5.42



2,327
TOTAL TWEETS

TWEETS
 RETWEETS

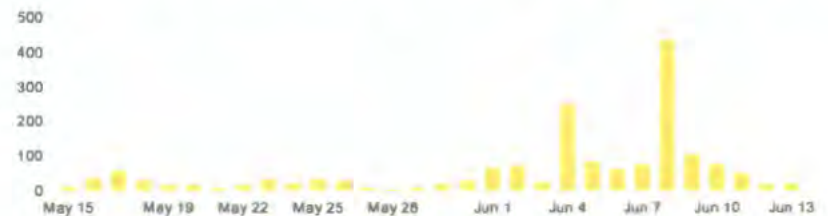
1,107
1,220



782
CONTRIBUTORS

TWEETS/CONTRIBUTOR
 AVG FOLLOWERS

3.0
2,382



AVG TWEETS/DAY

77.6

POTENTIAL IMPRESSIONS/TWEET

2,625

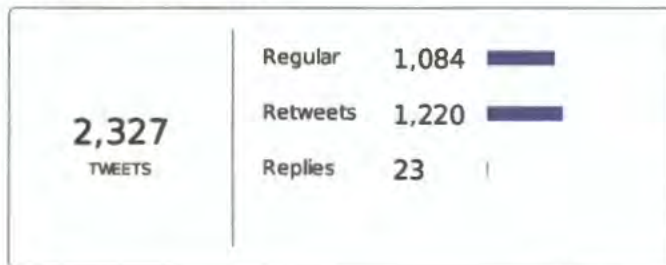
POTENTIAL IMPRESSIONS/DAY

203.6k

RETWEET RATE

1.1

TWEET BREAKDOWN



TOP CONTRIBUTORS

	TWEETS	RETWEETS	IMPRESSIONS
sierraclub	4	6	783.9k
NPCA	4	162	609.5k
Wilderness	6	92	455.9k
LCVoters	4	3	62.4k
amprog	1	0	56.9k
pewenvironment	2	0	56.4k
crashpalace	1	1	55.9k
mathewsjh	74	10	53.3k
CenterForBioDiv	1	11	42.9k

TOP TWEETS





Martin Heinrich @MartinHeinrich Jun 8, 2016

I'm grateful that the #AntiquitiesAct helps protect #PublicLands & preserves #MonumentsForAll.



198.5k

10.6k 22 1



Sierra Club @sierraclub May 30, 2016

Tell @POTUS to protect Utah's #BearsEars. #MonumentsForAll sc.org/1OYE53r

198.4k

196k 6 0



Sierra Club @sierraclub May 23, 2016

.@AlexHonold says in @guardian we need to protect our parks for next generation. sc.org/1sN93Ye #CleanAir4Utah #MonumentsforAll

196k

196k 0 0

View tweets report >



Bears Ears in the News: March - April 2016

The Rise to Power of the Congressional Anti-Parks Caucus

Center for American Progress, April 11, 2016

<https://www.americanprogress.org/issues/green/report/2016/04/11/135044/the-rise-to-power-of-the-congressional-anti-parks-caucus/>

Andersen: Utah wages war against nature

The Aspen Times, April 11, 2016

<http://www.aspentimes.com/opinion/21535095-113/andersen-utah-wages-war-against-nature>

Dabakis: Protect Bears Ears, Obama, because Utah leaders won't

Salt Lake Tribune, April 9, 2016

<http://www.sltrib.com/opinion/3742307-155/dabakis-protect-bears-ears-obama-because>

Panelists face off about Bishop's Public Lands Initiative: More than 100 attend panel discussion

The Park Record (Park City, Utah), April 8, 2016

http://www.parkrecord.com/ci_29743367/panelists-face-off-about-bishops-public-lands-initiative

Bagley Cartoon: Bears Ears Monument

Salt Lake Tribune, April 5 2016

<http://www.sltrib.com/opinion/3743956-155/bagley-cartoon-bears-ears-monument>

In Bears Ears We Trust: Tribally co-managed national monument offers protection and prosperity.

Natural Resources Defense Council (blog), April 4, 2016 by: [Sharon Buccino](#)

<https://www.nrdc.org/experts/sharon-buccino/bears-ears-we-trust-tribally-co-managed-national-monument-offers-protection>

Beautiful part of Utah deserves protection- Tim Yanachek

Wisconsin State Journal (Madison, WI), April 2, 2016

http://host.madison.com/wsj/opinion/mailbag/beautiful-part-of-utah-deserves-protection---tim/article_11d8053c-35b8-5625-8237-a7b015e61ba0.html

Jonah Yellowman on "Radio From Hell" morning radio show

KXRK X96 FM Radio (Salt Lake City), April 1, 2016

<https://www.spreaker.com/user/4650595/radio-from-hell-april-1st-2016-part-2>

Letter: Monument would protect lands from Bishop, legislators

Salt Lake Tribune, March 29, 2016

<http://www.sltrib.com/opinion/3714261-155/letter-monument-would-protect-lands-from>

Letter: Monument would protect lands from Bishop, legislators

Salt Lake Tribune, March 29 2016

<http://www.sltrib.com/opinion/3714261-155/letter-monument-would-protect-lands-from>

Utes, Navajo seek monument to preserve canyon: Utes, Navajos want monument status to protect 1.9M acres of ancestral lands

The Durango Herald, March 30, 2016

<http://www.durangoherald.com/article/20160330/NEWS06/160339948/-1/News/Utes-Navajo-seek-monument-to-preserve-canyon>

Obama bears the right to create national parks

The Stylus – The Student Newspaper of the College at Brockport (New York), March 29, 2016

<http://www.thestylus.net/news/view.php/1018817/Obama-bears-the-right-to-create-national>

Opinion: Who Really Deserves Ownership of Yosemite Names: Hint: It's not the National Park Service or Delaware North

Adventure Journal (blog), March 29, 2016

<http://adventure-journal.com/2016/03/opinion-who-really-deserves-ownership-of-yosemite-names/>

Letter: Bears Ears monument would be a delight for the eyes

Salt Lake Tribune, March 29, 2016

<http://www.sltrib.com/opinion/3706601-155/letter-bears-ears-monument-would-be>

Letter: A National Monument in Utah

The New York Times

From Willie Grayeyes, Chairman, Utah Diné Bikéyah

http://www.nytimes.com/2016/03/29/opinion/a-national-monument-in-utah.html?_r=0

Op-ed: Recent national monuments have protected local interests

Salt Lake Tribune, March 26, 2016

By John Ruple

<http://www.sltrib.com/opinion/3699059-155/op-ed-recent-national-monuments-have-protected>

Conservation group: Bears Ears proposal has deep roots

Navajo Times, March 24, 2016 (subscription only)

The Year of Bears Ears

Conservation Alliance (blog) March 21, 2016

By Tim Peterson, Grand Canyon Trust

<http://www.conservationalliance.com/year-bears-ears/>

College, university students rally at Capitol for Utah's wildlands

Fox 13 News, March 15, 2016

<http://fox13now.com/2016/03/15/college-university-students-rally-at-capitol-for-utahs-wildlands/>

USU student, peers rally against Public Lands Initiative

Logan Herald Journal, Mar 15, 2016

http://news.hjnews.com/allaccess/usu-student-peers-rally-against-public-lands-initiative/article_b7b84797-6c0e-5f63-b1f2-2c8071b48416.html

University students decry Bishop's public lands bill

Deseret News, March 15 2016

<http://www.deseretnews.com/article/865650120/University-students-decry-Bishops-public-lands-bill.html?pg=all>

Letter: PLI a bad bill

Deseret News, March 13 2016

<http://www.deseretnews.com/article/865649957/Letter-PLI-a-bad-bill.html?pg=all>

Remote Utah Enclave Becomes New Battleground Over Reach of U.S. Control

The New York Times, March 12, 2016

<http://www.nytimes.com/2016/03/13/us/remote-utah-enclave-new-battleground-over-reach-of-us-control.html>

Thursday, March 17, 2016 – Protecting Bears Ears » Native America Calling

Native America Calling, March 11, 2016

<http://www.nativeamericacalling.com/thursday-march-17-2016-protecting-bears-ears/>

Tribes oppose effort to stop Bears Ears National Monument in Utah

Indianz.com, March 10, 2016

<http://www.indianz.com/News/2016/020648.asp>

Letter: The 'rightful owners' are the Native Americans

Salt Lake Tribune, March 5, 2016

<http://www.sltrib.com/opinion/3617371-155/letter-the-rightful-owners-are-the>

Op-ed: It's Time to Heal Bears Ears

Indian Country Media Today, March 4, 2016

From Regina Lopez-Whiteskunk, head councilwoman of Ute Mountain Ute Tribe

<http://indiancountrytodaymedianetwork.com/2016/03/04/its-time-heal-bears-ears>

Obama's Next National Monument Could Ignite "Fierce" Land Battle In The West

BuzzFeed News, March 4, 2016

<http://www.buzzfeed.com/jimdairympleii/bears-ears-and-the-sagebrush-election#.yImDjIMzd>

Guest editorial: Public Lands Initiative draft undermines Wilderness Act

Park Record, March 4, 2016

From National Parks Conservation Association (NPCA) opposes PLI, expresses support for Bears Ears Inter-Tribal Coalition proposal

http://www.parkrecord.com/letters-to-the-editor/ci_29596831/guest-editorial

Op-ed: Bears Ears must be protected

Moab Sun News, March 3, 2016

From Murray Cohen, small businessman

http://www.moabsunnews.com/opinion/article_757728e2-e158-11e5-9b90-3bc8231323d9.html

Letter: Public Lands Initiative only benefits a few

Statesman Journal, March 3, 2016

<http://www.statesmanjournal.com/story/opinion/readers/2016/03/04/public-lands-initiative-benefits/81305142/>

Bishop's public lands bill skewered in citizens hearing

Deseret News, March 2, 2016

(quote from former San Juan County Commissioner Mark Maryboy (Navajo) in support of Bears Ears proposal)

<http://www.deseretnews.com/article/865649159/Bishops-public-lands-bill-skewered-in-citizens-hearing.html>

Conservationists say Public Lands Initiative would do more harm than good in Utah

Salt Lake Tribune, March 2, 2016

<http://www.sltrib.com/news/3602768-155/conservationists-say-public-lands-initiative-would>

Unprecedented tribal call for national monument

The Examiner, March 2, 2016

<http://www.examiner.com/article/unprecedented-tribal-call-for-national-monument>

Letter: Bears Ears region needs national monument recognition (*from member of Utah Navajo Aneth Chapter House*)

Grand Junction Sentinel, March 2, 2016 (printed)

<http://www.gjsentinel.com/opinion/articles/email-letters-february-29-2016>



Friends of Cedar Mesa

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Rogue ATVers highlight need for protection & education

Most days at Friends of Cedar Mesa, our motivation comes from the internationally significant landscapes we work to protect. The beauty of the scenery, the depth of the history, and the people we work with provide plenty of "juice" for us to keep working hard.

Some days, however, motivation comes from a different place – anger, frustration, and disbelief at the behavior of irresponsible people who act like the land is "theirs" not "ours."

Over the weekend, a FCM board member reported extensive new damage from off-trail ATV abuse in the Lower Fish Creek area. You might recall this is where FCM organized a hiking trail re-opening project to protect a Pueblo I archaeological site (rare for Cedar Mesa). Following an archaeological clearance, volunteers that day worked hard to make a responsible hiking trail into Lower Fish Creek Canyon.

On Sunday, April 3rd, ATV riders completely disrespected the work that had been done and rules prohibiting cross-country riding. The rider or group of riders tore up the trail we built and rode directly through the archaeological site we were protecting, as well as another, larger, archaeology site. The riders drove right past "no vehicles" signs to travel cross country through fragile soils, pulling doughnuts in cryptobiotic crust and thrashing riparian habitat – almost all within a Wilderness Study Area.



In 2014, FCM organized a trail project re-opening the hiking trail to avoid a sensitive archaeological site – through which ATVers drove this weekend.

Search Site

Contribute Secur



Your tax-deductible helps us save the natural and cultural the greater Cedar

FCME News

Email Address

First Name

Last Name

I'm not a robot.

Sign

FCM is a proud m





Here's the spaghetti like path the ATV riders took tearing around cross country and on the hiker trail.

see the end of this blog post for images of the damage.

This incident comes on the heels of another new illegal road, which was created the weekend before (March 26-27) in the Green Spring area. In that instance, a larger vehicle, probably a jeep driven by a rancher checking on cattle, drove more than 1.5 miles off of highway 276 cutting in and out of a wash, again through fragile riparian areas and soil crusts.

Just a week earlier, we witnessed a camper trailer parked off of another illegal road in the middle of an archaeological site, where the campers trampled a rich lithic scatter and dense area of soil crust.

So that makes three weeks in a row of in-your-face damage caused by irresponsible drivers.

These spring-time events follow a winter where FCM found several miles of new roads in Wilderness Study Areas on Cedar Mesa, made by wood cutters who also drove through and caused damage to archaeological sites.

Some would argue these incidents are the acts of a few "bad apples" giving anyone with a 4x4 or ORV a bad name. We contend this is happening far too often to be an isolated problem.

But what's the solution? What can we do to engender adherence to the rules and respect for the land? Most of us value road access to get where we want to recreate. And you can't post "no vehicles" signs everywhere, and even when you do, some people just drive right over them.

■ We believe the answer has two important elements: enforcement and education.

Some people will only respond to fear of punishment, which is why we need more than one law enforcement officer focused on public lands for all of San Juan County. (The BLM has one law enforcement ranger for San Juan County, but the Forest Service has none. A Park Service ranger is stationed at the Hite Marina, but rarely has time away from Lake Powell).

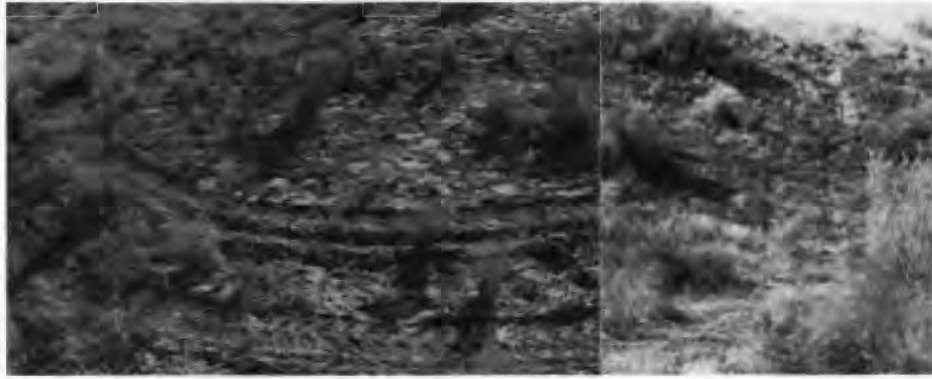
The other side of the coin is education and partnerships. When people get involved with working together, they are invested in making sure "bad apples" don't spoil the bunch. Responsible ATV riders need to band together with "quiet recreationists" like hikers to send a united message about staying on the roads and designated routes. On the technology front, FCM has started work on an iPhone app that will show people designated routes they can enjoy traveling on (rather than relying on old, bad topo maps).

Overarching all of this is the need for permanent protection, in the form of a National Conservation Area or National Monument. Such a designation sends visitors and managers the message that conservation and preservation of resources is the priority for the area. Certainly, protection on paper doesn't stop the irresponsible drivers, campers, looters, or uneducated visitors. But it is the start we need.

This area should have been protected 100 years ago. By getting it right now, we can get started on the real, hard, on-the-ground work of collaborating to protect this special place.

Images from the damage in Lower Fish Creek:





Previous

Next



Author: Josh Ewing

As Executive Director for Friends of Cedar Mesa, Josh advances stewardship through education, advocacy, and organizing.

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The Rise to Power of the Congressional Anti-parks Caucus

By Jenny Rowland

April 11, 2016

For much of the first decade of the 2000s, America's national parks were an area of rare bipartisan agreement in Washington, D.C. President George W. Bush's Interior Secretary Dirk Kempthorne proposed a \$1 billion National Parks Centennial Challenge program to raise public and private money for the National Park System.¹ First Lady Laura Bush launched new initiatives to get more young people outdoors, promoted cultural and historic preservation, and lauded and advanced the Save America's Treasures initiative, which was started by then-First Lady Hillary Clinton to protect and preserve historic buildings, documents, and art.² Likewise, Congress passed dozens of national parks, wilderness, and public lands bills with the unanimous support of its members.

Today, Washington's bipartisan work to protect America's parks and public lands seems like a distant memory. Since 2010, Congress has been incapable of passing individual parks and wilderness bills, legislators are pressing to sell off tens of millions of acres of publicly owned lands, and laws which help protect at-risk public lands—including the Antiquities Act and the Land and Water Conservation Fund—are under relentless attack.³ A Center for American Progress analysis found that between January 2013 and March 2016 members of Congress filed at least 44 bills or amendments that attempted to remove or undercut protections for parks and public lands—making the 114th Congress the most anti-conservation Congress in recent history.

There is no adequate explanation for this erosion in the congressional consensus around national parks and public lands. The transformation does not appear to be a consequence of change in public opinion. Polls indicate that overwhelming majorities of voters support the conservation of national parks and public lands and hold high opinions of the National Park Service, the U.S. Forest Service, and other federal land management agencies.⁴ Eighty-three percent of Americans, for example, would have a "favorable" reaction to their representative in Congress taking "a strong stand in support of policies to protect and strengthen national parks."⁵ The congressional shift also does not appear to be a reaction to any particular action by President Barack Obama; each of the national monuments created by his administration has largely been supported by local communities and elected officials from the area.⁶

Research for this brief found that the breakdown of congressional support for national parks and public lands can be traced to 20 lawmakers—a group of U.S. senators and representatives that CAP has dubbed the anti-parks caucus—whose record on parks-related issues in the last three years sharply diverges from that of their colleagues and the American public. This brief profiles each of these members, reviews their records on national parks and public lands issues, and explores how they have gained power and influence in advancing their troubling agenda.

Moreover, this brief seeks to unpack the origins and motivations of the anti-parks caucus, which emerged after the Tea Party wave in the 2010 election. According to a CAP analysis, at least one of the following three attributes applies to members of the anti-parks caucus:

1. They are members of the Tea Party.
2. They were challenged by a Tea Party candidate in a recent primary election.
3. They are from districts that are less competitive than average.

Most members of the anti-parks caucus have had their re-election bids threatened by a more conservative candidate in a primary election.⁷ That being the case, it seems that these members' quixotic attacks on national parks and public lands are primarily the result of political calculation—a means of burnishing their conservative credentials. By launching an ideological attack on the government's authority to protect and preserve lands, waters, and wildlife, the anti-parks caucus is proving to conservative primary voters that it is opposed to the federal government in every way.

Defining the anti-parks caucus

This brief used the following four criteria, which are based on statements and legislative records since 2013, to identify the 20 members of the anti-parks caucus:

1. Introduction of anti-park legislation, including efforts to seize and sell public lands, undermine the Antiquities Act of 1906, open areas of protected public land to expanded drilling or mining, attacks on the Land and Water Conservation Fund, and attempts to limit publicly available land for recreation or habitat conservation
2. The number of anti-parks bills that the member co-sponsored
3. Membership in the Federal Land Action Group, or FLAG, which has stated that its goal is to “develop a legislative framework for transferring public lands to local ownership and control”⁸
4. Written or verbal statements that support anti-parks legislation or values. This includes statements made by several lawmakers that dismissed the actions but supported the cause of the armed extremists, led by brothers Ammon and Ryan Bundy, who occupied the Malheur National Wildlife Refuge earlier this year. It also includes letters, floor speeches, and statements to the media.

Anti-parks legislation

Attacks against the Antiquities Act

The Antiquities Act of 1906 gives the president authority to protect American landscapes and historical sites as national monuments. Since the law's passage, nearly every president has used it to protect important areas. Bills aimed at abolishing or weakening this law undermine needed protections for many of America's special places. The Antiquities Act is a critical tool that has helped protect many of the country's most treasured national parks, such as the Grand Canyon and Acadia, which were originally national monuments.

If a member's congressional record showed activities in at least two of the above four areas, the lawmaker is clearly active in the anti-parks movement and can be considered a member of the anti-parks caucus. The anti-parks caucus also includes any member who introduced a bill to seize or sell public lands, as well as all FLAG members. The seizure of public lands can have serious impacts on both public access and protection status. It is not a coincidence that these legislative efforts echo the extreme demands of recently indicted militant rancher Cliven Bundy and his sons, Ryan and Ammon.

TABLE 1
The anti-parks caucus

Members of the anti-parks caucus and an inventory of their legislative attacks against America's parks and public lands, January 2013–March 2016

Member of U.S. House of Representatives or U.S. Senate	State-district	Anti-parks statement	FLAG member	Introduced land seizure legislation	Introduced Antiquities Act legislation	Introduced additional anti-parks legislation	Number of co-sponsored anti-parks bills
Rep. Mark Amodei	NV-2	✓	✓	✓	✓		4
Rep. Rob Bishop	UT-1	✓	✓	✓	✓	✓	3
Rep. Diane Black	TN-6		✓	✓			0
Rep. Jason Chaffetz	UT-3	✓		✓		✓	4
Rep. Paul Cook	CA-8	✓		✓			4
Sen. Ted Cruz	TX	✓		✓			0
Sen. Steve Daines	MT				✓		1
Rep. Jeff Duncan	SC-3		✓				4
Rep. Paul Gosar	AZ-4	✓			✓		8
Rep. Crescent Hardy	NV-4	✓	✓		✓	✓	4
Rep. Raúl Labrador	ID-1	✓	✓	✓	✓		2
Rep. Doug LaMalfa	CA-1	✓					5
Sen. Mike Lee	UT	✓		✓	✓	✓	2
Rep. Cynthia Lummis	WY-at large	✓	✓				5
Sen. Lisa Murkowski	AK			✓	✓		1
Rep. Steve Pearce	NM-2	✓					6
Rep. Ted Poe	TX-2			✓			1
Rep. Chris Stewart	UT-2	✓	✓	✓			5
Rep. Greg Walden	OR-2	✓		✓			3
Rep. Don Young	AK-at large	✓		✓	✓		2

Sources: Author's analysis of legislation and statements from members of the U.S. House of Representatives or U.S. Senate official websites and the Library of Congress' Congress.gov database. For more information on these sources, see endnotes in Jenny Rowland, "The Rise to Power of the Congressional Anti-Parks Caucus" (Washington: Center for American Progress, 2016). See also Office of U.S. Congressman Chris Stewart, "Federal Land Action Group to Hold Forum on Tuesday, February 9th," Press release, February 2, 2016, available at <https://stewart.house.gov/media-center/press-releases/federal-land-action-group-to-hold-forum-on-tuesday-february-9th>.

Members of the anti-parks caucus

Rep. Rob Bishop (R-UT)

As chair of the House Natural Resource Committee, Rep. Bishop is responsible for developing and advancing the House of Representatives' agenda for national parks and public lands; this position makes him the most powerful and active member of the anti-parks caucus.

Rep. Bishop is a founding member of FLAG, a vociferous advocate for the disposal of national public lands, and a defender of antigovernment activism on public lands. Speaking about the Malheur National Wildlife Refuge occupation during the height of the takeover, he said, "I want it to end without violence, but I also understand the frustration and feelings people have working with land agencies."⁹

In addition to being one of the most vocal members in support of the land seizure movement, Rep. Bishop has spent more than three years drafting legislation that would facilitate the disposal of public lands in Utah. According to Rep. Bishop, his proposed legislation—known as the Public Lands Initiative—intends to create a "locally-driven" public lands law that is "rooted in the belief that conservation and economic development can coexist."¹⁰ However, his draft proposal would transfer 40,000 acres of public lands to the state of Utah, create loopholes in the Wilderness Act of 1964 to essentially create pseudo-wilderness areas, accelerate oil and gas development, and fail to fully protect the Bears Ears cultural area in the state's southeastern section.¹¹

Rep. Bishop is also a dogged opponent of the Antiquities Act and has introduced H.R. 1459 to undermine the president's authority to establish new national monuments.¹² In a letter to President Obama, Rep. Bishop and several other members from the Utah delegation wrote that they "do not support the use of the Antiquities Act within our community and ask that the administration withdraw any plans to do so."¹³

Additionally, Rep. Bishop has co-sponsored three anti-parks bills and introduced draft legislation that sought to kill the Land and Water Conservation Fund—a program commonly referred to as "America's best parks program."¹⁴

Sen. Lisa Murkowski (R-AK)

Sen. Murkowski is chair of the Senate Committee on Energy and Natural Resources and, like Rep. Bishop, plays a powerful role in deciding which bills will receive a hearing before Congress.

Since 2013, Sen. Murkowski has introduced four anti-parks bills or amendments and has been responsible for many of the most high-profile public lands-related votes. She introduced Senate amendment 838 to last year's budget resolution, which was nonbinding legislation that supported the idea of selling and transferring public lands to the states.¹⁵ The measure passed, and many members subsequently faced serious political backlash for voting in favor of the bill.¹⁶ Similarly, Sen. Murkowski introduced an amendment on the 2015 Keystone XL oil pipeline bill that would have released several wilderness study areas from preservation.¹⁷ The amendment also had a high-profile vote, but ultimately failed.

Sen. Murkowski has also introduced two bills in the last two years that aim to block or weaken the Antiquities Act. Both bills, S. 437 and S. 2608, would require congressional approval for all new monument designations, and would require any state within 100 nautical miles of a proposed marine monument to approve its designation.¹⁸ Sen. Murkowski has also cosponsored another Senate bill aimed at limiting the Antiquities Act.¹⁹

Rep. Mark Amodei (R-NV)

Rep. Amodei is a FLAG member and introduced H.R. 1484, the Honor the Nevada Enabling Act of 1864—which would seize Nevada public land for state control.²⁰ In 2015, Rep. Amodei also introduced H.R. 488, which would cripple the Antiquities Act by blocking the extension or creation of national monuments in Nevada, unless authorized by Congress.²¹ Rep. Amodei has also cosponsored four other bills aimed at curtailing the Antiquities Act and seizing public lands.²² In response to the occupation of the Malheur National Wildlife Refuge, Rep. Amodei signed on to a joint statement that condemned federal officials for law-breaking, rather than condemning the actions of the armed militants.²³

Rep. Diane Black (R-TN)

Rep. Black is a member of FLAG and has used the group to promote her Federal Lands Freedom Act, or H.R. 866, which would give states the opportunity to take control of the permitting process on all forms of energy development on federal lands.²⁴ Although the bill would exempt national parks from these seizures, it is still an extreme threat to those who use public lands for recreation or live near lands where energy production is likely to increase.

Rep. Jason Chaffetz (R-UT)

Rep. Chaffetz has introduced H.R. 435, the Disposal of Excess Federal Lands Act, which would dispose of 3 million acres of shared public lands by competitive sale.²⁵ Rep. Chaffetz has also cosponsored and helped draft Rep. Bishop's Public Lands Initiative bill, which includes aspects of land seizure and would create pseudo-wilderness areas and authorize expanded oil and gas development on public lands.²⁶ He has also co-sponsored three additional bills that aim to undermine the Antiquities Act or seize public land.²⁷

Most recently, Rep. Chaffetz introduced legislation that would get rid of the U.S. Bureau of Land Management, or BLM, and Forest Service's law enforcement officers—a concerning development given the recent confrontations between armed extremists and federal employees on public lands.²⁸ A recent CAP analysis found that the federal agencies that manage public lands already have too few rangers and law enforcement officers to adequately combat criminal activities on public lands.²⁹

Rep. Paul Cook (R-CA)

At the beginning of the year, Rep. Cook introduced H.R. 4313, which would allow states, counties, and private companies to claim thousands of miles of so-called Revised Statute 2477—or simply RS 2477—highways across national parks, monuments, wilderness areas, and other public lands.³⁰ The majority of the routes that fall under the 1866 statute are not typical highways, and often include dry washes, cow paths, or seismic lines from drilling exploration, that would serve to fragment wildlife, watersheds, and recreation on public land.³¹

Rep. Cook has also cosponsored four bills to weaken or prohibit use of the Antiquities Act.³² “I’ve always opposed any effort to create monuments through the President’s Antiquities Act,” said Rep. Cook in response to the desert monuments that were recently designated in California. “This time, special interest groups hijacked these monument designations and ignored the wishes of those who live closest and use the land most often.”³³ This is despite the fact that 75 percent of Californians support President Obama in protecting these lands as national monuments.³⁴

“I’ve always opposed any effort to create monuments through the President’s Antiquities Act.”

—Rep. Cook

Sen. Ted Cruz (R-TX)

Sen. Cruz introduced Senate amendment 3456 to the Bipartisan Sportsmen Act of 2014, which would have prohibited the federal government from owning more than 50 percent of the land in any state and forced any land beyond that threshold to be auctioned off or transferred to state governments.³⁵ “In my view, the BLM already controls far too much land,” Cruz said in an interview with Breitbart in 2014. “We should be reducing the amount of federal land that the BLM controls and the amount of land that the federal government owns.”³⁶

“We should be reducing the amount of federal land that the BLM controls and the amount of land that the federal government owns.”

—Sen. Cruz

Sen. Steve Daines (R-MT)

Sen. Daines has introduced four pieces of legislation to undermine the Antiquities Act: two amendments to the 2015 Keystone XL Pipeline Approval Act—S. Amdt 176 and S. Amdt 132—as well as an amendment to the FY 2016 budget and H.R. 1434, a bill that would prohibit the creation of parks or monuments by the president in Montana.³⁷ Sen. Daines has also cosponsored forest management legislation that would prioritize logging over recreation and open new areas to roads and clear cutting.³⁸

Rep. Jeff Duncan (R-SC)

Rep. Duncan is a FLAG member who has cosponsored a land seizure bill which would transfer the authority of leasing, permitting, and regulating oil and natural gas on public lands to the states.³⁹ He has also cosponsored two bills that would place strict limits on the Antiquities Act and one that would increase drilling on undeveloped areas of public lands—a policy change that Rep. Duncan has cited as one of his top priorities.⁴⁰

Rep. Paul Gosar (R-AZ)

Rep. Gosar introduced H.R. 3946, which would require an unattainable level of public input and local approval conditions for the establishment of new national monuments.⁴¹ The proposed bill would also prohibit new national monument designations of more than 5,000 acres and national monument designations within 18 western counties. Additionally, Rep. Gosar has cosponsored eight bills that would facilitate land seizures or undermine the Antiquities Act.⁴²

“Obama’s moratorium on coal production for public lands is shameful.”

—Rep. Gosar

Rep. Gosar, who has a propensity for inflammatory proposals and rhetoric, recently called for the BLM to create an inventory of public lands that would be “eligible for disposal” and criticized the recent review of the federal coal leasing program, calling it “shameful.”⁴³

Rep. Crescent Hardy (R-NV)

Rep. Hardy is a member of FLAG and introduced H.R. 1445, which would prohibit the Department of the Interior from acquiring new public lands that would be managed by the National Parks Service, U.S. Fish and Wildlife Service, or the BLM, unless the federal budget is balanced.⁴⁴ As a practical matter, the bill would prevent the U.S. government from being able to protect Civil War battlefields from development or guard against the building of private mansions on private inholdings within national parks.

Rep. Hardy introduced two amendments that would add loopholes to the Antiquities Act: H. Amdt. 597 to the most recent appropriations bill and H. Amdt. 345 to the defense authorization bill.⁴⁵ He has also cosponsored three other bills that would alter the Antiquities Act, as well as one bill focused on land seizure.⁴⁶

Rep. Raul Labrador (R-ID)

Rep. Labrador, a member of FLAG, introduced H.R. 2316, which would transfer the management of up to 4 million acres of national forest land to state governor-appointed committees of industry leaders.⁴⁷ During the occupation of the Malheur National Wildlife Refuge, he defended the militants, calling the occupation a “peaceful takeover” in the spirit of “civil disobedience.”⁴⁸ Rep. Labrador also introduced H.R. 900, which would require that all monument designations be approved by Congress and the state.⁴⁹ He also co-sponsored two additional bills that threatened the Antiquities Act.⁵⁰

Rep. Doug LaMalfa (R-CA)

Rep. LaMalfa has cosponsored five bills related to land seizure and weakening the Antiquities Act. In response to President Obama’s designation of California’s Berryessa Snow Mountain National Monument in 2015, LaMalfa gave a floor speech stating that the designation would “make it off limits to all Americans, even if you just want to go in for hiking or hunting.”⁵¹ In reality, the monument continues to be open for recreation and was strongly supported by outdoor recreation and sportsmen groups.⁵²

Sen. Mike Lee (R-UT)

Sen. Lee has offered a slew of anti-parks bills and amendments over the past few years. These include S. 361, which would dispose of Western lands by competitive sale; S. Amdt. 71 to the 2015 Keystone XL Pipeline Approval Act, which would have expedited drilling on public lands; and S. 2004 that would limit the Antiquities Act.⁵³ In January, Sen. Lee introduced S. Amdt. 3022, which would stop the permanent reauthorization of the Land and Water Conservation Fund.⁵⁴ Sen. Lee has also authored two amendments and co-sponsored two bills that would limit the Antiquities Act and halt the creation of new monuments.⁵⁵

Rep. Cynthia Lummis (R-WY)

Rep. Lummis, a member of FLAG, signed onto a joint statement with several other lawmakers that commented on the occupation of the Malheur National Wildlife Refuge and condemned federal officials for law-breaking, rather than taking to task the armed militants.⁵⁶ Rep. Lummis has also stated that she believes states are better forest managers than the federal government.⁵⁷ However, forests under state control are not subjected to the same kind of protections as national forests and states more often prioritize logging, mining, and development over recreational access and conservation.⁵⁸ Rep. Lummis has also cosponsored five bills with either land seizure provisions or which aim to weaken the Antiquities Act.⁵⁹

Rep. Steve Pearce (R-NM)

Rep. Pearce has cosponsored six pieces of legislation that cover land seizure, attacks to the Antiquities Act, and legislation that would prioritize logging over recreation and open new areas to roads and clear cutting.⁶⁰ In response to the occupation of the Malheur National Wildlife Refuge, Pearce issued a joint statement that condemned the actions of federal officials while failing to decry the law-breaking actions of the armed militants.⁶¹

Rep. Ted Poe (R-TX)

Rep. Poe introduced H.R. 1931, the American Lands Act, which seeks to force the sell-off of public land by competitive sale. The bill would indiscriminately sell off 8 percent of national forests and 8 percent of land managed by the BLM to the highest bidder every year until 2021.⁶² That means nearly 36 million acres of publicly owned land would be sold to corporate interests in one year alone.⁶³ Rep. Poe also cosponsored legislation that would transfer the management of leasing, permitting, and regulating oil and natural gas from the federal government to states.⁶⁴

Rep. Chris Stewart (R-UT)

Rep. Stewart, a founding member of FLAG, introduced H.R. 4579—which would turn over an estimated 6,000 miles of road right-of-ways on federal public lands in Utah for road construction and development in protected wilderness areas.⁶⁵ He has also cosponsored five bills with land seizure provisions or restrictions to the Antiquities Act.⁶⁶ “The federal government has been a lousy landlord for western states and we simply think the states can do it better,” Rep. Stewart said on the topic of seizing public land.⁶⁷

Rep. Greg Walden (R-OR)

During the occupation of the Malheur National Wildlife Refuge, which is located in Rep. Walden's district, the congressman gave a long floor speech attacking federal land management policies in the west and condoned the motives underlying the actions of the armed occupiers. "Now we see the extent they will go to in order to defend what they view as their constitutional rights," said Walden of the armed extremists.⁶⁸

A month before the armed occupation began, Walden released draft legislation that was intended to help solve long-running water management problems in Oregon and Northern California's Klamath Basin. However, among other things, the bill proposed to dispose of 200,000 acres of national forest land to counties in Oregon.⁶⁹ Additionally, Walden has cosponsored two bills that would limit the Antiquities Act, as well as forest legislation that would prioritize logging over recreation, open new areas to roads, and promote clear cutting.⁷⁰

Rep. Don Young (R-AK)

Rep. Young has recently introduced H.R. 3650, which would allow any state to seize control and ownership of up to 2 million acres of national forests, the size of Yellowstone National Park.⁷¹ If these lands are transferred to the state, they can then be auctioned off to private ownership for mining, logging, drilling, or other development.⁷² He has also introduced H.R. 330, which would require congressional and governor approval for land and marine monument designations, which would severely weaken the Antiquities Act.⁷³ Additionally, Rep. Young has cosponsored another land seizure bill and forest legislation that would prioritize logging over recreation and open new areas to roads and clear cutting.⁷⁴

Congressional supporting cast

While these 20 members of the anti-parks caucus are the clear leaders of the anti-parks movement, there are several other federal lawmakers who have played supporting roles in the deterioration of the bipartisan history of public lands legislation. Sen. Orrin Hatch (R-UT), Sen. Jeff Flake (R-AZ), Sen. John McCain (R-AZ), Sen. David Vitter (R-LA), Rep. Ryan Zinke (R-MT), Rep. Doug Lamborn (R-CO), Rep. Dan Benishek (R-MI), Rep. Scott Tipton (R-CO), and Rep. Mike Enzi (R-WY), among others, have acted as supporting cast to the congressional anti-parks caucus.

Behind the emergence of the anti-parks caucus

The public land policies of the anti-parks caucus not only differ greatly from the views of most Americans—a bi-partisan 77 percent of whom believe that the United States benefits a “great deal/fair amount” from the National Park System—but they also stray drastically from a majority of their colleagues in Congress.⁷⁵ The caucus’ positions on public lands are also not common to all Republicans from Western states. For example, congressional members—including Rep. Mike Simpson (R-ID), Rep. Dave Reichert (R-WA), and Rep. Cory Gardner (R-CO)—have worked across the aisle to protect America’s diverse landscapes and outdoor heritage.⁷⁶

Next, a closer look at the origins and motivations of the anti-parks caucus.

TABLE 2
Why the anti-parks caucus has emerged

Member of U.S. House of Representatives or U.S. Senate	State-district	Tea Party affiliation	Tea Party challenger	Competitiveness, as measured by the Cook Partisan Voting Index
Rep. Mark Amodei	NV-2			R+5
Rep. Rob Bishop	UT-1	✓		R+27
Rep. Diane Black	TN-6	✓	✓	R+21
Rep. Jason Chaffetz	UT-3	✓		R+25
Rep. Paul Cook	CA-8		✓	R+10
Sen. Ted Cruz	TX	✓		R+10
Sen. Steve Daines	MT		✓	R+7
Rep. Jeff Duncan	SC-3	✓		R+18
Rep. Paul Gosar	AZ-4		✓	R+20
Rep. Crescent Hardy	NV-4		✓	D+4
Rep. Raúl Labrador	ID-1			R+18
Rep. Doug LaMalfa	CA-1		✓	R+10
Sen. Mike Lee	UT	✓	✓	R+22
Rep. Cynthia Lummis	WY-at large	✓	✓	R+22
Sen. Lisa Murkowski	AK		✓	R+12
Rep. Steve Pearce	NM-2	✓		R+5
Rep. Ted Poe	TX-2	✓		R+16
Rep. Chris Stewart	UT-2			R+18
Rep. Greg Walden	OR-2		✓	R+10
Rep. Don Young	AK-at large		✓	R+12
Average		45%	55%	R+14.2

Note: Author’s analysis of the origins and motivations of the anti-parks caucus revealed three attributes—one of which at least applies to nearly all members of the anti-parks caucus: 1) They are members of the Tea Party; 2) they were challenged by a Tea Party candidate in a recent primary election; or 3) they are from districts that are less competitive than the average district.

Sources: Author’s analysis based on David Wasserman, “Introducing the 2014 Cook Political Report Partisan Voter Index” (Washington: The Cook Political Report, 2013), available at <http://cookpolitical.com/story/5604>; The Cook Political Report, “Partisan Voter Index by State, 1994-2014” (2013), available at <http://cookpolitical.com/file/filename.pdf>; Tea Party Caucus via Wayback Machine, “Membership,” available at <https://web.archive.org/web/20121212040121/https://teapartycaucus-bachmann.house.gov/membership> (last accessed March 2016); CR Wire, “Largest Tea Party Group in America Endorses Ted Cruz,” *Conservative Review*, January 31, 2016, available at <https://www.conservativereview.com/commentary/2016/01/tea-party-patriots-endorses-cruz>; David M. Heizerhorn, “Senate Tea Party Caucus Holds First Meeting,” *The Caucus*, January 27, 2011, available at http://thecaucus.blogspot.com/2011/01/27/senate-tea-party-caucus-holds-first-meeting/?_r=0; Lisa Mascaro, “Meet Jason Chaffetz: The congressman who wants to be House speaker,” *Los Angeles Times*, October 7, 2015, available at <http://www.latimes.com/nation/politics/la-na-jason-chaffetz-five-things-20151007-story.html>. For more information on these sources, see endnotes in Jenny Rowland, “The Rise to Power of the Congressional Anti-Parks Caucus” (Washington: Center for American Progress, 2016).

Three characteristics of an anti-parks caucus member

Tea party affiliation

The Tea Party is the far-right, populist, and conservative wing of the Republican Party that gained prominence in 2009 in the wake of President Obama's election and played a significant role in the 2010 and 2012 elections.⁷⁷ Evidence has shown that the beliefs of the Tea Party are not largely shared with the majority of Republicans.⁷⁸

The party's list of "non-negotiable core beliefs" on their website include topics such as "Illegal aliens are here illegally", "gun ownership is sacred", "government must be downsized", and "intrusive government must be stopped."⁷⁹ While policies on public lands are not explicitly referenced, the last two of these Tea Party beliefs play importantly into its vision on public lands—namely, that federally owned public lands should be cut with the rest of "big government" institutions.⁸⁰

An analysis of congressional members who are in the Tea Party Caucus or were endorsed by a prominent Tea Party organization found that 9 of the 20 anti-park caucus members—45 percent—are active in the Tea Party movement.⁸¹ This is a significant number, considering that only 21 percent of the full Republican caucus are Tea Party members.⁸² Moreover, 11 of the 20 anti-parks members are a part of one or more of the Tea Party, Freedom, or Liberty Caucuses; the latter two caucuses hold similar values and are closely associated with the Tea Party movement.⁸³

Challenges from the right

Primary election challenges from candidates on the far right or the Tea Party movement may offer some explanation for the anti-parks caucus members who are not directly associated with the Tea Party. Political challengers and their policy positions may influence the more moderate position that Congress has historically held in relation to public lands, pushing vulnerable members to adopt much more conservative positions in order to remain competitive.

According to a CAP analysis, 11 of 20 anti-parks caucus members—some 55 percent—faced Tea Party opponents or candidates with extreme positions on public lands within their last two election cycles. When members associated with the Tea Party are excluded, 8 out of 11—or 73 percent—of remaining members on the anti-parks caucus have faced these types of opponents.⁸⁴

Sen. Murkowski, for example, lost the 2010 Senate Republican primary to Tea Party favorite Joe Miller—who was endorsed by former Alaska Gov. Sara Palin (R), herself an active figure in the Tea Party movement.⁸⁵ Sen. Murkowski eventually won by a narrow margin in a write-in campaign.⁸⁶ Today, Miller's personal website contains pro-Bundy propaganda, such as an article proclaiming an FBI cover-up in the death LaVoy Finicum, an extremist who occupied the Malheur National Wildlife Refuge in 2016 and was killed during a confrontation with Oregon State Police and the FBI.⁸⁷ Miller has also advanced the idea of the turnover of Alaska's public lands to state control.⁸⁸

Rep. Hardy's closest competitor in the 2014 Nevada Republican primary, Niger Innis, is closely associated with the Tea Party and has been a vocal supporter of the now-indicted rancher Cliven Bundy.⁸⁹ During the campaign, Innis criticized then-state assembly member Hardy for not doing enough to help Bundy. "These guys have done nothing to solve this problem," Innis said of Hardy and other Nevada state officials. "Bundy is the lightning rod, but the real argument is over the 85 percent of our land that is controlled by the federal government."⁹⁰

CAP also found that Reps. Walden, Black, Cook, Gosar, LaMalfa, Lummis, and Young, as well as Sens. Lee and Daines, have all had opponents in their last two election cycles who were closely affiliated with the Tea Party and/or held extreme views on public lands.⁹¹

Lack of district competition

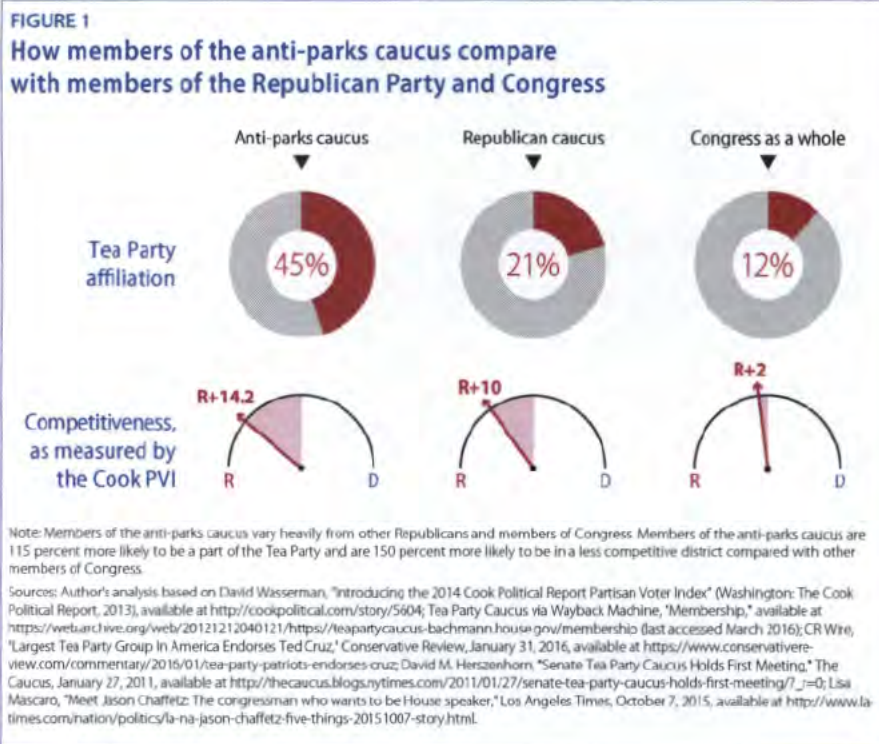
The third reason why many congressional members may have anti-park views is that they are elected in an uncompetitive district, meaning that it is more likely that they can retain their seat regardless of partisanship.

According to Matthew Frankel of the Brookings Institute: "Where competitive races tend to produce more moderate elected officials, noncompetitive races produce the most liberal and conservative members of Congress."⁹²

District and state competitiveness is commonly measured using the Cook Partisan Voting Index, or PVI, which measures how strongly a district or state leans toward voting Democrat or Republican in the form of a numbered rating based on the most recent presidential or congressional election. For example, a rating of D+5 means the district performed five points more Democratic than the national average. A higher PVI score means a district is less competitive.⁹³

According to CAP's analysis the average anti-parks caucus member's congressional district has a rating of R+14.2, which is considered very safe for that seat to remain Republican.⁹⁴ Only one anti-parks caucus member represents a Democratic-leaning district and only three members are in a district rated less than R+10.⁹⁵

Interestingly, when it comes to most public land concerns, particularly land seizure issues, the impetus to do away with federal control does not come from the localities near federal land. According to Jim Caswell, BLM director under President George W. Bush, “public land grab efforts almost never rise up from local communities. They are instead galvanized by partisan politics, mainly at the national level, where the real agenda is wresting public lands from public hands and ultimately privatizing them for nonpublic uses.”⁹⁶



Conclusion

The 20 legislators identified in this brief are responsible for espousing anti-parks rhetoric and introducing legislation aimed at weakening protections of lands that are owned by all Americans and important to a majority of Americans. At the heart of these members' anti-park ideology are some common threads: Tea Party affiliation; competition from far-right candidates; and uncompetitive partisan districts.

The decline of bipartisan parks legislation has come to a head just as the National Park Service marks 2016 as its centennial year and celebrates 100 years of stewardship for American public lands. In this year especially, the parks, and indeed all of America's public lands, deserve a policy agenda that reflects the value Americans place on these exceptional

places and the conservation benefits they provide the country. It is the job of Congress to make sure these important places continue to be protected for future generations and improved upon so that they become more accessible to and inclusive of all Americans.

To counter the anti-parks caucus, those hundreds of congressional members who understand the American values that are inherent in the National Park System should join together to create policy that shepherds the parks into their next century of conservation.

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THE ASPEN TIMES

Andersen: Utah wages war against nature

The Aspen Times, April 11, 2016



In Mormon mythology, Brigham Young stood on a high vantage overlooking the Great Salt Lake and proclaimed, "This is the place!" His words reflected a divine vision, the reverberations of which echo today with a haunting refrain.

The Mormon stronghold has grown since Young's proclamation. It now includes most of the state of Utah, where zealots have laid claim — or hope to — on a vast expanse of Western lands that millions of Americans cherish as a national asset.

Here a land battle rages with harsh words against protecting landscapes millions of years in the making: "We're not taking no more cuts on the mountain." "There will be bloodshed." "If anyone here likes the Antiquities Act the way it is written, die, I mean stupidity out of the gene pool."

Utah land-grabbers want to privatize huge swaths of public property and offer it up to the highest bidders of extractive industries and grazing allotments and, especially, to encourage motorized proliferation of all-terrain vehicles, dirt bikes and off-road vehicles of every stripe.

If you appreciate hiking the Canyonlands and the desert mountain ranges jutting from high mesas and floating the deep gorges of wild and scenic river courses winding through wilderness, then you won't like what the Utah Legislature and various rural Utah counties are trying to do to heritage landscapes that are technically owned by all Americans.

If not for the Southern Utah Wilderness Alliance, some of the most glorious wilderness landscapes in the world, as seen in Southeast Utah, would be marginalized by mechanical industrial overkill. That group is the salvation of these sacred lands known as the Red Rock Wilderness.

Fighting the good fight in Utah for the sake of the land and for the legacy of the American West defines the Southern Utah Wilderness Alliance's mission. It is boldly and bravely taking on the entrenched status quo with conservation-minded activists and attorneys who are attempting to thwart what amounts to a war against nature.

If you've ever witnessed the murky air pollution that often smothers Salt Lake City, you have seen the laissez-faire approach to industry and air quality in Utah. That same attitude when

imposed upon the land reveals itself in the form of rampant development and unbridled motorized recreation.

At risk is the profound silence of the desert, where natural wonders soothe the eye, the mind and the soul. At risk are rare artifacts evincing ancient peoples who left signs of their cultures in hidden alcoves and remote recesses. At risk are delicate ecosystems that allow desert bioregions to thrive with life and diversity. At risk are public lands held in public trust for future generations.

“Doesn’t the present owe the future and chance to know the past?” asked Rod Nash, author of “Wilderness and the American Mind.” Right now that can only happen as long as the Southern Utah Wilderness Alliance is there, defending the Red Rock Wilderness from the plunder of ignorance and greed.

A so-called wilderness bill recently drafted by Rep. Rob Bishop (R-Utah) threw the alliance under the bus after a long and seemingly fruitful series of negotiated compromises between their opposing camps. The alliance calls Bishop’s proposal “the worst wilderness bill we’ve faced ... in three decades.”

Not only does the bill seek to parcel off public land for industrial uses; it obviates the proposed

Bears Ears Wilderness, a collaborative conservation effort of Navajo, Hopi, Zuni, Northern Ute and Ute Mountain Ute people — the true natives of Utah.

The Southern Utah Wilderness Alliance is standing guard over millions of pristine acres despite threats and hostilities that have made their leadership and staff targets. Utah has become more and more divided, and while the contest may eventually tip toward conservation, legal defenses are essential to staving off irreversible destruction of wilderness-quality lands.

If you love the wild desert, then you will love the Southern Utah Wilderness Alliance for its steadfast commitment to conservation, for its powerhouse legal team, for its dedicated field staff and ultimately for its stalwart supporters.

Giving support to the alliance in this ongoing, pitched battle is like an insurance policy against destructive forces trying to deface inspiring desert landscapes. Go to its website and give at www.suwa.org.

Paul Andersen's column appears on Mondays when he's not hiking the high slickrock and remote canyons of Utah. He can be reached at andersen@rof.net.

The Salt Lake Tribune

Dabakis: Protect Bears Ears, Obama, because Utah leaders won't

By Jim Dabakis

Salt Lake Tribune, April 9, 2016

I just returned from meetings in Washington, D.C. It is evident that Utah's governor and the entire GOP delegation have been whispering a shameful campaign of disinformation about the historic proposal to protect Bears Ears.

Last July, leaders from five tribes (Hopi, Navajo Nation, Ute Mountain Ute, Pueblo of Zuni and Ute Indian) founded the Bears Ears Inter-Tribal Coalition, representing a historic consortium of sovereign tribal nations united in the effort to conserve the Bears Ears cultural landscape. A total of 26 tribes have expressed strong support. Native American peoples are also seeking active engagement in future management of the area.

The 1.9 million acres of land, some of the most rugged and beautiful in America, is all in San Juan County. It also has an astonishing 100,000-plus archaeological sites.

Shamefully, Utah's GOP elected officials seem to see this sacred land as one big fossil fuel and mineral extraction feeding trough. These politicians are adamantly opposed to ideas that are not rooted in giving top priority to the 19th century economy of coal, fossil fuels and mineral extraction.

The electeds are determined to pick winners and losers. Following the Soviet model, they boldly march in with your money where leery venture capital refuses to go, often to the benefit of their out-of-state, international corporate friends.

For example, the recent decision by the Legislature and governor to throw \$53 million in state dollars into a private developer's fanciful project to build a coal-exporting port in Oakland, Calif.

There is serious talk about doubling down on dumb with an additional \$100 million in public money to build a railroad spur to get this coal to their yet to be built Oakland port.

Isn't it obvious that the future lies not in 19th century coal and extractions but rather in the world's biggest growth industry, tourism? Instead of handing out hundreds of millions in welfare to huge corporations, Utah should recognize the 21st century's gold is in ecologically friendly backpacking, boating, climbing, cycling, fishing, hiking, mountain biking, sensible OHV/off road and geocaching. Utah's sensible future is as the world leader is in outdoor recreation, not with polluting, cyclical fossil-fuel commodities.

Envision planes from Asia and Europe landing every day in St. George and Moab, bringing the world to see the most magnificent places on earth. Right now, Utah does not have the infrastructure to handle a serious step-up in tourism and outdoor recreation.

Building that in a green way should be a top state economic development priority. Protecting

Bears Ears and getting facilities and the underlying framework to host tourists in an ecological way work hand-in-hand in creating a bustling economy for Utah's next 100 years.

The state is all talk about caring about parks and outdoor recreation. While there seems to be plenty of bucks for their fossil fuel projects, state funding for our magnificent 43 state parks has gone from a paltry \$12 million in 2008 to \$4 million in 2015. That is shameful. Imagine the neglect if they got their hands on 31 million acres of public land?

Because so many Utah GOP elected officials love billboards along scenic byways and have yet to meet a fossil-fuel corporation that they don't love and want to hug, I urge you to contact the president, and, as a Utahn, ask him with the stroke of a pen to save precious Bears Ears. We certainly cannot depend on the governor, the Legislature and the Utah D.C. delegation to do it.

Jim Dabakis is a Democratic state senator representing Salt Lake City.

PARK RECORD.com

Panelists face off about Bishop's Public Lands Initiative *More than 100 attend panel discussion*

Angelique McNaughton, The Park Record, Park City, Utah
April 8, 2016

As Keith Helmke stood in line waiting for the microphone at the panel discussion on Tuesday, he kept going over the question he wanted to ask: why should I trust U.S. Rep. Rob Bishop's Public Lands Initiative?

"What is so wrong with the current system, other than the fact that federal government manages the land and doesn't charge British Petroleum enough," said Helmke, a Jeremy Ranch resident. "Why would I trust Bishop and his cronies and let them divide the spoils among themselves? It's better to do business with the devil himself. At the end of the day, it belongs to the American people.

"I see it as a duplicitous land grab," he said. "These lands are the property of the United States of America.

However, the two-hour long discussion ended before the panelists could weigh in on Helmke's question.

The debate, hosted by the Park City Project for Deeper Understanding, touched on various components of the legislation, including the designation of Bears Ears as a National Monument, potential of expanded areas for fossil fuel development, new wilderness designations and additional watershed management areas in the Uinta Mountains. More than 100 attended.

Bishop and U.S. Rep. Jason Chaffetz (R-Utah) have been working for more than three years with various stakeholders to come up with a proposal that addresses land protection, conservation, recreation and economic development for more than 18 million acres of land. It was crafted from proposals submitted by Summit, Duchesne, Uintah, Carbon, Emery, Grand and San Juan Counties.

When Bishop released a draft in February it immediately sparked concern in Summit County among those responsible for the county's proposal, with most saying it did not represent the wilderness advisory group's wishes.

The county's proposal recommended an expansion of the Uinta Mountains wilderness designation by 23,903 acres and the creation of watershed and special management areas. However, in February, Lisa Yoder, Summit County sustainability program manager, said the legislation "included significant alterations that do not comport with proposal submitted by Summit County."

She went on, "several edits are required to bring the draft legislation into line with Summit County's resolution and language for the watershed management areas, special management area, and wilderness."

Casey Snider, Bishop's legislative director, acknowledged the discrepancies saying "those were oversights on our part that we readily admit."

"For the purpose of drafting the proposal, we lumped things together to be able to move forward into the next process," Snider said. "I assure you and, I dare say, that your elected officials can attest, that we have worked to get specific details to make this better and we have attempted to come back to address those. At his stage in the game we are still working on this process."

Throughout the evening, Snider repeatedly stated that his office is "trying to strike a balance" between various groups about the management of millions of acres. He said Bishop made a statement when this process started that "all we are going to do is make everyone equally unhappy."

"I think we have achieved this," Snider said with a laugh. "But what we will not stand for is a process that takes away from a collaborative effort and instead inserts politics into this discussion. We cannot move forward if people are trying to kill it so 'I can get everything I want.'"

Snider said his office is working through a "substantial corrections" right now to produce a viable piece of legislation. He said the next draft "will not look like this."

"People should not be made to feel we are hiding the ball," Snider said. "I think going forward we will make a stronger effort to identify those things so people know exactly what is being laid out."

David Garbett, staff attorney for the Southern Utah Wilderness Alliance, countered that saying Summit County is unique in this discussion because its proposal represented a consensus between various stakeholders.

"With that diverse group, Summit County reached a consensus and I think it is fair to treat that differently and it should be honored," Garbett said.

Garbett referred to the Public Lands Initiative as a "fossil fuel development bill" and said the environmental community has "a number of concerns" with it.

"It's an effort to deprive Americans of their management and their say over our national public lands and grant it to the state and county," Garbett said. "We are not happy with what we've seen from the PLI (Public Lands Initiative)."

"The state of Utah has a 20-year history of failed attempts at this and the root of that problem is the failure to recognize that these lands are national lands and everyone has a say over how they are managed," he said.

Tina Smith, a Park City resident, was also waiting in line with Helmke when the discussion ended. Smith said she didn't have a question for the panelists, but, instead, wanted to make a direct statement.

"I am really concerned about the energy zones," Smith said. "When you look at the maps they want to drill-baby-drill and I feel like we are being sold down the river."

To view the Public Lands Initiative Draft, go to <http://www.utahpli.com/>

The Salt Lake Tribune

Bagley Cartoon: Bears Ears Monument

By [PAT BAGLEY](#) | The Salt Lake Tribune
First Published Apr 05 2016 05:36PM





In Bears Ears We Trust: Tribally co-managed national monument offers protection and prosperity.

April 4, 2016 by: [Sharon Buccino](#)
Natural Resources Defense Council (blog)



Bears Ears—its twin buttes rise over lush green meadows. The green is as surprising in this remote corner of arid southeastern Utah as the gathering of tribal leaders who stand among it, representing the Navajo, Hopi, Uintah and Ouray Ute, Ute Mountain Ute, and Zuni. Never before have so many tribes set aside their differences and come together to protect a landscape. The five tribes have organized in a formal inter-governmental body called the Bears Ears Inter-Tribal Coalition. Supported by more than 260 tribes nationwide, the Coalition exists to promote a common agenda—designation of 1.9 million acres as the Bears Ears [National Monument](#).

For generations, the federal government has held tribal assets, including land, in trust, required by law to manage them for the benefit of Native

Americans. History has obliged tribes to trust the federal government, despite a long track record of broken promises. It's time to think about trust in a new way. It's time for the federal government to trust the tribes.

The Inter-Tribal Coalition's [proposal](#) provides for co-management of the Bears Ears monument by a Commission made up of eight members—one from each of the five tribes, plus one from each federal agency that manages land within the monument. This would give tribes a seat at the table and a voice in how their ancestral homelands are managed. The Commission would hire a monument manager and set performance standards for the manager. In the end, the Secretary of the Interior or Agriculture would have ultimate authority.

As proposed, the Bears Ears monument would be bounded by the Colorado and San Juan rivers to the west and the Navajo Reservation to the south. On the east and north, the boundary is marked by low bluffs and high mesas and plateaus from White Mesa up to the Colorado River near Moab, Utah.

Ancestors of the tribes that have proposed the monument built civilizations on these lands. But their connections to this place are not just a memory. Bears Ears is still home to sacred resources that continue to be vital to tribal communities across the region as a place of subsistence, spirituality, healing, and contemplation. Today, the proposed monument is made up primarily of lands now held by the Interior Department's Bureau of Land Management, but also Forest Service and National Park Service lands.

The government would not give away the land. The tribes have not asked for it. The lands are federal lands that belong to all of us. Who better to trust with its management than the tribes who have embraced these lands for centuries? As one tribal member has said, "We don't manage land. The land manages us." Under tribal co-management, the American public could expect the same level of conservation—of the land, wildlife, air, water—that federal managers would deliver. Why not include tribal voices in the search for answers when it comes to how best to achieve conservation?

For years, the tribes have had to trust the federal government to look out for their interests. Now, we are looking to the tribes to protect ours. I'm willing to bet that the tribes will do better than the U.S. has done for them.

WISCONSIN STATE JOURNAL

Beautiful part of Utah deserves protection -- Tim Yanacheck

April 2, 2016 -- Wisconsin State Journal (Madison, WI)

Sunday's Travel section article "Fantastic formations" featured some awesome photos of my favorite place: southeastern Utah.

I go there every year. I've spent many days hiking, backpacking, camping and sightseeing in some of the very places described so well in the story. As visitors from around the world would attest, there is no other place like it anywhere.

The article is also quite timely in light of recent events. Readers may want to know that this world-class area is threatened by looting of Native American antiquities and by proposed ruinous oil and gas extraction fields. President Barack Obama is considering protections via the Bears Ears National Monument proposal put forward by five local Native American tribes. It's a proposal I hope the president soon embraces.

As a Wisconsin citizen, I am very proud our U.S. Sen. Tammy Baldwin, D-Madison, and U.S. Rep. Mark Pocan, D-Black Earth, are supporting legislation that would also help conserve the region.

-- Tim Yanacheck, Oregon



Jonah Yellowman on “Radio From Hell” morning radio show

KXRR X96 FM Radio (Salt Lake City), April 1, 2016



To listen to the broadcast, go to: <https://www.speaker.com/user/4650595/radio-from-hell-april-1st-2016-part-2>

The Salt Lake Tribune

Letter: Monument would protect lands from Bishop, legislators

Salt Lake Tribune, March 29 2016

<http://www.sltrib.com/opinion/3714261-155/letter-monument-would-protect-lands-from>

In an almost 180-degree departure from the conservation ethics of Teddy Roosevelt, Rep. Rob Bishop's Public Lands Initiative is an insult to successful land management programs that have preserved crucial wild lands for the benefit of the American people for generations.

Bishop's plan is short-sighted and destructive, and he has proven himself unworthy of the task of promoting a lands exchange that is so lopsided in favor of industry and extraction that it reeks of political and industrial cronyism and disregards the environmental heritage of future generations.

At a time when climate change threatens the planet and fossil fuels are known to be the cause,

why are conservatives so entrenched in promoting ignorance and intransigence in the face of scientific evidence? And why do modern republicans find the concept of conservation to be so abhorrent? Dismissing the views of the environmental community as "crap" speaks to Bishop's lack of objectivity and an unwillingness to compromise, along with an inability to comprehend the dire consequences of his actions. A statesman he is not.

We need to protect Utah from Utahns like Rob Bishop and the horse thieves in the Legislature. We need a national monument.

David E. Jensen
Holladay

THE Durango HERALD

Utes, Navajo seek monument to preserve canyon

Utes, Navajos want monument status to protect 1.9M acres of ancestral lands

The Durango Herald, March 30, 2016

For generations, the Allen Canyon band of Ute Mountain Utes has made a name for itself by creating artistic wedding baskets out of willows and plant dyes collected in the remote canyon in southeastern Utah.



Jim Mimiaga/The Journal

A ghostly petroglyph watches visitors of Jailhouse ruin in Bullet Canyon. Native tribes have ancestral ties to ruins in southeastern Utah and are advocating for further protection.



Jim Mimiaga/The Journal

A coalition of native tribes are advocating for the Bear's Ears National Monument in southeastern Utah. During a panel discussion at the Celebrate Cedar Mesa conference in Bluff, Utah, Navajo Jonah Yellowman, Zuni Octavius Seowtewa and Navajos Willie Grayeyes and Eric Descheenic share the Native American perspective on the importance of ancestral lands.



Shannon Livick/The Journal file photo

Monarch Cave is one of the more popular routes in the remote area near Comb Ridge within the proposed monument.



Shannon Livick/The Journal file photo

Artifacts can be spotted at Comb Ridge sites, even corn cobs. But signs remind visitors that removing or damaging any of them is a crime.



Courtesy of
Andrew Gulliford

While most carved Anasazi or Moki steps go up sheer cliffs, these steps run horizontal on Comb Ridge with a 50-foot fall below.



Shannon Livick/The Journal file photo
The fall colors at Comb Ridge.

The clan accesses the traditional area from its base on the White Mesa reservation.

But the Utes and other tribal leaders say ancestral sites are at risk of looting, vandalism, energy development and recreation impacts because they are often located on public lands.

“My grandparents would take us every summer to Allen Canyon to gather the willows and collect berries and plants. The men would hunt, and there would be a community cookout,” said Ute Mountain Ute tribal member Mary Jane Yazzie.

What they’ve witnessed in recent years has been a shock.

“Now, I notice a lot of new roads being created in the canyon. People have dug up pottery and desecrated burials,” Yazzie says. “We feel a

monument will help better manage and protect the land.”

Toward that goal, the Ute Mountain, Uintah and Ouray Utes, Navajo, Hopi, and Zuni tribes have formed the Bears Ears Intertribal Coalition.

They met this month at the Friends of Cedar Mesa conference in Bluff, Utah, to urge President Barack Obama to declare 1.9 million acres of public lands in southeastern Utah as the Bears Ears National Monument.

“It’s never been done, all the tribes working together,” said Octavius Scowtewa, a Zuni cultural leader. “We as native peoples are banding together to work for the protection of Bears Ears instead of bickering about past issues.”

Navajo Natasha Hale of the Grand Canyon Trust said local tribes tried to push legislation for a National Conservation Area, “but the vision fell on the deaf ears of politicians, so tribal leaders came together to petition for a monument designation.”

Eric Descheenie, co-chairman of the Bears Ears coalition representing the Navajos, urged Western academia to see the land from a Native American perspective.

“Conservation, environmentalism and history are important, but indigenous truth of our connection to the land is the difference,” he said.

Anthropology and archaeology can be “abstract and dehumanizing,” Descheenie said, and the Antiquities Act protects “objects as if they are nonliving beings.”

“Look through the lens of Native people: The rocks, wind and land and homes of ancestors are more than objects – they are living and

breathing. That is how we understand reality and how we reflect on the Bears Ears landscape.”

For the Zuni, the area of Cedar Mesa is part of their medicine man society.

“It is very sacred. Our people emerged from the Grand Canyon and were directed to find this middle place of everlasting sunshine,” Seowtewa said.

The coalition wants more native tribe involvement if a monument is declared. A proposed eight-person management commission would include representatives from each of the five tribes, plus officials from the Forest Service, National Park Service and Bureau of Land Management.

Pictures were distributed among the audience of looted ruins, burned wickiups (a traditional Ute dwelling), off-trail motorized damage, oil and gas development and attempted theft of rock art.

“Protection of the area is long overdue. It’s been defaced, violated by grave robbers and heavily impacted by industry,” said Willie Grayeyes, chairman of the Dine Bikeyah, a group that seeks a voice on ancestral lands off the reservation.

As for Obama? The president and Interior Secretary Sally Jewell have held meetings with tribal leaders in the Southwest, and Obama has hinted that Bears Ears may be on his list of monuments to declare.

“I reiterated my commitment to working with tribal nations to protect your natural resources and honor your heritage as we did with Denali,” Obama said at the Tribal Nations conference, Nov. 5, 2015. “So moving forward, we’ll also review tribal proposals to permanently protect sacred lands for future generations.”



Obama bears the right to create national parks

The Stylus – The Student Newspaper of the College at Brockport (New York)

March 29, 2016

By Morgan Bulman

President Barack Obama has one last chance to make an environmentally friendly decision before leaving office. Obama can make Bears Ears, a small underdeveloped part of Utah, a national park to save the area from corporations.

I am not the first to admit disappointment when it comes to President Barack Obama's empty promises in regards to his environmental agenda, but a new opportunity has arisen for him to address in San Juan County, Utah.

Let's travel to Bears Ears, a place with ursine shaped hills and the historical hunting grounds for multiple Native American tribes. Most importantly, Bears Ears is one of the few places in the United States remaining true to the definition of "remote": untouched, untamed, unindustrialized and unconquered.

However, the state of Utah is seeking to legally claim the land as its own, taking it from a tribal coalition compiled of Navajo, Zuni, Hoop, Ute and Ute Mountain Ute in order to plunder the land for oil development.

Is this the year 2016? Or a western movie gone horribly wrong?

According to the *New York Times* article, "Remote Utah Enclave Becomes New Battleground Over Reach of U.S. Control" by Jack Healy, "the president still has the power under the Antiquities Act of 1906 to create national monuments on federal lands with the

stroke of a pen. A coalition of tribes, with support from conservation groups, is pushing for a new monument here in the red-rock deserts, arguing it would protect 1.9 million acres of culturally significant land from new mining and drilling and become a final major act of conservation for the administration."

If Pres. Obama decides to take executive action, not only will he redeem himself in my eyes (since we do have to remember he derailed the Keystone XL Pipeline pipedream in November), but he will also be preserving "a stretch of mountains, mesas and canyons six times the size of Los Angeles," according to Healy in the *New York Times* article.

Identity is firmly tied to landscape.

Just as your childhood memories are deeply rooted to a yard, park or playground you played on, these tribes can "trace their ancestry to the ancient peoples who populated the region since time immemorial," according to the *Navajo Times* article, "Conservation group: Bears Ears proposal has deep roots," by Krista Allen.

As a piece of culturally significant land, "Bears Ears is home to more than 100,000 archeological sites, ranging from lithic scatter to granaries to complex villages, which are considered sacred by several American Indian tribes, including the Diné and the Kiis'áanii," according to Alle in the *Navajo Times* article.

However, there are conservative politicians in Utah who are attempting to strip people of their identity to have the legal right to destroy a landscape pre-dating even them. And for what? A few extra bucks in their pocket as if they didn't already have enough? Don't they know we've ruined a sufficient amount of land belonging to those who came before us?

For some reason people continue to believe America's ethnocentric, colonial conquering ways enables them to do whatever they please to the natural environment.

"We want to preserve," Vice Chair of the Utah Diné Bikéyah board of trustees Leonard Lee said according to the *Navajo Times*. "Non-Natives told us, though, that Bears Ears isn't Native land."

But under the Antiquities Act of 1906, the stretch of mountain valley could become a 1.9 million acre national park. It is already the site of "over 100,000 archeological sites and 18 wilderness study areas and inventoried roadless areas," according to Alastair Lee Bitsoi's article, "Bears Ears coalition going straight to White House" from the *Navajo Times*.

The state and large oil corporations argue by putting the land under national protection, economic and mining development will be deterred.

Why does this battle reappear over and over again? Haven't we learned our lesson already?

"The protection's already there for us," a member of the Navajo Harrison Johnson said. "We don't just go in there and tear up things. We know how to take care of the land."

If anything, people in Utah need a lesson on landcare.

But this issue isn't just about the possibility of environmental degradation or the fight for a national conservation area, it's bigger – it's ethical, and traces back hundreds of years.

Americans still want to take and "tear up" what isn't theirs and never was theirs in the first place.

For now, it's a waiting game on Pres. Obama and his pen.

Opinion: Who Really Deserves Ownership of Yosemite Names

Hint: It's not the National Park Service or Delaware North

By Chris Kalman Adventure Journal (blog) 3-29-16

There's been a lot of press over the last few months about the lawsuit the Delaware North Company brought against the National Park Service over the use of certain names that the DNC quietly trademarked during its tenure as the park's sole concessionaire. This comes on the heels of the DNC losing its lucrative contract (which grossed \$146 million in 2014) in June 2015 to Aramark.

\$146 million is a lot of money, so the DNC is understandably upset. But to quote Jack White, they are acting like "a little girl yelling at her brother 'cause she lost his ball." In other words, the place names, among them such well-known and cherished icons as Ahwahnee, Wawona, and even Yosemite itself, were never the property of the DNC in the first place. These names are property of the American people and the DNC is holding them at ransom because they're mad they got ousted—or so the argument goes.

But if we're going to entertain the notion that the DNC has no rightful claim to these names (in spite of the fact that they do technically own their trademarks), it's logical to extend the question of ownership a step beyond the NPS and "the American people" as well. After all, just which "American people" are we talking about? The ones that spoke those names (or at least their proper derivatives) as part of their language when they lived in the valley we now call Yosemite? Or those who come to visit now that the original inhabitants have been forcibly removed or killed?

Although the battle has raged between the NPS and the DNC, it also brings into high relief a time-tested tradition of excluding Native Americans, who arguably have the most valid claim to America's public lands of any user group, from the discussion altogether.

Sadly, Yosemite's sordid history is not the exception to a shining rule of fair treatment of First Peoples by the United States government. Nor is it the only example of the NPS' routine dismissal of native concerns, culture, or values. Consider South Dakota's Mount Rushmore, for example. The Sioux people who once worshipped there certainly have causes for concern with this national memorial, among them that it was built on land the government took from them, the Black Hills in particular are considered sacred ground, and the monument celebrates the European settlers who killed so many Native Americans and appropriated their land.

National memorial, you say? Memorial to whom? It is hard to find any iconic national park, memorial, or monument in the United States without an underrepresented understorey of oppression and abuse of native peoples. What remains are gift shop trinkets, the occasional feather-clad dancers performing for largely white audiences, an interpretive placard here or there, and a giant cheesy (at best) chief's head to announce the entrance to Sequoia National Park. We can, and should, do better.

It's easy to rant about the state of the world; it's far more difficult to come up with practical solutions to deep-rooted problems. Yet in spite

of those difficulties, people routinely make efforts to better the state of things, to move forward progressively, to improve upon historical embarrassments.

On October 15 last year, an intertribal coalition delivered a proposal to Barack Obama and Utah state representatives Rob Bishop and Jason Chaffetz to establish a 1.9-million acre national monument in southeastern Utah. Under the conditions of the proposal, the management of that land tract would fall under the oversight of not just the Bureau of Land Management (BLM), Forest Service (FS), and the NPS, but also representatives of the Navajo Nation, the Zuni Pueblo people, the Hopi tribe, the Ute Mountain Ute Indian tribe, and the Uintah & Ouray Ute Indian tribes.

The proposal is not a one-and-done solution to an incredibly old and still rampant problem of mistreatment of native peoples. Opponents to the Bears Ears National Monument abound and include both Native Americans and Americans of European descent. Marie Holiday, who lives in Monument Valley, equates the establishment of the national monument with "closing the door to your own people." She worries that her home in Monument Valley, which is included within the proposed monument boundaries, would no longer be open to traditional uses by native peoples. "We still get our wood from there", she told a county commission in a meeting held last August about the proposal. "My grandmother went to get some herbal stuff, and I know where it is, and pinyon, too. If there's a national monument, we are not going to have access to it."

But Willie Grayeyes, a leader of the Utah Dine Bikeyah group who helped draft the proposal, disagrees. "Under any form of land designation," he said, "Native Americans would have access under religious freedom." The debate, per usual, rages on.

Would it be better if we could go back in time and simply undo all that European settlers and conquistadors have done to Native Americans in the western hemisphere? Arguably, yes. Is it possible? Of course not.

The problem we face now is not erasing or undoing the past, but forging the path for a better future. That better future needs to be inclusive of the opinions and feelings of Native Americans, it needs to take Native American concerns into account in the planning of new legislation about public lands, and it needs to provide reparations for historic mistreatments of Native Americans to an extent that they are afforded real opportunities to thrive in this world – not through forced assimilation "under the benign influences of education and civilization," as Ulysses S Grant suggested at his second presidential inauguration in 1873; but in accordance with their own principles and fundamental values and beliefs.

Squabbling over rights, royalties, and ownership of a bunch of misappropriated names is a step backward. The kind of inclusivity we are seeing with the proposed Bears Ears National Monument is definitely a step forward. And while it may not be precisely the solution that we are ultimately aiming for, at least it gets us moving in the right direction.

The Salt Lake Tribune

Letter: Bears Ears monument would be a delight for the eyes

Salt Lake Tribune

March 29, 2016

Last November, my wife and I drove from Denver to Salt Lake City but chose the longer route so we could spend a day around Green River photographing the natural beauty at Goblin Valley State Park.

Every time we have driven through Utah, we have scheduled an overnight stop (usually in

Moab) just so we could take pictures. Utah is our nation's most diversely photogenic state. On behalf of our cameras, we support the plan to create a national monument at Bears Ears.

R. Thomas Berner
Bellefonte, Penn

The New York Times

Letter: A National Monument in Utah

The New York Times

March 28, 2016

To the Editor:

Re "Remote Utah Landscape Becomes a Conservation Battleground" (front page, March 13):

Tribes have proposed land conservation as the solution to land-use challenges in southeast Utah, and we do not view our ancestral homeland as a battleground between state and federal control. The Bears Ears landscape is symbolic of the rich history and culture of our Native ancestors and serves as a place of healing, not division.

It is disappointing to see a small number of Utah elected officials try to divide communities, and now our country, over our dire need to stop the looting and desecration of sacred sites and antiquities in Utah.

Gov. Gary Herbert has insisted that protecting this land will be divisive, when 66 percent of

Utahns and 86 percent of Navajos in Utah support designation of Bears Ears as a national monument. Instead, he should be bringing all parties together.

Healing is the main purpose of our proposal, and this means acting as if we all live in one country, not separate states, tribes and political parties. Healing is about uniting to protect important lands like Bears Ears by understanding the spiritual and cultural significance of this place to everyone.

I, like many others, believe that Bears Ears can bring Utah and America together, not divide us.

WILLIE GRAYEYES

Chairman, Utah Diné Bikéyah
Tonalea, Ariz.

The Salt Lake Tribune

Op-ed: Recent national monuments have protected local interests

Salt Lake Tribune

March 26, 2016

By John Ruple

It has been said that "we are entitled to our opinions, just not our own facts." Recent debate over the Public Lands Initiative and Bears Ears National Monument proposal makes this a good time to review the facts about national monument designations.

For 110 years, the Antiquities Act has empowered presidents to protect lands having historic or scientific interest. Indeed, 15 of the last 19 presidents, Republicans and Democrats alike, have designated national monuments. Grand Canyon, Capitol Reef and Arches national parks all began as national monuments.

Critically, the Antiquities Act affords presidents the ability to craft monument designations that are responsive to local concerns. President Obama, for example, recognized the importance of water to westerners when, in creating the Basin and Range National Monument, he stated that the monument neither created new federal water rights nor altered existing state-issued water rights. In creating the Browns Canyon National Monument, he expressly recognized state "jurisdiction and authority with respect to fish and wildlife management." In creating the Rio Grande Del Norte National Monument, he protected utility line rights-of-way within the monument. Similarly, the Basin and Range National Monument proclamation states that, "nothing in this proclamation shall be deemed to affect authorizations for livestock grazing, or

administration thereof, on federal lands within the monument. Livestock grazing within the monument shall continue to be governed by laws and regulations other than this proclamation." And of course monument proclamations apply only to federal land. As the San Gabriel Mountain National Monument proclamation and every other recent proclamation make clear, monuments are established "subject to valid existing rights." These kinds of assurances, and more, are common in monument proclamations.

Recent national monument proclamations also universally require managers to create a management plan in consultation with state, local and tribal government because, as all six members of Utah's congressional delegation recently noted, "the wisest land-use decisions are made with community involvement and local support, ... [and] the most effective land management policy is inclusive and engaging, not veiled or unilateral."

That is why, in creating the Berryessa Snow Mountain National Monument, President Obama directed monument managers to "provide for public involvement in the development of the management plan including, but not limited to, consultation with tribal, state and local governments. In the development and implementation of the management plan, [federal agencies] shall maximize opportunities

... for shared resources, operational efficiency, and cooperation."

Furthermore, monument designations do not, as some have claimed, limit American Indian access or use — to do so would violate the American Indian Religious Freedom Act, which declares that "it shall be the policy of the United States to protect and preserve for American Indians their inherent right of freedom to believe, express, and exercise the traditional religions ... including but not limited to access to sites, use and possession of sacred objects, and the freedom to worship through ceremonials and traditional rites."

In fact, in designating the Chimney Rock Mountains National Monument, President Obama required the Forest Service to "protect and preserve access by tribal members for

traditional cultural, spiritual, and food- and medicine-gathering purposes, consistent with the purposes of the monument, to the maximum extent permitted by law." Virtually identical language is found in each of the six most recent monument proclamations.

If President Obama does create the Bears Ears National Monument, we should expect that he will take similar steps to protect state, local and tribal interests. Let's set aside political rhetoric and debate the Bears Ears proposal and Public Lands Initiative with these facts in mind.

John Ruple is an associate professor of law (research) at the University of Utah's S.J. Quinney College of Law, and a fellow with the University's Wallace Stegner Center for Land, Resources and the Environment.

NAVAJO TIMES

NEWSPAPER OF THE NAVAJO PEOPLE

Conservation group: Bears Ears proposal has deep roots

Navajo Times, 3-24-26

BY KRISTA ALLEN

Utah – A secular cathedral in southeastern Utah is at risk. But a coalition of five tribes, with support from conservation groups, is pushing for federal designation, seeking to protect 1.9 million acres of culturally significant land.

The land known as Bears Ears – named for twin buttes that jut out over the horizon – has become a conservation battleground. “We want to preserve,” said Leonard Lee, vice chair of the Utah Diné Bikéyah board of trustees, in Navajo at a recent public meeting on the proposal. “A legislative process is at the forefront.”

In addition to being a mecca for outdoorsy people, Bears Ears is home to more than 100,000 archeological sites, ranging from lithic scatter to granaries to complex villages, which are considered sacred by several American Indian tribes, including the Diné and the Kiis’áanii, who have long-standing ties to the landscape.

“Non-Natives told us, though, that Bears Ears isn’t Native land and that it belonged to the Anasazi,” Lee explained.

Some tribes, according to the Bears Ears Intertribal Coalition, trace their ancestry to the ancient peoples who populated the region since time immemorial. Some Diné and Nóóda’í (Ute) still use the land.

“We don’t want our children and grandchildren to go over the fence and be a common criminal,” Lee said. “This is our land.”

Bears Ears, though, has been a target for looters and grave robbers. Between 2014 and 2015, more than a dozen serious looting cases were reported.

From small-scale theft to ancestral remains being tossed aside to graves being plundered, these acts, the coalition argues, are threatening the past and the future of sacred archeological sites in Bears Ears.

And recently, 26 American Indian tribes with ancestral, historical, and contemporary ties to Bears Ears expressed their support for protecting this landscape through a conservation proposal under the Antiquities Act of 1906.

Lee says the proposal was a long time in the making. And for seven years, grassroots groups and a number of Native leaders worked intensely to get to this point.

The proposal states that the true origins of the movement, however, go back much farther.

“The need for protecting the Bears Ears landscape has been broad and heartfelt for well over a century,” the proposal reads. “The rampant looting and destruction of the villages, structures, rock markings, and gravesite ...

sadden and sickened our ancestors, and that sense of loss and outrage continues today." In a community meeting regarding the proposal March 20, Albert Holiday, member of the UDB board, said that there are plants used as herbal medicine in Bears Ears.

"We want to designate it (Bears Ears) 'Shash Jaa' National Monument,'" Holiday said in Navajo. "We need your input."

Mary Jane Yazzie, member of the UDB board and a representative from the White Mesa Ute tribe, said the Nóóda'í people have allotted lands in Allen Canyon near the buttes.

"Herb- and nut-gathering, willow tree-cutting, you name it, we used to gather those things around Bears ears," Yazzie said on behalf of her tribe.

For one young woman, Shine Salt, student at Northern Arizona University and a correspondent of the Times, the Bears Ears issues has become a research topic for a capstone course.

"Our old hogans are being burnt down and our old corrals are no longer there," said Salt. "You can only see an outline."

Salt said she will be presenting her research soon in Reno, Nev.

The Oljato Chapter last November passed a resolution in support of the national monument by a vote of 40-0-0.

"Tribes and local residents are strongly in favor of protecting the region as a national monument," UDB reported on its website.

While the UDB wants to protect Bears Ears forever, there are at least 500 people who oppose the idea.

"We can just go there and utilize it, getting our resources," Marie S. Holiday said. "Once it becomes a national monument, we're not going to have that access like we do today."

"We don't want a national monument," Holiday added.

"We know what's happening to Canyon de Chelly where the people don't have a say. We see that with the tribal parks, (in which) residents want infrastructure. They are having problems."

The Year of Bears Ears

Conservation Alliance (blog) March 21st, 2016

By Tim Peterson, Utah Wildlands Program Director, Grand Canyon Trust



If you're looking to hike, bike, raft, boat, or climb, there's no better place than Utah. You may be familiar with Arches, Canyonlands, and Capitol Reef, but around and between Utah's iconic National Parks are millions of acres of wilderness-quality lands – mountains and badlands, cliffs and canyons, rivers and streams, sandstone towers and wild mesas.

Unfortunately, the majority of Utah's iconic landscape is still open to fossil fuel and mineral development. These extractive industries always boom and bust, inflicting lasting scars on the landscape, leaving taxpayers to clean up the

mess when the money dries up. Many in Utah are now looking to recreation for a more sustainable future. After all, the recreation economy brings Utah \$12 billion annually in spending and more than 122,000 jobs.

It seemed, for a time, that even Utah's pro-fossil fuels politicians were concerned about protecting the recreation economy. The 2013 Utah Public Lands Initiative (PLI), spearheaded by Representative Rob Bishop (R, UT), offered hope. Bishop claimed the PLI sought "to build consensus" over which areas in seven eastern

Utah counties should be preserved and which should be developed.

We at the Grand Canyon Trust, along with our partners in the conservation and recreation communities, were inspired by the promise of the PLI. We worked hard, making solid progress early on, even reaching negotiated agreements in two counties that struck a delicate balance that ensured conservation came out ahead. But things began to sour in 2015. One county broke from our negotiated agreement and another excluded everyone living outside the county when crafting their proposal. Discussions elsewhere deteriorated over too little wilderness and too much fossil fuel development. Despite our best efforts at compromise, by mid-2015 it became clear that "consensus" was no longer Representative Bishop's goal.

In January 2016, Bishop released a draft of his PLI, and it's a big step backwards for conservation in Utah. The bill would actually *weaken* existing on-the-ground protections for Utah's best wilderness-quality lands. Representative Bishop, long known as a friend to industry, is using the PLI as a vehicle to float all kinds of new legislative language – from weakening the Wilderness Act of 1964 to transferring tens of thousands of acres and more than nine thousand public roads over to state ownership – just to name three of the bill's many poison pills.

Though consensus compromise has failed in the PLI, there is a bright ray of hope on the horizon. A historic coalition of five sovereign Native American Tribal Governments (Navajo, Hopi, Uintah and Ouray Ute, Ute Mountain Ute, and Zuni) has come together to propose a new national monument for 1.9 million acres of

public lands around a place called Bears Ears in southeastern Utah. Bears Ears is not only beautiful, with outstanding hiking, climbing, biking, boating, and camping opportunities, it is a vibrant cultural landscape full of ancient villages, cliff dwellings, and rock art that continues to be vital to tribal communities across the Colorado Plateau as a place of subsistence, spirituality, healing, and contemplation. The Bears Ears Inter-Tribal Coalition's landmark proposal calls upon the president to use the Antiquities Act of 1906 to create a new national monument for Bears Ears. The Antiquities Act was created to protect archaeologically and culturally significant resources, but for the first time tribes are petitioning the president for a national monument that calls for joint management between the tribes and the federal government.

The Bears Ears Inter-Tribal Coalition's inspiring campaign has healing at its core – for the land and for all people – and the Obama administration is taking notice. At the 2015 Native Nations Conference in December, President Obama promised: "*we will review tribal proposals to permanently protect sacred lands for future generations.*"

Bears Ears represents the best shot at permanent protection in Utah in nearly two decades. We at the Grand Canyon Trust support the efforts of the Bears Ears Inter-Tribal Coalition. We're very excited about Bear Ears and we hope you are too! You can help make sure 2016 is the "*Year of Bears Ears*" by signing the petition to President Obama in support of the tribes to permanently protect Bears Ears as a national monument. You can learn more about the effort at <http://www.protectbears ears.org/>.



College, university students rally at Capitol for Utah's wildlands

Fox 13 News, March 15, 2016
By Tamara Vaifanua

SALT LAKE CITY – We may be in the thick of March Madness, but some college and university students are pushing rivalry aside to protect Utah's wildlands.

On Tuesday, students representing Brigham Young University, University of Utah, Westminster College, Utah Valley University and Utah State University stood on the steps of the Capitol opposing the Public Lands Initiative.

"The Public Lands Initiative as it stands right now degrades existing Utah wilderness and opens up millions of acres to fossil fuel development," said Karsyn Ansari, a University of Utah student.

Students vowed to fight against Congressman Rob Bishop and Rep. Jason Chaffetz's proposal for 18 million acres of federally managed lands in the state.

"It strips protections and endangers some of the most unique and magnificent landscapes on earth," said Eyrie Horton, a Westminster College student.

The students also called on President Obama to address the Bears Ears National Monument.

"We support use of the Antiquities Act to create Bears Ears National Monument in southern Utah securing these lands for our future," Anasari said.

Bishop spoke to FOX 13 News over the phone Tuesday, saying the draft is a good compromise.

"We are already preserving in some way two-thirds of the land that was requested," Bishop said.

Students delivered a letter to Gov. Gary Herbert's office outlining their concerns.

The Governor's Office released this statement:

"We received a letter today from Utah students regarding the Public Lands Initiative. The governor appreciates their involvement in the legislative process and would encourage them and any other interested citizens to submit their comments to Utah's congressional delegation as the Public Land Initiative is still in draft form." Jon Cox, spokesman for Governor Gary Herbert.

Bishop said he has yet to receive the students' letter.

"If they had specific ideas, specific language to the bill, they know how to reach me," Bishop said.

Bishop said he will submit a final draft soon.

Six high school students also signed the letter. They represent AMES Charter School and Rowland Hall Saint Marks High School.



USU student, peers rally against Public Lands Initiative

Logan Herald Journal, Mar 15, 2016

By Kevin Opsahl staff writer

SALT LAKE CITY — A Utah State University student was among a group of high school and higher education student leaders who spoke out against the Public Lands Initiative on Tuesday on the steps of the Utah Capitol.

Logan Christian, a junior environmental studies major, joined students from Brigham Young University, the University of Utah and other institutions and schools in opposing the proposed Public Lands Initiative Act, sponsored by Utah's Rep. Rob Bishop and Rep. Jason Chaffetz — federal legislation that designates certain federal lands for conservation purposes, certain lands for recreational purposes and other lands for economic development purposes. Only lands in Summit, Duchesne, Carbon, Uintah, Grand, Emery and San Juan counties would be affected.

"As a college student, I have learned the power that research has for uncovering the truth," said Christian in prepared remarks he gave at the rally. "In doing so, we found that there are, of course, multiple sides to this issue. But it also became abundantly clear that the PLI has one big issue in and of itself. The majority of voices have been left out, and there is a significant bias towards developing fossil fuels over protecting lands, not a compromise between the two. For these reasons, we stand in firm opposition to the Public Lands Initiative."

After the rally the students delivered a letter addressed to Gov. Gary Herbert, President

Barack Obama, Sen. Orrin Hatch, Sen. Mike Lee, Rep. Mia Love and Rep. Chris Stewart.

The letter asked these government officials to use the Antiquities Act to create Bears Ears National Monument in Southern Utah, "securing these lands for our future."

The Antiquities Act allows the president to create national monuments to protect public lands, and Bears Ears, home to 1.9 million acres of land and 25,000 tribal and 100,000 archaeological sites, is considered prized property of many Native Americans. A coalition is pushing for National Monument status.

Asked for a response to the rally, Lee Lonsberry, communications director for Bishop, wrote in an email, "Rep. Bishop would just remind all folks that he is still open to input and welcomes all specific suggestions and comments about the PLI discussion draft. They can submit their input via UtahPLI.com."

Once Bishop's office is done collecting feedback on the PLI, the representative will introduce the bill to Congress.

According to information about the PLI on Bishop's website, over 65 detailed proposals were submitted by local governments, Native American tribes and interested stakeholders representing more than 120 different interests, to assist lawmakers in writing the legislation — a strategy that combined the PLI into "a single compromise plan."

The information on Bishop's website said PLI works to provide "certainty and opportunity" for all types of land users, noting the plan would bring increased mineral and energy production.

"While some may oppose provisions related to multiple-use, these opponents should support the fact that the conservation provisions outnumber opportunity provisions by a 4-to-1 margin," the information about PLI on Bishop's website states. "Compromise is key to legislation."

But in an interview after the rally, Christian disagreed the PLI symbolizes compromise.

"If you're going to call it a compromise then you have to address the majority of Utah citizens and not completely ignore requests from a coalition of Native American tribes that have held these lands sacred for hundreds of years," Christian said. "How it currently stands, the Public Lands is completely inadequate; it's a public lands giveaway."

Christian was referring to the fact that some Native Americans told media outlets the PLI draft bill "adds insult to injury," and conservationists say it does more harm than good.

Christian also called PLI a fossil fuel development bill.

"They think they're creating jobs — which is true, they do create jobs — but it's temporary; it's boom and bust," the USU student said. "These companies come in and extract, and when the wells run dry, the town overnight vanishes, loses jobs, displaces families. In the long run, it's much worse for the county than providing sustainable forms of income. ... These are public lands that we travel to, and they're incredibly tarnished when you start throwing oil wells in."

Samantha Hawkins, a BYU student who helped organize the event, said the student voice on the PLI matter is an important one and adds a unique perspective.

"Our generation seems to be more active in taking a stance on environmental issues. Students frequent these lands for recreation and for solitude far more than any other demographic," she wrote in an email. She continued, "We care about the state of the earth, and we want our children and grandchildren to be able to experience the same lands that shaped our friendships, our education, our faith and our entire world view. The PLI rolls back protections from these lands that we care so deeply about, which is why we want to raise our voices against the PLI."

Deseret News

University students decry Bishop's public lands bill

Deseret News, March 15, 2016

By Amy Joi O'Donoghue

Leaders from a variety of student organizations from area universities and colleges spoke Tuesday against the Public Lands Initiative being shepherded by Reps. Rob Bishop and Jason Chaffetz, R-Utah. They say it fails to protect public lands.

SALT LAKE CITY — A group of young student leaders from multiple universities along the Wasatch Front said they do not want the shortsightedness of today's political leaders to ruin their chances — and their children's chances — of being able to enjoy Utah's untamed landscapes.

The students drafted a letter to President Barack Obama and Utah's congressional delegation voicing their opposition to the Public Lands Initiative being crafted by Reps. Rob Bishop and Jason Chaffetz.

On Tuesday after a press conference, they also delivered the letter to Utah Gov. Gary Herbert.

"The draft PLI is a step back for conservation in Utah," said Logan Christian, vice president of Utah State University's Student Organization for Society and Natural Resources.

Christian asserted that student groups were among those left out of the public meetings soliciting input for land uses being carved out for 18 million acres in seven eastern Utah counties.

"The Public Lands Initiative ignores the voice of Wasatch Front residents who suffer from poor air quality," he added.

The students said they researched the draft legislation unveiled in January and have been in touch with local environmental organizations to learn more about the proposal. They said they have also talked to local county commissioners in impacted counties: Carbon, Duchesne, Emery, Grand, San Juan, Summit and Uintah.

Cinimin Kofford, a member of Utah Valley University's sustainability committee, said the proposed legislation ignores protections for the San Juan River — one of the last wild rivers of the West — and of 4.4 million "wilderness quality" lands in Utah, the measure proposes to safeguard only 1.7 million acres.

"That is huge loss for future generations," she said.

Many of the students said they have visited San Juan County's Bears Ears area, and made a renewed call for the creation of a Bears Ears National Monument spanning 1.9 million acres.

The Bears Ears Inter-Tribal Coalition has been pushing for the new monument, saying a national conservation area designated in Bishop's bill does not go far enough to protect the Native American sacred area from looting, off-vehicle highway use and other degradations of cultural resources.

The question of how much land should be protected and in what manner has sparked contradictory assertions among Native Americans about who speaks for who and what ideological position should prevail.

Last Friday, San Juan County Commissioner Rebecca Benally said local, Utah Navajo do not want a monument designation for the area because it would interfere with Native American uses on the land. She added that it is offensive that others want to create a monument in the name of "romanticizing" the Native Americans and by pandering.

Willie Grayeyes, chairman of the Navajo conservation nonprofit Utah Dine Bikeyah, in

response stressed that Native Americans are united locally and nationally to see the "treasures" of Bears Ears protected and Benally is in the minority.

Students on Tuesday emphasized they believe the public lands planning process behind Bishop's proposal caters to oil and gas development — one student repeated the environmental movement's mantra of "Keep It in the Ground" — and not enough landscapes are protected for their natural value.

The measure is flawed, said Westminster College's Eyrie Horton, because it includes 2.5 million acres as energy zones and is a "broken crutch" that props up fossil fuels.

Deseret News

Letter: PLI a bad bill

Deseret News, March 13 2016

By Heather Dove

The PLI doesn't protect Bears Ears, an irreplaceable natural and cultural treasure.

I attended the March 2 Public Lands Initiative hearing, representing Great Salt Lake Audubon and its 1,600 members who have been summarily excluded by Rep. Rob Bishop. The PLI recognizes the desires of a small fraction (5 percent) of Utahns that Bishop invited into the process; 95 percent of Utahns, including Native Americans, and the American public who own this land, were ignored, as demonstrated by the absence of the Utah delegation at the hearing.

The PLI appears on the surface to protect wildlands and provide benefit to people and wildlife, but in fact it is a vehicle for promoting extractive industries. It doesn't provide a balanced approach for conservation and

economic benefit. It promotes unsustainable boom and bust extractive industries, at the expense of our public lands, the climate and our children's future.

The PLI doesn't protect Bears Ears, an irreplaceable natural and cultural treasure. It doesn't protect wilderness or national conservation areas in accordance with established standards. It undercuts existing national park airshed protections. It promotes degradation of wildlife habitat and allows industrial activities adjacent to and within wild and scenic areas. It's simply a bad bill and does not represent the majority of Utahns, Native Americans nor the American people.

Heather Dove
Salt Lake City

The New York Times

Remote Utah Enclave Becomes New Battleground Over Reach of U.S. Control

The New York Times, March 12, 2016

By Jack Healy

SAN JUAN COUNTY, Utah — The juniper mesas and sunset-red canyons in this corner of southern Utah are so remote that even the governor says he has probably only seen them from the window of a plane. They are a paradise for hikers and campers, a revered retreat where generations of American Indian tribes have hunted, gathered ceremonial herbs and carved their stories onto the sandstone walls.

Today, the land known as Bears Ears — named for twin buttes that jut out over the horizon — has become something else altogether: a battleground in the fight over how much power Washington exerts over federally controlled Western landscapes.

At a moment when much of President Obama's environmental agenda has been blocked by Congress and stalled in the courts, the president still has the power under the Antiquities Act of 1906 to create national monuments on federal lands with the stroke of a pen. A coalition of tribes, with support from conservation groups, is pushing for a new monument here in the red-rock deserts, arguing it would protect 1.9 million acres of culturally significant land from new mining and drilling and become a final major act of conservation for the administration.

But this is Utah, where lawmakers are so angry with federal land policies that in 2012 they

passed a law demanding that Washington hand over 31 million acres managed by the Bureau of Land Management and the Forest Service to the state. The federal government — the landlord of 65 percent of Utah's land — has not complied, so Utah is now considering a quixotic \$14 million lawsuit to force a transfer.

Conservative lawmakers across the state have lined up to oppose any new monument. Ranchers, county commissioners, business groups and even some local tribal members object to it as a land grab that would add crippling restrictions on animal grazing, oil and gas drilling and road-building in a rural county that never saw its share of Utah's economic growth. Unemployment here is 8.4 percent, more than double the state average.

"We've chosen to live here knowing we're never going to get rich," said Bruce Adams, a San Juan county commissioner and fifth-generation rancher whose cattle largely graze on federal allotments. "We chose to live here because we love the land, we love the country."

To create a new monument out of Bears Ears "would be almost un-American," Mr. Adams said. Val Dalton, a rancher who grazes cattle almost exclusively on federal land, said new federal protections "would put us out of business."

But for the coalition of tribes and nature advocates seeking preservation, a new national monument here would preserve a stretch of mountains, mesas and canyons six times the size of Los Angeles. It could also create a new model for how public lands are managed: The tribal coalition of Navajos, Zunis, Hopis, Utes and Ute Mountain Utes wants to jointly manage the land with the government.

"You can't talk about who we are as a people without talking about the land," said Eric Descheenie, a chairman of the intertribal coalition leading the effort. "The same kind of love that we have for relatives is no different than the love we have for the land. Our traditional people know and understand these lands as living, breathing beings."

A monument at Bear Ears was always going to be a fight, but the armed occupation of a federal wildlife sanctuary in rural Oregon this year has added a raw edge to the debate. Ranchers and conservative land activists here opposed the takeover of the Malheur sanctuary, but sympathized with the grievances over grazing lands and federal rules that lay at the heart of the siege.

When Gov. Gary Herbert, a Republican, visited the White House this winter, he hand-delivered a note urging Mr. Obama not to proclaim a new monument in Bears Ears. He cited the "heated and antagonistic" dispute over public lands, and said any presidential proclamation could poison the debate for decades.

Indeed, Utahns are still mistrustful over the fact that nearly 20 years ago, President Bill Clinton created the Grand Staircase-Escalante National Monument here, Mr. Herbert said in a telephone interview.

"This is just going to add kerosene onto the fire," he said. "It's not a smart thing to do."

Last month, at the urging of Senator Dianne Feinstein, Democrat of California, Mr. Obama designated three national monuments in Southern California, covering 1.8 million acres. By contrast, Utah's Republican representatives in Salt Lake City and in Washington overwhelmingly oppose Mr. Obama acting on his own: Instead, they are pushing a broader bill that would conserve some stretches of land while allowing energy development in other parcels.

"Not all Western lands are Yellowstone," said Representative Rob Bishop, who, with his fellow Utah Republican congressman, Jason Chaffetz, has been cobbling together a huge public-lands bill that would draw a new map for wilderness, roads, energy development and recreation across 18 million federal acres in eastern Utah.

"There needs to be some kind of trade-off," Mr. Bishop said. "This administration is trying to stop all kinds of economic and mining development."

His proposal would conserve about four times as much land as it envisions for energy development. It would also preserve about 1.2 million acres of the Bears Ears as a "national conservation area."

Environmental groups have largely denounced the plan, saying it would lead to more roads and traffic in the back country and open eastern Utah to tar-sands extraction and new oil drilling. Tribal groups pushing for a monument say they would have a far weaker voice in how the area was managed.

Opinions are as split as opposite sides of a canyon in the tiny towns like Aneth, White Mesa

and Montezuma Creek, where nodding pump jacks draw up oil, packs of wild horses dart across the roads, and occasional cars of tourists pull over to snap photos.

Harrison Johnson said his Diné ancestors (more commonly called Navajos) hunted and lived in the Bears Ears region long before Utah was Utah. People still go there to hunt elk or deer, gather wood for fence posts and herbs for ceremonies. And he said he wanted no more federal oversight of the land. "The protection's already there for us," Mr. Johnson said. "We don't just go in there and tear up things. We know how to take care of the land."

But Malcolm Lehi, a Ute Mountain Ute tribal council member, said it was time for tribes to have a more equal footing in caring for the West's pristine places. On a recent hike past the rock-art carvings and old dwellings, it was so still that he could hear a bird's wings beating as it whooshed past him.

"It stopped me in my tracks," Mr. Lehi said. "The past has never left us. It is present to this day, and I heard the past come back alive."

NATIVE AMERICA CALLING

YOUR NATIONAL ELECTRONIC TALKING CIRCLE

Thursday, March 17 2016 – Protecting Bears Ears » Native America Calling

Native America Calling, 03.11.2016

<http://www.nativeamericacalling.com/thursday-march-17-2016-protecting-bears-ears/>



The nearly two million acres in southeastern Utah is so important that five tribes are proposing an unprecedented collaboration with the federal government. The coalition wants President Barack Obama to establish the Bears Ears National Monument. A proposal in the Utah legislature would pre-empt that effort. We will get an update on the effort to protect Bears Ears. We'll also discuss the implications of national monument status.

THE DAILY SENTINEL

Letter: Bears Ears region needs national monument recognition

Grand Junction Sentinel, March 2, 2016

Nature is divine and worth protecting; protecting our sacred lands has been as much a part of me as my culture and heritage. My people have fought to keep and preserve our culture and land for hundreds of years, long before Utah became a state. I am a Navajo native of Montezuma Creek Utah, and part of the Aneth chapter. I have read Congressman Rob Bishop's purported Public Land Initiative and it is nothing more than a deceptive tactic to open up oil and gas interests on our public lands and our sacred historical sites.

We have asked President Obama to protect Utah's Bears Ears region by designating the area as a national monument under the Antiquities Act of 1906. Working in unity as Native Americans our collective proposal includes 1.9 million acres of currently unprotected lands, encompassing more than 100,000 archeological sites. These sites not only possess unique historical and scientific landmarks, but most importantly irreplaceable spiritual and cultural significance. Our land is a vital part of our story; they are our scared places we share with our ancestors. This deep connection cannot be replicated or replaced, and Rep. Bishop's PLI goes too far.

Congressman Bishop's Public Land Initiative blatantly ignores our request to have our culture and heritage protected. The PLI not only seeks to keep Bears Ears from becoming a national park, but it also wants to keep the majority of areas open to oil and gas development, which would negatively impact our environment and change the scenic spiritual value in the worst way. Also, the PLI would appoint a four-person "management commission" to oversee the "conservation area" in and around the archeological, spiritual and unique sites. This management commission would be made up of representatives from Utah's Department of Natural Resources and the San Juan County Commission. The county commission is currently led by Phil Lyman, who was recently sentenced to jail for leading an illegal ATV ride that damaged Native American archaeological sites.

This land belongs to all of the American public; it is our land. We must protect it and say no to Congressman Rob Bishop's Public Land Initiative.

JOHN ROSS
Moab, Utah

federal agencies which already have stakes in some of the land: the National Park Service, the Forest Service and the Bureau of Land Management.

Mining would be prohibited in the new monument, as would the building of new roads. Traffic on existing roads would be strictly monitored. Hunting, recreation and

enjoyment of the arches, canyons and other natural wonders would be permitted. Natives would be allowed to continue to gather traditional medicines, herbs and plants and to practice sacred ceremonies without public disturbance.

President Obama has not announced his decision yet.

Unprecedented tribal call for national monument

Examiner.com March 2, 2016

In [Utah](#), where two-thirds of the land is already owned by the federal government, native tribes have united in an unprecedented action of petitioning President Barack Obama to designate nearly two million acres as a national monument. The proposed Bears Ears National Monument is bordered by the San Juan River, the Colorado River, the Navajo Nation and White Mesa and contains more than 190,000 archaeological sites on land sacred to the petitioning tribes.

President Obama has announced intention to designate a number of monuments in his final year of office, the latest being preserves in the California desert. A sitting president may name public monuments without Congressional approval under the terms of the 1906 Antiquities Act. Former President Bill Clinton named the 1.9 million acre [Grand Staircase-Escalante National Monument](#) in 1996 without conferring with Utah lawmakers and ever since then state leaders have said the unilateral decision ignored the opinion of Utah's citizens.

Utah Gov. Gary Herbert opposes designation of Bears Ears and presented the President with a [letter of opposition](#) on Feb. 22 at the national governors' meeting in Washington, D.C. "I respectfully ask you to refrain from using the [Antiquities Act](#) to designate a national monument in Utah," reads the opening of the letter.

"History shows this sort of action will exacerbate an already tense situation and will further perpetuate the longstanding public lands conflict. Any unilateral action

could set back progress, perhaps for decades," he warned.

At stake for Herbert is the future of the [Utah Public Lands Initiative](#), spearheaded by [Rep. Rob Bishop](#) (R-Utah) and [Rep. Jason Chafferty](#) (R-Utah). This political initiative is meant to negotiate the best use of Utah's public lands, which can and has included off-road driving, mineral extraction, desecration of archaeological sites, building of roads in wilderness areas, timber harvesting and other activities.

The largest coalition of native tribes and the first ever to call for a monument designation, the [Bear Ears Coalition](#), called upon leaders of the PLI to protect the lands in Bears Ears, but leaders say they were not allowed to participate in negotiations. Representing the Navajo, Hopi, Ute Mountain [Utes](#), the Unitah and Ouray Utes, and the Zuni, and endorsed by 25 of the Pueblos of New Mexico, the Coalition is pressing to preserve the lands which "play a role in the cultural, spiritual and historical lives of all Native American people in the region."

The petition has been endorsed by the National Congress of American Indians, the oldest and largest group representing the interests of native Americans. According to the Coalition, more than 75 percent of Native Americans support the designation.

If President Obama designates Bears Ears as a national monument, the area will be jointly administered by an 8-member committee including one member from each of the five tribes and representatives from the three

"What is driving Utah's economy is not the dying extractive industries, but outdoor tourism and film," Metcalf said. "Protecting wild landscapes and are absolutely integral to our state's vibrant economic future."

Many speakers described the PLI as a prelude to Utah's ultimate goal of "seizing" control of 31 million acres of public lands.

NPCA's Erika Pollard said her group was "shocked" by many items in the draft, which marks a dramatic departure from current law and land management norms. Bishop's draft would hamstring the National Park Service and other federal agencies' ability to protect wilderness and other natural values, as well as their cultural resources.

She highlighted a controversial provision that would resolve thousands of disputed

road claims in favor of the counties, totaling some 10,000 miles of routes, many inside parks.

"Within park boundaries, travel management by the National Park Service is critical to achieve the flow and volume of visitors into the parks enabling them to meet goals for recreational access and long-term resource protection," Pollard said. "The discussion draft of the PLI does not represent a balanced approach to resolving Utah's public land issues and in fact includes many threats to the national parks and the broader landscape in eastern Utah that we all hold dear."

with the PLI process. Bishop plans no hearings outside Washington, D.C., after he introduces a final version of the bill.

SUWA's David Garbett wondered why the delegation is avoiding feedback from Utah's urban residents, who have a powerful stake in the fate of these lands.

"All that shows is that they believe the whole Wasatch Front is stacked against them so they are not going to bother hearing what they have to say," he said. "They said they held 1,200 meetings, but they are talking to about 5 percent of the state's population, those who live in the seven counties. It's unfortunate that they are acting like petulant children rather than engaging in a public dialogue. I don't think it bodes well for the Public Lands Initiative."

Utah's political leaders have applauded the PLI for paving a path through the decades-long impasse over how Utah's scenic public lands should be used. Gov. Gary Herbert's energy policy adviser, Cody Stewart, attended the event — as much a rally as it was a hearing — but did not speak.

A diverse range of organizations and individuals, including the National Parks Conservation Association, outdoor industry businesses, and the Bears Ears Inter-Tribal Coalition denounced the draft Wednesday. Grand and Summit county residents who spoke said their counties are on record opposing the draft, which fails to incorporate conservation aspects of their proposals.

"They promised to be inclusive and hoped to reach a grand bargain," said moderator Tim Wagner, uttering the closest thing to a compliment in more than three hours of remarks. "This was a worthy endeavor and the conservation community participated in good faith. As the initiative played out inclusivity disappeared."

Wagner, director of Utah Physicians for a Healthy Environment, patted a stack of 2,000 citizen comments to be sent to Bishop.

Featured speakers included retired state Bureau of Land Management director Juan Palma; former Congresswoman Karen Shepherd, D-Salt Lake City; Black Diamond CEO Peter Metcalf; and Lauren Wood, a river guide and emerging Utah voice for conservation.

Author Terry Tempest Williams issued statement through a friend, denouncing the initiative as a "fraud" for its failure to allow Utah citizens a meaningful opportunity to shape the proposal.

"It has little to do with protecting Utah's beloved wild lands, and a lot to do with protecting the corporate interests of oil and gas companies that are fueling the climate crisis," Williams said.

Latinos care deeply about public lands, yet this minority group was ignored, according to Palma.

"Why is it Latino voices are important? I give three reasons," asked Palma, now chief conservation officer for Hispanics Enjoying Camping and Hunting in the Outdoors. "We have deep roots in the West. We have some knowledge about these lands, and third, we might actually know what we are talking about."

Spanish explorers blazed many of the early trails across the Southwest.

"Many of our forebears are buried along these trails. We didn't just come out yesterday like some people want you to believe. Some of us have been here a long time and some are perfectly legal citizens," Palma said.

Metcalf gave a scathing assessment of the PLI's potential to harm the very assets that he says makes Utah's economy among the nation's most robust.

The Salt Lake Tribune

Conservationists say Public Lands Initiative would do more harm than good in Utah

The Salt Lake Tribune March 2, 2016

By [BRIAN MAFFLY](#)

Critics call bill "an all-out assault" on Utah's cultural heritage and quality of life.

While some rural communities are generally pleased with draft language in U.S. Rep. Rob Bishop's Utah [Public Lands Initiative Act \(PLI\)](#), many Native Americans and urban Utahns are seething that they were excluded from the process intended to resolve land-use controversies on 18 million acres of public land in eastern Utah.

That displeasure was on full-throated display Wednesday night at the University of Utah where at least 500 conservation-minded people packed a "citizens' hearing" to denounce various aspects of the [65-page draft](#) Bishop and fellow Utah Rep. Jason Chaffetz released in January after more than two years of meetings with various "stakeholders."

Critics say the draft bill is "an all-out assault" on the state's natural heritage and landscapes that sustain its economic vitality and quality of life by stripping protections from millions of acres and allowing incompatible uses in designated wilderness.

"It's a disaster," said former San Juan County Commissioner Mark Maryboy in Navajo, then in English. A Navajo community leader, Maryboy is a proponent of the Bears Ears National Monument aimed at conserving the lands around Cedar Mesa which is rich in Native American antiquities.

"We tried to work with Chaffetz and Bishop to see if we could come up with a national conservation area. They refused to work

with us and it was unfortunate to see this draft," Maryboy said. "It is more for energy development. We must not allow that legislation to pass. We are very disappointed that the county commissioners and the Utah leadership don't know how to work with Native Americans. Total disrespect."

Beside Maryboy on the stage were four empty seats bearing the names of Chaffetz, Bishop and Sens. Mike Lee and Orrin Hatch. The Republicans were invited to the event but either declined or did not respond.

Chaffetz said the Southern Utah Wilderness Alliance, which co-hosted the event with the U. Environmental Club and other groups, ignores the interests of rural Utahns and has distorted the initiative.

"I have been listening to this group for the past three years, and if they have anything new to offer, my door is still open," said Bishop, who could not attend because of a scheduling conflict.

"Not all stakeholders are able to receive 100 percent of what they want as part of PLI," he said through a spokeswoman. "We have received constructive — and at times critical — comments from every single participant involved in PLI, including all seven counties. But unlike SUWA, the counties and legitimate interest groups are still working with the delegation instead of buying misleading television ads and holding one-sided faux hearings."

The Utah Wilderness Coalition organized Wednesday's event to give Wasatch Front residents a platform for venting frustrations

Juan Palma, former Utah director of the BLM, took to the podium at the event, emphasizing that his heritage has a deep connection to the land and the voices of Latino people should be included in the public lands planning process.

"Public lands are a salvation to me," he said. After his remarks, he said he could not support Bishop's proposal as written, noting specifically that its provisions for grazing — allotments can only go up and not decrease — go against the reality of managing landscapes for droughts and other threats.

Organizers of Wednesday's hearing — which was standing room only — said they put on the citizen event to make sure Utah residents' voices were heard in the land planning process.

County.

Although Bishop said there would be opportunity for comment on his draft bill, Terri Martin with the Utah Wilderness Coalition said there's been no meaningful outreach.

Scott Groene, executive director of the Southern Utah Wilderness Alliance, said Bishop's measure has to be derailed before it gains any momentum.

"If we stop the Public Lands Initiative, we open the door for President Obama to protect the Bears Ears," he said.

An inter-tribal coalition has called for the designation of a new national monument to protect cultural resources in a 1.9 million acre area in San Juan

Deseret News

Bishop's public lands bill skewered in citizens hearing

Deseret News, March 2, 2016



Opponents of Rep. Rob Bishop's Public Lands Initiative eviscerated the bill in a "citizens hearing" Wednesday organized by the Utah Wilderness Coalition and attended by hundreds.

"It is truly a disaster," said Mark Maryboy of Utah Dine Bikeyah, renewing Native American tribes' call for the creation of the Bear Ears National Monument.

The hearing at the University of Utah's Orson Spencer Hall was recorded and videotaped and will be submitted to Washington, D.C., to be included in the official congressional record on the initiative, said organizer Tim Wagner from the group Utah Physicians for a Healthy Environment.

Other groups at the podium included the Sierra Club, Southern Utah Wilderness Alliance, the National Parks Conservation Association and Grand Old Broads For Wilderness.

"I am in the public in public lands," said Di Allison, chairwoman of the Grand Old Broads for Wilderness. She said the proposal by Bishop,

R-Utah, decimates provisions of the Wilderness Act.

"It butchers the definition of wilderness after years and years of painful collaboration and compromise," she said.

Peter Metcalf, CEO of Black Diamond, said the initiative, touted as the fruits of a cooperative, grass-roots effort, instead is a "Pearl Harbor all-attack" on public lands.

Bishop unveiled his public lands planning bill in January after three years of working with a wide variety of groups, industries, county commissioners and local residents from eight eastern Utah counties. He warned throughout the process that his bill is one of compromise — that no one will get everything they want, but everyone will get "something."

Daggett County pulled out before the bill was released, and since then, Summit County voted to urge Bishop to rewrite that portion of the bill to reflect its public land planning desires.

The bill is an attempt to settle the contentious — and often litigious — fights that occur over how Utah's vast public lands should be managed by the Bureau of Land Management and the U.S. Forest Service. It sets up "wilderness" areas and creates energy zones, but environmental groups say the wilderness is in name only.



Statesman Journal

PART OF THE USA TODAY NETWORK

Letter: Public Lands Initiative only benefits a few

Salem Statesman Journal (OR)

March 3, 2016

The recent [occupation of Malheur National Wildlife Refuge](#) reflects a larger struggle by right-wing groups, extractive industries and other special interests to wrest control of federal lands across the west.

Another place this battle is being played out is the Red Rock Canyon country of Utah, one of the most iconic landscapes in the world.

There, a process known as the Public Lands Initiative was supposed to bring together all interested parties in an effort to reach consensus concerning the fate of the region's public lands. Instead, it evolved into a wish list for the [fossil fuel industry](#), and the only people being asked to compromise in this "grand bargain" were those who favored conservation.

The Navajo and other Native American tribes in the area realized their efforts to get sacred lands at the Bears Ears region set aside were being ignored and pulled out of the process.

The Public Lands Initiative would roll back existing protections for millions of acres of spectacular canyon country, encourage intensive industrial uses of public lands and allow mining and gas drilling near iconic national parks such as Arches and Canyonlands.

These lands belong to all of us and deserve better.

David Harrison

Salem

would not provide adequate protection for Bears Ears. In absence of a strong bill to do just that, we must come together as a community of supporters for these public lands, to ensure they are not developed, destroyed, looted or lined with drilling pads.

People don't come from around the world, or even from neighboring states, to visit lands that have lost their historic, scenic, ecological and divine values. We come here to experience the peace and beauty of this magnificent area. We come here to hike and camp and explore places such as Mule

Canyon, Grand Gulch, Cedar Mesa, Dark Canyon, Comb Wash, Owl Canyon, Elk Ridge, Recapture Wash, and to raft the Colorado, climb canyon walls and bike the endless trails.

These lands should be protected as they were, as they are, and as they should remain. Bears Ears deserves national monument status for all of us — including those who came before us and have left their sacred mark in this region, and, especially, for future generations.

MOAB SUN NEWS

Letter: Bears Ears must be protected

Moab Sun News - Posted: Thursday, March 3, 2016

Murray Cohen, Denver

Dear Editor,

There are places in Utah so rich in heritage and stunning scenery that people consider them some of the most beautiful places on earth. People travel from near and far to view spectacular red rock scenery from Canyonlands and Arches down to the Four Corners. This native Westerner, small-business owner and family man is not an expert on Utah politics, but I do know that there are lands in the state that compare to no other and deserve protection. Bears Ears is such a place, and we have a chance to ensure cultural and historic lands, and recreational and spiritual opportunities are protected for generations to come.

I have lived in the West all of my life, and I've spent a lot of time traveling the back roads, anxious for their end and what lies beyond. These experiences have been some of the most meaningful experiences of my life — hiking, backpacking, boating, rafting, camping and exploring. To be honest, the greatest thrill, though, is just being on our public lands in Utah. Hanging out by the camp fire, gazing at the thousands of stars while the moon rises over a huge canyon wall — the simple pleasures in a land that contains hundreds of multilayered canyons, majestic mountains and azure blue skies. Here, time is measured in millions of years. There is an overwhelming wonder and silence here — the kind that makes you realize that we are all insignificant compared to what nature has achieved.

Among the silence is also a voice of those who came before us: the voice of ancient

people. These were determined people who could build their homes hanging high off a canyon wall, walk for miles every day in the blistering heat of summer and conserve enough resources to survive the brutally cold winters. Many of the canyons are filled with reminders of their presence: ruins, pictographs, cliff houses, pottery and even echoes of their ancient wisdom. This vast landscape was their home and they had a special culture of their own that coexisted with nature, and they respected it. It remains a sacred place for them today. And it is to me, too, though I recognize not to the same original, generational depth. As Americans, we should show that same respect for these lands — lands that will continue to draw people to experience their amazement. We need ancient wisdom and natural wonders to bring us back into balance, and remind us in the digital age that we can't allow greed to continue wreaking havoc on this planet.

Protecting Bears Ears can help do that. 1.9 million acres of beautiful red rock canyons, striking mountain ranges, expansive plateaus, ancient ruins and so much more should be protected. I am inspired by the Bears Ears Intertribal Coalition's vision for this place — for protection, for collaborative management, for traditional knowledge, for commitment to the public good, for healing. While tribes have pushed forward the idea of protecting these sacred lands, there is strength in numbers and the numbers of those supporting the coalition's proposal continue to grow.

Rep. Rob Bishop's Public Lands Initiative could go before Congress, but his proposal

recreational access and long-term resource protection.

The discussion draft of the PLI does not represent a balanced approach to resolving Utah's public land issues and in fact includes

many threats to the national parks and the broader landscape in eastern Utah that we all hold dear.

Public Lands Initiative draft undermines Wilderness Act

Guest editorial - Park Record (Park City, UT)

Erika Pollard, National Parks Conservation Association

Posted: 03/04/2016

Since the Utah Public Lands Initiative began, the National Parks Conservation Association, a nearly 100-year-old organization, has been an engaged stakeholder in the process, representing more than a million members and supporters nationwide. We long hoped for on the ground, collaborative solutions to eastern Utah's public lands issues. However, all semblance of compromise is overshadowed in the draft bill by broad policy provisions -- some of which were not shared or discussed with stakeholders, and others that NPCA identified as nonviable compromises from the beginning of the process.

While the discussion draft does include an expansion at Arches National Park, we are shocked by many other policy provisions in the bill and much of the draft bill language.

NPCA is disappointed that our long standing priority of Completing Canyonlands by expanding the park boundaries to reflect the original vision for the park was not addressed. A Bears Ears National Conservation Area, as proposed in the PLI draft, would be adjacent to the park but would not adequately protect the basin and its many natural and cultural resources from irresponsible off-road vehicle use and other potentially incompatible uses. The Bears Ears National Monument, as proposed to the Obama Administration by the Intertribal Coalition, would provide much stronger

protections for our Canyonlands Completion area, and we are excited about its prospects.

Though we support new wilderness designation inside the national parks as proposed in the draft PLI, the stipulations attached to the wilderness administration language would essentially reduce the level of protection for lands inside national parks. The draft bill undermines the Wilderness Act, potentially the Clean Air Act, and ultimately the authority of the National Park Service to fully manage wilderness values as well as the parks' natural and cultural resources.

NPCA is also opposed to opening more than 2.5 million acres to expedited energy development. We strongly believe that Master Leasing Plans are more effective at creating certainty on the Utah landscape not only for energy development, but also for recreation and conservation. Prohibiting the application of this valuable management tool would nullify years of cooperative efforts invested in the MLP and prevent a similar level of consideration at other deserving public lands.

Finally, we are dismayed by the unacceptable giveaway of R.S. 2477 rights-of-ways inside national park boundaries and on the broader landscape. Within park boundaries, travel management by the National Park Service is critical to achieve the flow and volume of visitors into the parks enabling them to meet goals for

officials did not respond to a request for comment. But in the meantime, there is a long list of other potential places in the West that could also become national monuments, and points of conflict.

Observers have [pointed](#) to other areas in Utah, as well as New Mexico, Montana, and [Idaho](#). In Nevada, there is a push to designate Gold Butte a national monument.

Located near the Arizona border, Gold Butte is filled with unique geological features and ancient petroglyphs, Annette Magnus, executive director of [Battle Born Progress](#), an advocacy group that has pushed for a monument, told BuzzFeed News.

"It desperately needs to be preserved," she said.

Gold Butte is significant because its part of the region contested during the first Bundy standoff in 2014, when family patriarch Cliven Bundy faced off with federal authorities in southern Nevada over cattle grazing rights.

Following the standoff, the federal government [pulled out](#) of the Gold Butte area. There were later reports of [shots fired](#) at a survey team, prompting the Bureau of Land Management to warn its staff to stay away from the region.

The area [remained](#) hotly contested and largely unmanaged into this year, and the conflicts show how federal land generally, and candidates for monumentalization specifically, remain flash points.

Magnus — who said she had seen cows grazing the range during her visits to the area — pointed to the Bundys as one reason the area needs to be turned into a national monument. But she also explained that in Nevada there are two ways for that to happen: by legislation and presidential proclamation. Advocates for a monument will take either, Magnus said, adding that the legislative option has the benefit of consensus.

"We'd love to have everyone on board," she said.

said reaching out to the lawmakers did not end well.

“There was no substantive engaged,” Descheenie said. “They nodded along, they smiled and they were cordial, and at the end of the day that was about it. It was kind of like talking to a wall that just wouldn’t respond.”

That may be because the lawmakers have created their *own* proposal for Utah’s public lands.

The [Utah Public Lands initiative](#) would set aside some lands for conservation, and is billed as being based on the “belief that conservation and economic development can coexist and make Utah a better place to live, work, and visit.” Still, it has been [blasted](#) by [conservationists](#) and the Bears Ears Coalition, which [called](#) it “woefully inadequate.”

The public lands initiative is not limited to Bears Ears, but Chaffetz, Bishop, and all of Utah’s U.S. representatives and senators [sent a letter](#) to Obama in January specifically opposing a national monument. The letter warned of “fierce local opposition” should the president move forward with a “veiled and unilateral” proclamation and argued that decisions should be made “with community involvement and local support.”

“We believe the wisest land-use decisions are made with community involvement and local support,” it added.

The initiative and accompanying resistance to a national monument spring from widespread angst, and anxiety, in the rural West over the way federal agencies manage land. Those feelings are particularly strong in Utah’s San Juan County, the location of Bears Ears and where, according to County Commissioner Phil Lyman, only 8% of the land is privately owned.

Lyman told BuzzFeed News federal policies have slowly chipped away at the economy of his county and “for the most part people don’t appreciate a unilateral executive order and I would certainly say that’s the case with Bears Ears National Monument.”

Many in the area are concerned a decision by Obama would restrict mining and grazing on the land. “If you’re relying on those for any part of your economy,” Lyman said, “you’re just up a creek without a paddle.”

Bruce Adams, also a commissioner in San Juan County, agreed with Lyman on the issue.

“For them to create a national monument feels like they’re pulling the rug out from under us,” Adams said. Both commissioners said some Native Americans in the region also share their concerns.

Sen. Mike Lee — who also opposes a presidential designation of a national monument — [has pointed to](#) the Kaayelii band of the Navajo, saying they believe it “would threaten their livelihood and destroy their way of life.”

A representative of the Kaayelii did not respond to a BuzzFeed News request for comment.

Conn Carroll, a spokesman for Lee, told BuzzFeed News that when the federal government sets aside land it “puts a monkey wrench in the economic development of these rural counties.” Carroll acknowledged that there are differing views on what should happen to Bears Ears, but argued everyone should have some say in what happens, not just the White House.

“The question is, how are we going to decide that?” Carroll added. “Is it going to be done in a democratic way?”

Obama has not said what plans, if any, he has for Bears Ears, and White House

And there's no place where that's more true than Bears Ears. A coalition of Native Americans wants the large stretch of land to become a national monument — but a special kind where they share control.

The push to turn Bears Ears into a national monument took off last fall. Though there had been talk of protecting the site before, a group of Native American tribes calling themselves the [Bears Ears Coalition](#) submitted a [66-page proposal](#) for the site in October.

The group says the site is peppered with more than 100,000 Native American sites, some of which date back hundreds and thousands of years, and “we have been here the longest.”

“Our ancestors variously inhabited, crossed, hunted, gathered, prayed, and built civilizations on these lands,” it says. “Their presence is manifested in migration routes, ancient roads, great houses, villages, granaries, hogans, wikiups, sweat lodges, corrals, petroglyphs and pictographs, tipi rings, and shade houses.”

Eric Descheenie, a coalition co-chair and senior advisor to the president of the Navajo Nation, said that Native Americans in the region see the land as something more than just a place of biological and geological interest. It's a sacred space, he said, that has “personhood and agency” and where ceremonies have “been practiced verbatim since time immemorial.”

“It's more than simply saying that it's an important piece of land, it actually harbors our ability to heal,” Descheenie added.

The proposal asks Obama to set aside 1.9 million acres. And with Obama's time in office winding down, along with his interest in monument designation, the coalition is optimistic it'll score a victory.

“Right now the tribes are incredibly hopeful,” Descheenie said.

But given the contentious mood surrounding federal lands in the West, the nature of the coalition's proposal is significant.

According to Regina Lopez-Whiteskunk, a Ute Mountain Ute Tribal Council Member who has worked with the coalition, the tribes are asking not for a traditional declaration, but instead for one that would have them co-managing the site with the feds. It's a novel, and never-before-deployed idea.

“It's a means of us extending our hands out in partnership rather than asking for a handout,” she explained. “We want to be a part of the solution.”

Descheenie said this process is an essential part of the coalition's proposal, and would allow the site to evolve according to need. When asked if an ordinary proclamation and monument — in which the federal government retains full control of the site — would be problematic, Descheenie said he believed it would.

“I know it would be a problem,” he added.

In other words, the coalition wants an Antiquities Act declaration, but appears reluctant to accept the kind of unilateral authority the typically characterizes national monuments.

But some locals and Utah lawmakers adamantly oppose turning Bears Ears into a national monument at all, and want the federal government completely out of the state.

After the Bears Ears Coalition finished its proposal last fall, it took it to Utah Representatives Rob Bishop and Jason Chaffetz — Republicans who have been vocal critics of federal land use.

Neither Bishop nor Chaffetz responded to BuzzFeed News' request for comment, but both Descheenie and Lopez-Whiteskunk

Tribes oppose effort to stop Bears Ears National Monument in Utah

Thursday, March 10, 2016

Indianz.com

Tribal leaders are speaking out against an attempt to prevent [President Barack Obama](#) from establishing the [Bears Ears National Monument](#) in Utah.

[Sen. Mike Lee](#) (R-Utah) submitted an [amendment](#) on Monday that bars the establishment of any national monument in the state unless Congress approves. Although there's no guarantee the provision will make it into [S.2012](#), the Energy Policy Modernization Act, tribal leaders are already lobbying against it.

"This latest such attempt by Sen. Mike Lee (R-Utah) will eviscerate the very law that was originally passed to help protect Native American sacred religious and cultural sites — the Antiquities Act, said Regina Lopez-Whiteskunk, the head councilwoman of the [Ute Mountain Ute Tribe](#). "These are not merely symbolic protections we seek. The ancestral lands of the Bears Ears region continue to face rampant and ongoing looting and destruction of artwork and gravesites. These are acts that literally rob Native American people of spiritual connections, as well as a sense of place and history. They are insults to the dignity of our societies and traditional knowledge."

The Ute Mountain Ute Tribe is part of the [Bears Ears Inter-Tribal Coalition](#). The group is calling on Obama to protect 1.9 million acres of sacred and historic lands in Utah.

"Bears Ears is not just a beautiful place; it is a vibrant cultural landscape that is home to more than 100,000 sacred cultural sites including ancient villages, cliff dwellings, rock art, and the gravesites of our ancestors," the coalition said in a [statement](#).

Despite support from the Ute Mountain Ute Tribe, the [Navajo Nation](#), the [Ute Tribe](#), the [Hualapai Tribe](#) and all [20 Pueblo governments](#), Republicans in Utah oppose a monument designation. They have tried to undermine tribal support and have refused to include Bears Ears in their [Utah Public Lands Initiative](#).

S.2012 is a bipartisan energy bill that [Sen. Lisa Murkowski](#) (R-Alaska), the chair of the [Senate Committee on Energy and Natural Resources](#), hopes to bring to the floor soon. According to [Bloomberg BNA](#), Lee has placed a hold on the package due to concerns about a provision to address the [lead water crisis in Flint, Michigan](#).

The text of Sen. Lee's amendment follows:

SEC. ____ . REQUIREMENTS FOR
ESTABLISHMENT OR EXPANSION OF NATIONAL
MONUMENTS IN THE STATE OF UTAH.

Effective during the period beginning on the
date of enactment of this Act and ending on the

date that is 1 year after that date, no
establishment or expansion of a National
Monument in the State of Utah shall be carried
out unless expressly authorized by Act of
Congress.

The Salt Lake Tribune

Letter: The 'rightful owners' are the Native Americans

Salt Lake Tribune - First Published Mar 05 2016 05:00AM

The recent public meeting to discuss the proposed Public Lands Initiative was crowded with so many speakers that I had to leave without putting in my two cents:

Rep. Rob Bishop's goal is to, "Return lands to their rightful owners."

San Juan County Commissioner Phil Lyman suggests lands are best administered by those who live on them.

Ammon Bundy says, "Land and resources must be made available to its rightful owners."

It seems to me that all they are in full support of creating the Bears Ears National Monument and allowing it to be managed by the International Coalition of Native American Tribes in San Juan County.

Dudley McIlhenny



Indian Country

TODAY MEDIA NETWORK

It's Time to Heal Bears Ears

Editorial by Regina Lopez-Whiteskunk

Indian Country Today Media Network - 3/4/16

In the past, policies and laws have always been written as prescriptions for us Native American people to follow, including when it comes to protecting the lands, dwellings, art, and final resting places of our ancestors. But now, for the first time, Native American people are using the law of the United States—the Antiquities Act of 1906—to ask the president of the United States to protect our cultural and spiritual homeland: an area we call the “Bears Ears” in southeastern Utah.

Our elders have called for the Bears Ears, which sheltered our ancestors for thousands of years, to be protected, not only for us, but for all people. And our leaders have listened to this people’s movement. A coalition of sovereign nations: the Ute Mountain Ute, Hopi, Navajo, Zuni, and Uintah and Ouray Ute, have brought a proposal to Washington D.C. to ask President Obama to protect 1.9 million acres around Bears Ears as a national monument. These 1.9 million acres are all public lands, held by the United States government, but right now, they are unprotected.

This first-of-its kind national monument proposal is a strong statement that we, as Native Americans, are a part of the solution. We are the circle that surrounds the box, where the policies and laws live. We are here to provide education, support, and solutions and we are also asking for our seat at the table, to help collaboratively manage the lands of our ancestors once a national

monument is created. The Antiquities Act was passed to protect antiquities, but it should also honor the connections Native Americans still have to the land by giving us a voice in decisions about how our ancestral lands are managed.

Native Americans have always maintained a relationship with the land. Bears Ears is home to the dwellings of our ancestors, the final resting places of our people, and sacred areas where our people still collect traditional herbs and medicines today. But it is also home to oil and gas and potash. Like so many ancestral lands, the Bears Ears are threatened not only by looters and grave-robbers, but by mining and oil and gas companies, all of whom are inflicting wounds.

The land and its precious resources need to be healed, but there are other wounds as well, which is why healing forms the inner core of our Bears Ears movement. Relationships between tribal nations have been healed as we work together toward a common goal. And now the Bears Ears Inter-Tribal Coalition is looking to heal the relationship with the United States government. We are not wielding the hatchet of war, but rather extending our hand to say: join us in encouraging the spirit of healing.

We understand the work is vast, and disagreements are sure to come, but we are all seated at the same table, actively engaged, ready to learn from one another,

encouraged by our elders, ancestors, and the many tribes who support our efforts.

Once a national monument is created, we must work together to help educate visitors, locals and, most importantly, the younger generations. We must listen to the history of the early settlers and their stories and historical connections to this area to make sure existing and future management plans are founded on a clear understanding of the value of this land.

We believe Bears Ears should be protected, for all people; the laws to make this a reality

exist. It is up to Native Americans to ask the United States government to use them to protect these lands, which are part of our past, and our present. We are all human beings at the end of the day, breathing in the same air, walking on the same land and citizens of the same United States of America.

Regina Lopez-Whiteskunk is the head councilwoman of Ute Mountain Ute Tribe and a member of the Bears Ears Inter-Tribal Coalition. She lives in Towaoc.

BuzzFeedNEWS

Obama's Next National Monument Could Ignite "Fierce" Land Battle In The West

The president has set aside more public lands than any administration in American history. Critics say these kind of proclamations subvert the democratic process and undermine local interests.

BuzzFeed News - Posted on Mar. 4, 2016, at 5:33 p.m.

[Jim Dalrymple II](#)

One hundred miles northwest of the Four Corners, two buttes rise out of the red dirt and scrubby brush. The buttes, named for their ursine appearance, are known as Bears Ears, but for visitors of this remote corner of Utah, the glowing sandstone and hawks gliding overhead might distract from what the area is becoming: a battleground.

This sprawling 1.9 million-acre parcel of land may soon become a new national monument — a protected space similar to a national park. There are a few ways for a place to obtain that status, but in the case of Bears Ears, all eyes are currently trained on President Obama, who can declare a national monument with the wave of his pen.

The president just [created](#) three new national monuments in California. Together with existing conservation areas in the region, the national monuments create [the second largest desert](#) preserve in the world. Last year, the president [created](#) a 704,000-acre national monument called Basin and Range in Nevada, as well as others in [California](#) and [Texas](#). In 2013, Obama designated a handful of new monuments, including [several](#) in [western](#) states.

In each of these cases, Obama cited the [Antiquities Act](#), a relatively obscure law dating back to 1906 that's [designed](#) to protect things like archeological sites. The

law gives a president wide-ranging discretion to set aside public lands, and it has been used by chief executives of both political parties. Bill Clinton, for example, famously and controversially used to it [create](#) the Grand Staircase-Escalante National Monument in Utah. George W. Bush used the law to [set aside](#) the vast Papahānaumokuākea Marine National Monument in Hawaii.

But Obama has been more aggressive; according to the White House, the president "has protected more acres of public lands and water than any administration in American history."

Advocates of conserving these spaces often see a presidential proclamation as an advantage, a way to bypass the byzantine process that usually comes with getting things done in government.

But critics say these kind of proclamations subvert the democratic process and undermine local interests.

Battles over the federal government's ownership of large stretches of land in the West go way back. The 1970s and 80s saw the rise of the "[Sagebrush Rebellion](#)," and the Bundy-led standoffs in Nevada and Oregon were the latest iteration of that still-simmering conflict. Across the West people are still arguing, and occasionally fighting, over who should control the land.

And there's no place where that's more true than Bears Ears. A coalition of Native Americans wants the large stretch of land to become a national monument — but a special kind where they share control.

The push to turn Bears Ears into a national monument took off last fall. Though there had been talk of protecting the site before, a group of Native American tribes calling themselves the [Bears Ears Coalition](#) submitted a [66-page proposal](#) for the site in October.

The group says the site is peppered with more than 100,000 Native American sites, some of which date back hundreds and thousands of years, and “we have been here the longest.”

“Our ancestors variously inhabited, crossed, hunted, gathered, prayed, and built civilizations on these lands,” it says. “Their presence is manifested in migration routes, ancient roads, great houses, villages, granaries, hogans, wikiups, sweat lodges, corrals, petroglyphs and pictographs, tipi rings, and shade houses.”

Eric Descheenie, a coalition co-chair and senior advisor to the president of the Navajo Nation, said that Native Americans in the region see the land as something more than just a place of biological and geological interest. It's a sacred space, he said, that has “personhood and agency” and where ceremonies have “been practiced verbatim since time immemorial.”

“It's more than simply saying that it's an important piece of land, it actually harbors our ability to heal,” Descheenie added.

The proposal asks Obama to set aside 1.9 million acres. And with Obama's time in office winding down, along with his interest in monument designation, the coalition is optimistic it'll score a victory.

“Right now the tribes are incredibly hopeful,” Descheenie said.

But given the contentious mood surrounding federal lands in the West, the nature of the coalition's proposal is significant.

According to Regina Lopez-Whiteskunk, a Ute Mountain Ute Tribal Council Member who has worked with the coalition, the tribes are asking not for a traditional declaration, but instead for one that would have them co-managing the site with the feds. It's a novel, and never-before-deployed idea.

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In other words, the coalition wants an Antiquities Act declaration, but appears reluctant to accept the kind of unilateral authority the typically characterizes national monuments.

But some locals and Utah lawmakers adamantly oppose turning Bears Ears into a national monument at all, and want the federal government completely out of the state.

After the Bears Ears Coalition finished its proposal last fall, it took it to Utah Representatives Rob Bishop and Jason Chaffetz — Republicans who have been vocal critics of federal land use.

Neither Bishop nor Chaffetz responded to BuzzFeed News' request for comment, but both Descheenie and Lopez-Whiteskunk

said reaching out to the lawmakers did not end well.

“There was no substantive engaged,” Descheenie said. “They nodded along, they smiled and they were cordial, and at the end of the day that was about it. It was kind of like talking to a wall that just wouldn’t respond.”

That may be because the lawmakers have created their *own* proposal for Utah’s public lands.

The [Utah Public Lands initiative](#) would set aside some lands for conservation, and is billed as being based on the “belief that conservation and economic development can coexist and make Utah a better place to live, work, and visit.” Still, it has been [blasted](#) by [conservationists](#) and the Bears Ears Coalition, which [called](#) it “woefully inadequate.”

The public lands initiative is not limited to Bears Ears, but Chaffetz, Bishop, and all of Utah’s U.S. representatives and senators [sent a letter](#) to Obama in January specifically opposing a national monument. The letter warned of “fierce local opposition” should the president move forward with a “veiled and unilateral” proclamation and argued that decisions should be made “with community involvement and local support.”

“We believe the wisest land-use decisions are made with community involvement and local support,” it added.

The initiative and accompanying resistance to a national monument spring from widespread angst, and anxiety, in the rural West over the way federal agencies manage land. Those feelings are particularly strong in Utah’s San Juan County, the location of Bears Ears and where, according to County Commissioner Phil Lyman, only 8% of the land is privately owned.

Lyman told BuzzFeed News federal policies have slowly chipped away at the economy of his county and “for the most part people don’t appreciate a unilateral executive order and I would certainly say that’s the case with Bears Ears National Monument.”

Many in the area are concerned a decision by Obama would restrict mining and grazing on the land. “If you’re relying on those for any part of your economy,” Lyman said, “you’re just up a creek without a paddle.”

Bruce Adams, also a commissioner in San Juan County, agreed with Lyman on the issue.

“For them to create a national monument feels like they’re pulling the rug out from under us,” Adams said. Both commissioners said some Native Americans in the region also share their concerns.

Sen. Mike Lee — who also opposes a presidential designation of a national monument — [has pointed to](#) the Kaayelii band of the Navajo, saying they believe it “would threaten their livelihood and destroy their way of life.”

A representative of the Kaayelii did not respond to a BuzzFeed News request for comment.

Conn Carroll, a spokesman for Lee, told BuzzFeed News that when the federal government sets aside land it “puts a monkey wrench in the economic development of these rural counties.” Carroll acknowledged that there are differing views on what should happen to Bears Ears, but argued everyone should have some say in what happens, not just the White House.

“The question is, how are we going to decide that?” Carroll added. “Is it going to be done in a democratic way?”

Obama has not said what plans, if any, he has for Bears Ears, and White House

officials did not respond to a request for comment. But in the meantime, there is a long list of other potential places in the West that could also become national monuments, and points of conflict.

Observers have [pointed](#) to other areas in Utah, as well as New Mexico, Montana, and [Idaho](#). In Nevada, there is a push to designate Gold Butte a national monument.

Located near the Arizona border, Gold Butte is filled with unique geological features and ancient petroglyphs. Annette Magnus, executive director of [Battle Born Progress](#), an advocacy group that has pushed for a monument, told BuzzFeed News.

"It desperately needs to be preserved," she said.

Gold Butte is significant because its part of the region contested during the first Bundy standoff in 2014, when family patriarch Cliven Bundy faced off with federal authorities in southern Nevada over cattle grazing rights.

Following the standoff, the federal government [pulled out](#) of the Gold Butte area. There were later reports of [shots fired](#) at a survey team, prompting the Bureau of Land Management to warn its staff to stay away from the region.

The area [remained](#) hotly contested and largely unmanaged into this year, and the conflicts show how federal land generally, and candidates for monumentalization specifically, remain flash points.

Magnus — who said she had seen cows grazing the range during her visits to the area — pointed to the Bundys as one reason the area needs to be turned into a national monument. But she also explained that in Nevada there are two ways for that to happen: by legislation and presidential proclamation. Advocates for a monument will take either, Magnus said, adding that the legislative option has the benefit of consensus.

"We'd love to have everyone on board," she said.

Public Lands Initiative draft undermines Wilderness Act

Guest editorial - Park Record (Park City, UT)

Erika Pollard, National Parks Conservation Association

Posted: 03/04/2016

Since the Utah Public Lands Initiative began, the National Parks Conservation Association, a nearly 100-year-old organization, has been an engaged stakeholder in the process, representing more than a million members and supporters nationwide. We long hoped for on the ground, collaborative solutions to eastern Utah's public lands issues. However, all semblance of compromise is overshadowed in the draft bill by broad policy provisions -- some of which were not shared or discussed with stakeholders, and others that NPCA identified as nonviable compromises from the beginning of the process.

While the discussion draft does include an expansion at Arches National Park, we are shocked by many other policy provisions in the bill and much of the draft bill language.

NPCA is disappointed that our long standing priority of Completing Canyonlands by expanding the park boundaries to reflect the original vision for the park was not addressed. A Bears Ears National Conservation Area, as proposed in the PLI draft, would be adjacent to the park but would not adequately protect the basin and its many natural and cultural resources from irresponsible off-road vehicle use and other potentially incompatible uses. The Bears Ears National Monument, as proposed to the Obama Administration by the Intertribal Coalition, would provide much stronger

protections for our Canyonlands Completion area, and we are excited about its prospects.

Though we support new wilderness designation inside the national parks as proposed in the draft PLI, the stipulations attached to the wilderness administration language would essentially reduce the level of protection for lands inside national parks. The draft bill undermines the Wilderness Act, potentially the Clean Air Act, and ultimately the authority of the National Park Service to fully manage wilderness values as well as the parks' natural and cultural resources.

NPCA is also opposed to opening more than 2.5 million acres to expedited energy development. We strongly believe that Master Leasing Plans are more effective at creating certainty on the Utah landscape not only for energy development, but also for recreation and conservation. Prohibiting the application of this valuable management tool would nullify years of cooperative efforts invested in the MLP and prevent a similar level of consideration at other deserving public lands.

Finally, we are dismayed by the unacceptable giveaway of R.S. 2477 rights-of-ways inside national park boundaries and on the broader landscape. Within park boundaries, travel management by the National Park Service is critical to achieve the flow and volume of visitors into the parks enabling them to meet goals for

recreational access and long-term resource protection.

The discussion draft of the PLI does not represent a balanced approach to resolving Utah's public land issues and in fact includes

many threats to the national parks and the broader landscape in eastern Utah that we all hold dear.

MOAB SUN NEWS

Letter: Bears Ears must be protected

Moab Sun News - Posted: Thursday, March 3, 2016

Murray Cohen, Denver

Dear Editor,

There are places in Utah so rich in heritage and stunning scenery that people consider them some of the most beautiful places on earth. People travel from near and far to view spectacular red rock scenery from Canyonlands and Arches down to the Four Corners. This native Westerner, small-business owner and family man is not an expert on Utah politics, but I do know that there are lands in the state that compare to no other and deserve protection. Bears Ears is such a place, and we have a chance to ensure cultural and historic lands, and recreational and spiritual opportunities are protected for generations to come.

I have lived in the West all of my life, and I've spent a lot of time traveling the back roads, anxious for their end and what lies beyond. These experiences have been some of the most meaningful experiences of my life — hiking, backpacking, boating, rafting, camping and exploring. To be honest, the greatest thrill, though, is just being on our public lands in Utah. Hanging out by the camp fire, gazing at the thousands of stars while the moon rises over a huge canyon wall — the simple pleasures in a land that contains hundreds of multilayered canyons, majestic mountains and azure blue skies. Here, time is measured in millions of years. There is an overwhelming wonder and silence here — the kind that makes you realize that we are all insignificant compared to what nature has achieved.

Among the silence is also a voice of those who came before us: the voice of ancient

people. These were determined people who could build their homes hanging high off a canyon wall, walk for miles every day in the blistering heat of summer and conserve enough resources to survive the brutally cold winters. Many of the canyons are filled with reminders of their presence: ruins, pictographs, cliff houses, pottery and even echoes of their ancient wisdom. This vast landscape was their home and they had a special culture of their own that coexisted with nature, and they respected it. It remains a sacred place for them today. And it is to me, too, though I recognize not to the same original, generational depth. As Americans, we should show that same respect for these lands — lands that will continue to draw people to experience their amazement. We need ancient wisdom and natural wonders to bring us back into balance, and remind us in the digital age that we can't allow greed to continue wreaking havoc on this planet.

Protecting Bears Ears can help do that. 1.9 million acres of beautiful red rock canyons, striking mountain ranges, expansive plateaus, ancient ruins and so much more should be protected. I am inspired by the Bears Ears Intertribal Coalition's vision for this place — for protection, for collaborative management, for traditional knowledge, for commitment to the public good, for healing. While tribes have pushed forward the idea of protecting these sacred lands, there is strength in numbers and the numbers of those supporting the coalition's proposal continue to grow.

Rep. Rob Bishop's Public Lands Initiative could go before Congress, but his proposal

would not provide adequate protection for Bears Ears. In absence of a strong bill to do just that, we must come together as a community of supporters for these public lands, to ensure they are not developed, destroyed, looted or lined with drilling pads.

People don't come from around the world, or even from neighboring states, to visit lands that have lost their historic, scenic, ecological and divine values. We come here to experience the peace and beauty of this magnificent area. We come here to hike and camp and explore places such as Mule

Canyon, Grand Gulch, Cedar Mesa, Dark Canyon, Comb Wash, Owl Canyon, Elk Ridge, Recapture Wash, and to raft the Colorado, climb canyon walls and bike the endless trails.

These lands should be protected as they were, as they are, and as they should remain. Bears Ears deserves national monument status for all of us — including those who came before us and have left their sacred mark in this region, and, especially, for future generations.



Statesman Journal

PART OF THE USA TODAY NETWORK

Letter: Public Lands Initiative only benefits a few

Salem Statesman Journal (OR)

March 3, 2016

The recent [occupation of Malheur National Wildlife Refuge](#) reflects a larger struggle by right-wing groups, extractive industries and other special interests to wrest control of federal lands across the west.

Another place this battle is being played out is the Red Rock Canyon country of Utah, one of the most iconic landscapes in the world.

There, a process known as the Public Lands Initiative was supposed to bring together all interested parties in an effort to reach consensus concerning the fate of the region's public lands. Instead, it evolved into a wish list for the [fossil fuel industry](#), and the only people being asked to compromise in this "grand bargain" were those who favored conservation.

The Navajo and other Native American tribes in the area realized their efforts to get sacred lands at the Bears Ears region set aside were being ignored and pulled out of the process.

The Public Lands Initiative would roll back existing protections for millions of acres of spectacular canyon country, encourage intensive industrial uses of public lands and allow mining and gas drilling near iconic national parks such as Arches and Canyonlands.

These lands belong to all of us and deserve better.

David Harrison

Salem

Deseret News

Bishop's public lands bill skewered in citizens hearing

Deseret News, March 2, 2016



Opponents of Rep. Rob Bishop's Public Lands Initiative eviscerated the bill in a "citizens hearing" Wednesday organized by the Utah Wilderness Coalition and attended by hundreds.

"It is truly a disaster," said Mark Maryboy of Utah Dine Bikeyah, renewing Native American tribes' call for the creation of the Bear Ears National Monument.

The hearing at the University of Utah's Orson Spencer Hall was recorded and videotaped and will be submitted to Washington, D.C., to be included in the official congressional record on the initiative, said organizer Tim Wagner from the group Utah Physicians for a Healthy Environment.

Other groups at the podium included the Sierra Club, Southern Utah Wilderness Alliance, the National Parks Conservation Association and Grand Old Broads For Wilderness.

"I am in the public in public lands," said Di Allison, chairwoman of the Grand Old Broads for Wilderness. She said the proposal by Bishop,

R-Utah, decimates provisions of the Wilderness Act.

"It butchers the definition of wilderness after years and years of painful collaboration and compromise," she said.

Peter Metcalf, CEO of Black Diamond, said the initiative, touted as the fruits of a cooperative, grass-roots effort, instead is a "Pearl Harbor all-attack" on public lands.

Bishop unveiled his public lands planning bill in January after three years of working with a wide variety of groups, industries, county commissioners and local residents from eight eastern Utah counties. He warned throughout the process that his bill is one of compromise — that no one will get everything they want, but everyone will get "something."

Daggett County pulled out before the bill was released, and since then, Summit County voted to urge Bishop to rewrite that portion of the bill to reflect its public land planning desires.

The bill is an attempt to settle the contentious — and often litigious — fights that occur over how Utah's vast public lands should be managed by the Bureau of Land Management and the U.S. Forest Service. It sets up "wilderness" areas and creates energy zones, but environmental groups say the wilderness is in name only.

Juan Palma, former Utah director of the BLM, took to the podium at the event, emphasizing that his heritage has a deep connection to the land and the voices of Latino people should be included in the public lands planning process.

"Public lands are a salvation to me," he said. After his remarks, he said he could not support Bishop's proposal as written, noting specifically that its provisions for grazing — allotments can only go up and not decrease — go against the reality of managing landscapes for droughts and other threats.

Organizers of Wednesday's hearing — which was standing room only — said they put on the citizen event to make sure Utah residents' voices were heard in the land planning process.

County.

Although Bishop said there would be opportunity for comment on his draft bill, Terri Martin with the Utah Wilderness Coalition said there's been no meaningful outreach.

Scott Groene, executive director of the Southern Utah Wilderness Alliance, said Bishop's measure has to be derailed before it gains any momentum.

"If we stop the Public Lands Initiative, we open the door for President Obama to protect the Bears Ears," he said.

An inter-tribal coalition has called for the designation of a new national monument to protect cultural resources in a 1.9 million acre area in San Juan

The Salt Lake Tribune

Conservationists say Public Lands Initiative would do more harm than good in Utah

The Salt Lake Tribune March 2, 2016

By [BRIAN MAFFLY](#)

Critics call bill "an all-out assault" on Utah's cultural heritage and quality of life.

While some rural communities are generally pleased with draft language in U.S. Rep. Rob Bishop's Utah [Public Lands Initiative Act \(PLI\)](#), many Native Americans and urban Utahns are seething that they were excluded from the process intended to resolve land-use controversies on 18 million acres of public land in eastern Utah.

That displeasure was on full-throated display Wednesday night at the University of Utah where at least 500 conservation-minded people packed a "citizens' hearing" to denounce various aspects of the [65-page draft](#) Bishop and fellow Utah Rep. Jason Chaffetz released in January after more than two years of meetings with various "stakeholders."

Critics say the draft bill is "an all-out assault" on the state's natural heritage and landscapes that sustain its economic vitality and quality of life by stripping protections from millions of acres and allowing incompatible uses in designated wilderness.

"It's a disaster," said former San Juan County Commissioner Mark Maryboy in Navajo, then in English. A Navajo community leader, Maryboy is a proponent of the Bears Ears National Monument aimed at conserving the lands around Cedar Mesa which is rich in Native American antiquities.

"We tried to work with Chaffetz and Bishop to see if we could come up with a national conservation area. They refused to work

with us and it was unfortunate to see this draft," Maryboy said. "It is more for energy development. We must not allow that legislation to pass. We are very disappointed that the county commissioners and the Utah leadership don't know how to work with Native Americans. Total disrespect."

Beside Maryboy on the stage were four empty seats bearing the names of Chaffetz, Bishop and Sens. Mike Lee and Orrin Hatch. The Republicans were invited to the event but either declined or did not respond.

Chaffetz said the Southern Utah Wilderness Alliance, which co-hosted the event with the U. Environmental Club and other groups, ignores the interests of rural Utahns and has distorted the initiative.

"I have been listening to this group for the past three years, and if they have anything new to offer, my door is still open," said Bishop, who could not attend because of a scheduling conflict.

"Not all stakeholders are able to receive 100 percent of what they want as part of PLI," he said through a spokeswoman. "We have received constructive — and at times critical — comments from every single participant involved in PLI, including all seven counties. But unlike SUWA, the counties and legitimate interest groups are still working with the delegation instead of buying misleading television ads and holding one-sided faux hearings."

The Utah Wilderness Coalition organized Wednesday's event to give Wasatch Front residents a platform for venting frustrations

with the PLI process. Bishop plans no hearings outside Washington, D.C., after he introduces a final version of the bill.

SUWA's David Garbett wondered why the delegation is avoiding feedback from Utah's urban residents, who have a powerful stake in the fate of these lands.

"All that shows is that they believe the whole Wasatch Front is stacked against them so they are not going to bother hearing what they have to say," he said. "They said they held 1,200 meetings, but they are talking to about 5 percent of the state's population, those who live in the seven counties. It's unfortunate that they are acting like petulant children rather than engaging in a public dialogue. I don't think it bodes well for the [Public Lands Initiative](#)."

Utah's political leaders have applauded the PLI for paving a path through the decades-long impasse over how Utah's scenic public lands should be used. Gov. Gary Herbert's energy policy adviser, Cody Stewart, attended the event — as much a rally as it was a hearing — but did not speak.

A diverse range of organizations and individuals, including the National Parks Conservation Association, outdoor industry businesses, and the Bears Ears Inter-Tribal Coalition denounced the draft Wednesday. Grand and Summit county residents who spoke said their counties are on record opposing the draft, which fails to incorporate conservation aspects of their proposals.

"They promised to be inclusive and hoped to reach a grand bargain," said moderator Tim Wagner, uttering the closest thing to a compliment in more than three hours of remarks. "This was a worthy endeavor and the conservation community participated in good faith. As the initiative played out inclusivity disappeared."

Wagner, director of Utah Physicians for a Healthy Environment, patted a stack of 2,000 citizen comments to be sent to Bishop.

Featured speakers included retired state Bureau of Land Management director Juan Palma; former Congresswoman Karen Shepherd, D-Salt Lake City; Black Diamond CEO Peter Metcalf; and Lauren Wood, a river guide and emerging Utah voice for conservation.

Author Terry Tempest Williams issued statement a through a friend, denouncing the initiative as a "fraud" for its failure to allow Utah citizens a meaningful opportunity to shape the proposal.

"It has little to do with protecting Utah's beloved wild lands, and a lot to do with protecting the corporate interests of oil and gas companies that are fueling the climate crisis," Williams said.

Latinos care deeply about public lands, yet this minority group was ignored, according to Palma.

"Why is it Latino voices are important? I give three reasons," asked Palma, now chief conservation officer for Hispanics Enjoying Camping and Hunting in the Outdoors. "We have deep roots in the West. We have some knowledge about these lands, and third, we might actually know what we are talking about."

Spanish explorers blazed many of the early trails across the Southwest.

"Many of our forebears are buried along these trails. We didn't just come out yesterday like some people want you to believe. Some of us have been here a long time and some are perfectly legal citizens," Palma said.

Metcalf gave a scathing assessment of the PLI's potential to harm the very assets that he says makes Utah's economy among the nation's most robust.

"What is driving Utah's economy is not the dying extractive industries, but outdoor tourism and film," Metcalf said. "Protecting wild landscapes and are absolutely integral to our state's vibrant economic future."

Many speakers described the PLI as a prelude to Utah's ultimate goal of "seizing" control of 31 million acres of public lands.

NPCA's Erika Pollard said her group was "shocked" by many items in the draft, which marks a dramatic departure from current law and land management norms. Bishop's draft would hamstring the National Park Service and other federal agencies' ability to protect wilderness and other natural values, as well as their cultural resources.

She highlighted a controversial provision that would resolve thousands of disputed

road claims in favor of the counties, totaling some 10,000 miles of routes, many inside parks.

"Within park boundaries, travel management by the National Park Service is critical to achieve the flow and volume of visitors into the parks enabling them to meet goals for recreational access and long-term resource protection," Pollard said. "The discussion draft of the PLI does not represent a balanced approach to resolving Utah's public land issues and in fact includes many threats to the national parks and the broader landscape in eastern Utah that we all hold dear."

Unprecedented tribal call for national monument

Examiner.com March 2, 2016

In [Utah](#), where two-thirds of the land is already owned by the federal government, native tribes have united in an unprecedented action of petitioning President Barack Obama to designate nearly two million acres as a national monument. The proposed Bears Ears National Monument is bordered by the San Juan River, the Colorado River, the Navajo Nation and White Mesa and contains more than 190,000 archaeological sites on land sacred to the petitioning tribes.

President Obama has announced intention to designate a number of monuments in his final year of office, the latest being preserves in the California desert. A sitting president may name public monuments without Congressional approval under the terms of the 1906 Antiquities Act. Former President Bill Clinton named the 1.9 million acre [Grand Staircase-Escalante National Monument](#) in 1996 without conferring with Utah lawmakers and ever since then state leaders have said the unilateral decision ignored the opinion of Utah's citizens.

Utah Gov. Gary Herbert opposes designation of Bears Ears and presented the President with a [letter of opposition](#) on Feb. 22 at the national governors' meeting in Washington, D.C. "I respectfully ask you to refrain from using the [Antiquities Act](#) to designate a national monument in Utah," reads the opening of the letter.

"History shows this sort of action will exacerbate an already tense situation and will further perpetuate the longstanding public lands conflict. Any unilateral action

could set back progress, perhaps for decades," he warned.

At stake for Herbert is the future of the [Utah Public Lands Initiative](#), spearheaded by [Rep. Rob Bishop](#) (R-Utah) and Rep. Jason Chafferty (R-Utah). This political initiative is meant to negotiate the best use of Utah's public lands, which can and has included off-road driving, mineral extraction, desecration of archaeological sites, building of roads in wilderness areas, timber harvesting and other activities.

The largest coalition of native tribes and the first ever to call for a monument designation, the [Bear Ears Coalition](#), called upon leaders of the PLI to protect the lands in Bears Ears, but leaders say they were not allowed to participate in negotiations. Representing the Navajo, Hopi, Ute Mountain [Utes](#), the Unitah and Ouray Utes, and the Zuni, and endorsed by 25 of the Pueblos of New Mexico, the Coalition is pressing to preserve the lands which "play a role in the cultural, spiritual and historical lives of all Native American people in the region."

The petition has been endorsed by the National Congress of American Indians, the oldest and largest group representing the interests of native Americans. According to the Coalition, more than 75 percent of Native Americans support the designation.

If President Obama designates Bears Ears as a national monument, the area will be jointly administered by an 8-member committee including one member from each of the five tribes and representatives from the three

federal agencies which already have stakes in some of the land: the National Park Service, the Forest Service and the Bureau of Land Management.

Mining would be prohibited in the new monument, as would the building of new roads. Traffic on existing roads would be strictly monitored. Hunting, recreation and

enjoyment of the arches, canyons and other natural wonders would be permitted. Natives would be allowed to continue to gather traditional medicines, herbs and plants and to practice sacred ceremonies without public disturbance.

President Obama has not announced his decision yet.

THE DAILY SENTINEL

Letter: Bears Ears region needs national monument recognition

Grand Junction Sentinel, March 2, 2016

Nature is divine and worth protecting; protecting our sacred lands has been as much a part of me as my culture and heritage. My people have fought to keep and preserve our culture and land for hundreds of years, long before Utah became a state. I am a Navajo native of Montezuma Creek Utah, and part of the Aneth chapter. I have read Congressman Rob Bishop's purported Public Land Initiative and it is nothing more than a deceptive tactic to open up oil and gas interests on our public lands and our sacred historical sites.

We have asked President Obama to protect Utah's Bears Ears region by designating the area as a national monument under the Antiquities Act of 1906. Working in unity as Native Americans our collective proposal includes 1.9 million acres of currently unprotected lands, encompassing more than 100,000 archeological sites. These sites not only possess unique historical and scientific landmarks, but most importantly irreplaceable spiritual and cultural significance. Our land is a vital part of our story; they are our sacred places we share with our ancestors. This deep connection cannot be replicated or replaced, and Rep. Bishop's PLI goes too far.

Congressman Bishop's Public Land Initiative blatantly ignores our request to have our culture and heritage protected. The PLI not only seeks to keep Bears Ears from becoming a national park, but it also wants to keep the majority of areas open to oil and gas development, which would negatively impact our environment and change the scenic spiritual value in the worst way. Also, the PLI would appoint a four-person "management commission" to oversee the "conservation area" in and around the archeological, spiritual and unique sites. This management commission would be made up of representatives from Utah's Department of Natural Resources and the San Juan County Commission. The county commission is currently led by Phil Lyman, who was recently sentenced to jail for leading an illegal ATV ride that damaged Native American archaeological sites.

This land belongs to all of the American public; it is our land. We must protect it and say no to Congressman Rob Bishop's Public Land Initiative.

JOHN ROSS
Moab, Utah



Buffa, Nicole <nicole_buffa@ios.doi.gov>

Bears Ears in the news

Meghan Kissell <Meghan@conservationlands.org>
To: nicole_buffa@ios.doi.gov

Fri, Apr 1, 2016 at 3:08 PM

Hi Nikki,

Hope you had a nice visit (b) (6) in California. I just wanted to drop you a quick email to make sure you had seen all the press on Bears Ears this past month.

Meghan

Meghan Kissell

Campaign Communications Director

Conservation Lands Foundation

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Conservation
Lands
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Protecting America's Heritage



Bears Ears in the News - March 2016.pdf

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Bears Ears in the News – March 2016

Utes, Navajo seek monument to preserve canyon: Utes, Navajos want monument status to protect 1.9M acres of ancestral lands

The Durango Herald, March 30, 2016

<http://www.durangoherald.com/article/20160330/NEWS06/160339948/-1/News/Utes-Navajo-seek-monument-to-preserve-canyon>

Obama bears the right to create national parks

The Stylus – The Student Newspaper of the College at Brockport (New York), March 29, 2016

<http://www.thestylus.net/news/view.php/1018817/Obama-bears-the-right-to-create-national>

Opinion: Who Really Deserves Ownership of Yosemite Names: Hint: It's not the National Park Service or Delaware North

Adventure Journal (blog), March 29, 2016

<http://adventure-journal.com/2016/03/opinion-who-really-deserves-ownership-of-yosemite-names/>

Letter: Bears Ears monument would be a delight for the eyes

Salt Lake Tribune, March 29, 2016

<http://www.sltrib.com/opinion/3706601-155/letter-bears-ears-monument-would-be>

Letter: A National Monument in Utah

The New York Times

From Willie Grayeyes, Chairman, Utah Diné Bikéyah

http://www.nytimes.com/2016/03/29/opinion/a-national-monument-in-utah.html?_r=0

Op-ed: Recent national monuments have protected local interests

Salt Lake Tribune, March 26, 2016

By John Ruple

<http://www.sltrib.com/opinion/3699059-155/op-ed-recent-national-monuments-have-protected>

Conservation group: Bears Ears proposal has deep roots

Navajo Times, March 24, 2016 (subscription only)

The Year of Bears Ears

Conservation Alliance (blog) March 21, 2016

By Tim Peterson, Grand Canyon Trust

<http://www.conservationalliance.com/year-bears-ears/>

College, university students rally at Capitol for Utah's wildlands

Fox 13 News, March 15, 2016

<http://fox13now.com/2016/03/15/college-university-students-rally-at-capitol-for-utahs-wildlands/>

USU student, peers rally against Public Lands Initiative

Logan Herald Journal, Mar 15, 2016

http://news.hjnews.com/allaccess/usu-student-peers-rally-against-public-lands-initiative/article_b7b84797-6c0e-5f63-b1f2-2c8071b48416.html

University students decry Bishop's public lands bill

Deseret News, March 15 2016

<http://www.deseretnews.com/article/865650120/University-students-decry-Bishops-public-lands-bill.html?pg=all>

Letter: PLI a bad bill

Deseret News, March 13 2016

<http://www.deseretnews.com/article/865649957/Letter-PLI-a-bad-bill.html?pg=all>

Remote Utah Enclave Becomes New Battleground Over Reach of U.S. Control

The New York Times, March 12, 2016

<http://www.nytimes.com/2016/03/13/us/remote-utah-enclave-new-battleground-over-reach-of-us-control.html>

Thursday, March 17, 2016 – Protecting Bears Ears » Native America Calling

Native America Calling, March 11, 2016

<http://www.nativeamericacalling.com/thursday-march-17-2016-protecting-bears-ears/>

Tribes oppose effort to stop Bears Ears National Monument in Utah

Indianz.com, **March 10, 2016**

<http://www.indianz.com/News/2016/020648.asp>

Letter: The 'rightful owners' are the Native Americans

Salt Lake Tribune, **March 5, 2016**

<http://www.sltrib.com/opinion/3617371-155/letter-the-rightful-owners-are-the>

Op-ed: It's Time to Heal Bears Ears

Indian Country Media Today, **March 4, 2016**

From Regina Lopez-Whiteskunk, head councilwoman of Ute Mountain Ute Tribe

<http://indiancountrytodaymedianetwork.com/2016/03/04/its-time-heal-bears-ears>

Obama's Next National Monument Could Ignite "Fierce" Land Battle In The West

BuzzFeed News, March 4, 2016

<http://www.buzzfeed.com/jimdalyrupleii/bears-ears-and-the-sagebrush-election#.yImDjIMzd>

Guest editorial: Public Lands Initiative draft undermines Wilderness Act

Park Record, March 4, 2016

From National Parks Conservation Association (NPCA) opposes PLI, expresses support for Bears Ears Inter-Tribal Coalition proposal

http://www.parkrecord.com/letters-to-the-editor/ci_29596831/guest-editorial

Op-ed: Bears Ears must be protected

Moab Sun News, March 3, 2016

From Murray Cohen, small businessman

http://www.moabsunnews.com/opinion/article_757728e2-e158-11e5-9b90-3bc8231323d9.html

Letter: Public Lands Initiative only benefits a few

Statesman Journal, March 3, 2016

<http://www.statesmanjournal.com/story/opinion/readers/2016/03/04/public-lands-initiative-benefits/81305142/>

Bishop's public lands bill skewered in citizens hearing

Deseret News, **March 2, 2016**

(**quote from** former San Juan County Commissioner Mark Maryboy (Navajo) in support of Bears Ears proposal)

<http://www.deseretnews.com/article/865649159/Bishops-public-lands-bill-skewered-in-citizens-hearing.html>

Conservationists say Public Lands Initiative would do more harm than good in Utah

Salt Lake Tribune, **March 2, 2016**

<http://www.sltrib.com/news/3602768-155/conservationists-say-public-lands-initiative-would>

Unprecedented tribal call for national monument

The Examiner, March 2, 2016

<http://www.examiner.com/article/unprecedented-tribal-call-for-national-monument>

Letter: Bears Ears region needs national monument recognition (*from member of Utah Navajo Aneth Chapter House*)

Grand Junction Sentinel, March 2, 2016 (printed)

<http://www.gjsentinel.com/opinion/articles/email-letters-february-29-2016>

THE Durango HERALD

Utes, Navajo seek monument to preserve canyon

Utes, Navajos want monument status to protect 1.9M acres of ancestral lands

The Durango Herald, March 30, 2016

For generations, the Allen Canyon band of Ute Mountain Utes has made a name for itself by creating artistic wedding baskets out of willows and plant dyes collected in the remote canyon in southeastern Utah.



Jim Mimiaga/The Journal

A ghostly petroglyph watches visitors of Jailhouse ruin in Bullet Canyon. Native tribes have ancestral ties to ruins in southeastern Utah and are advocating for further protection.



Jim Mimiaga/The Journal

A coalition of native tribes are advocating for the Bear's Ears National Monument in southeastern Utah. During a panel discussion at the Celebrate Cedar Mesa conference in Bluff, Utah, Navajo Jonah Yellowman, Zuni Octavius Seowtewa and Navajos Willie Grayeyes and Eric Descheenie share the Native American perspective on the importance of ancestral lands.



Shannon Livick/The Journal file photo

Monarch Cave is one of the more popular routes in the remote area near Comb Ridge within the proposed monument.



Shannon Livick/The Journal file photo

Artifacts can be spotted at Comb Ridge sites, even corn cobs. But signs remind visitors that removing or damaging any of them is a crime.



Courtesy of

Andrew Gulliford

While most carved Anasazi or Moki steps go up sheer cliffs, these steps run horizontal on Comb Ridge with a 50-foot fall below.



Shannon Livick/The Journal file photo

The fall colors at Comb Ridge.

The clan accesses the traditional area from its base on the White Mesa reservation.

But the Utes and other tribal leaders say ancestral sites are at risk of looting, vandalism, energy development and recreation impacts because they are often located on public lands.

“My grandparents would take us every summer to Allen Canyon to gather the willows and collect berries and plants. The men would hunt, and there would be a community cookout,” said Ute Mountain Ute tribal member Mary Jane Yazzie.

What they’ve witnessed in recent years has been a shock.

“Now, I notice a lot of new roads being created in the canyon. People have dug up pottery and desecrated burials,” Yazzie says. “We feel a

monument will help better manage and protect the land.”

Toward that goal, the Ute Mountain, Uintah and Ouray Utes, Navajo, Hopi, and Zuni tribes have formed the Bears Ears Intertribal Coalition.

They met this month at the Friends of Cedar Mesa conference in Bluff, Utah, to urge President Barack Obama to declare 1.9 million acres of public lands in southeastern Utah as the Bears Ears National Monument.

“It’s never been done, all the tribes working together,” said Octavius Seowtewa, a Zuni cultural leader. “We as native peoples are banding together to work for the protection of Bears Ears instead of bickering about past issues.”

Navajo Natasha Hale of the Grand Canyon Trust said local tribes tried to push legislation for a National Conservation Area, “but the vision fell on the deaf ears of politicians, so tribal leaders came together to petition for a monument designation.”

Eric Descheenie, co-chairman of the Bears Ears coalition representing the Navajos, urged Western academia to see the land from a Native American perspective.

“Conservation, environmentalism and history are important, but indigenous truth of our connection to the land is the difference,” he said.

Anthropology and archaeology can be “abstract and dehumanizing,” Descheenie said, and the Antiquities Act protects “objects as if they are nonliving beings.”

“Look through the lens of Native people: The rocks, wind and land and homes of ancestors are more than objects – they are living and

breathing. That is how we understand reality and how we reflect on the Bears Ears landscape.”

For the Zuni, the area of Cedar Mesa is part of their medicine man society.

“It is very sacred. Our people emerged from the Grand Canyon and were directed to find this middle place of everlasting sunshine,” Seowtewa said.

The coalition wants more native tribe involvement if a monument is declared. A proposed eight-person management commission would include representatives from each of the five tribes, plus officials from the Forest Service, National Park Service and Bureau of Land Management.

Pictures were distributed among the audience of looted ruins, burned wickiups (a traditional Ute dwelling), off-trail motorized damage, oil and gas development and attempted theft of rock art.

“Protection of the area is long overdue. It’s been defaced, violated by grave robbers and heavily impacted by industry,” said Willie Grayeyes, chairman of the Dine Bikeyah, a group that seeks a voice on ancestral lands off the reservation.

As for Obama? The president and Interior Secretary Sally Jewell have held meetings with tribal leaders in the Southwest, and Obama has hinted that Bears Ears may be on his list of monuments to declare.

“I reiterated my commitment to working with tribal nations to protect your natural resources and honor your heritage as we did with Denali,” Obama said at the Tribal Nations conference, Nov. 5, 2015. “So moving forward, we’ll also review tribal proposals to permanently protect sacred lands for future generations.”



Obama bears the right to create national parks

The Stylus – The Student Newspaper of the College at Brockport (New York)

March 29, 2016

By Morgan Bulman

President Barack Obama has one last chance to make an environmentally friendly decision before leaving office. Obama can make Bears Ears, a small underdeveloped part of Utah, a national park to save the area from corporations.

I am not the first to admit disappointment when it comes to President Barack Obama's empty promises in regards to his environmental agenda, but a new opportunity has arisen for him to address in San Juan County, Utah.

Let's travel to Bears Ears, a place with ursine shaped hills and the historical hunting grounds for multiple Native American tribes. Most importantly, Bears Ears is one of the few places in the United States remaining true to the definition of "remote": untouched, untamed, unindustrialized and unconquered.

However, the state of Utah is seeking to legally claim the land as its own, taking it from a tribal coalition compiled of Navajo, Zuni, Hopi, Ute and Ute Mountain Ute in order to plunder the land for oil development.

Is this the year 2016? Or a western movie gone horribly wrong?

According to the *New York Times* article, "Remote Utah Enclave Becomes New Battleground Over Reach of U.S. Control" by Jack Healy, "the president still has the power under the Antiquities Act of 1906 to create national monuments on federal lands with the

stroke of a pen. A coalition of tribes, with support from conservation groups, is pushing for a new monument here in the red-rock deserts, arguing it would protect 1.9 million acres of culturally significant land from new mining and drilling and become a final major act of conservation for the administration."

If Pres. Obama decides to take executive action, not only will he redeem himself in my eyes (since we do have to remember he derailed the Keystone XL Pipeline pipedream in November), but he will also be preserving "a stretch of mountains, mesas and canyons six times the size of Los Angeles," according to Healy in the *New York Times* article.

Identity is firmly tied to landscape.

Just as your childhood memories are deeply rooted to a yard, park or playground you played on, these tribes can "trace their ancestry to the ancient peoples who populated the region since time immemorial," according to the *Navajo Times* article, "Conservation group: Bears Ears proposal has deep roots," by Krista Allen.

As a piece of culturally significant land, "Bears Ears is home to more than 100,000 archeological sites, ranging from lithic scatter to granaries to complex villages, which are considered sacred by several American Indian tribes, including the Diné and the Kiis'áanii," according to Alle in the *Navajo Times* article.

However, there are conservative politicians in Utah who are attempting to strip people of their identity to have the legal right to destroy a landscape pre-dating even them. And for what? A few extra bucks in their pocket as if they didn't already have enough? Don't they know we've ruined a sufficient amount of land belonging to those who came before us?

For some reason people continue to believe America's ethnocentric, colonial conquering ways enables them to do whatever they please to the natural environment.

"We want to preserve," Vice Chair of the Utah Diné Bikéyah board of trustees Leonard Lee said according to the *Navajo Times*. "Non-Natives told us, though, that Bears Ears isn't Native land."

But under the Antiquities Act of 1906, the stretch of mountain valley could become a 1.9 million acre national park. It is already the site of "over 100,000 archeological sites and 18 wilderness study areas and inventoried roadless areas," according to Alastair Lee Bitsoi's article, "Bears Ears coalition going straight to White House" from the *Navajo Times*.

The state and large oil corporations argue by putting the land under national protection, economic and mining development will be deterred.

Why does this battle reappear over and over again? Haven't we learned our lesson already?

"The protection's already there for us," a member of the Navajo Harrison Johnson said. "We don't just go in there and tear up things. We know how to take care of the land."

If anything, people in Utah need a lesson on landcare.

But this issue isn't just about the possibility of environmental degradation or the fight for a national conservation area, it's bigger – it's ethical, and traces back hundreds of years.

Americans still want to take and "tear up" what isn't theirs and never was theirs in the first place.

For now, it's a waiting game on Pres. Obama and his pen.

Opinion: Who Really Deserves Ownership of Yosemite Names

Hint: It's not the National Park Service or Delaware North

By Chris Kalman Adventure Journal (blog) 3-29-16

There's been a lot of press over the last few months about the lawsuit the Delaware North Company brought against the National Park Service over the use of certain names that the DNC quietly trademarked during its tenure as the park's sole concessionaire. This comes on the heels of the DNC losing its lucrative contract (which grossed \$146 million in 2014) in June 2015 to Aramark.

\$146 million is a lot of money, so the DNC is understandably upset. But to quote Jack White, they are acting like "a little girl yelling at her brother 'cause she lost his ball." In other words, the place names, among them such well-known and cherished icons as Ahwahnee, Wawona, and even Yosemite itself, were never the property of the DNC in the first place. These names are property of the American people and the DNC is holding them at ransom because they're mad they got ousted—or so the argument goes.

But if we're going to entertain the notion that the DNC has no rightful claim to these names (in spite of the fact that they do technically own their trademarks), it's logical to extend the question of ownership a step beyond the NPS and "the American people" as well. After all, just which "American people" are we talking about? The ones that spoke those names (or at least their proper derivatives) as part of their language when they lived in the valley we now call Yosemite? Or those who come to visit now that the original inhabitants have been forcibly removed or killed?

Although the battle has raged between the NPS and the DNC, it also brings into high relief a time-tested tradition of excluding Native Americans, who arguably have the most valid claim to America's public lands of any user group, from the discussion altogether.

Sadly, Yosemite's sordid history is not the exception to a shining rule of fair treatment of First Peoples by the United States government. Nor is it the only example of the NPS' routine dismissal of native concerns, culture, or values. Consider South Dakota's Mount Rushmore, for example. The Sioux people who once worshiped there certainly have causes for concern with this national memorial, among them that it was built on land the government took from them, the Black Hills in particular are considered sacred ground, and the monument celebrates the European settlers who killed so many Native Americans and appropriated their land.

National memorial, you say? Memorial to whom? It is hard to find any iconic national park, memorial, or monument in the United States without an underrepresented understory of oppression and abuse of native peoples. What remains are gift shop trinkets, the occasional feather-clad dancers performing for largely white audiences, an interpretive placard here or there, and a giant cheesy (at best) chief's head to announce the entrance to Sequoia National Park. We can, and should, do better.

It's easy to rant about the state of the world; it's far more difficult to come up with practical solutions to deep-rooted problems. Yet in spite

of those difficulties, people routinely make efforts to better the state of things, to move forward progressively, to improve upon historical embarrassments.

On October 15 last year, an intertribal coalition delivered a proposal to Barack Obama and Utah state representatives Rob Bishop and Jason Chaffetz to establish a 1.9-million acre national monument in southeastern Utah. Under the conditions of the proposal, the management of that land tract would fall under the oversight of not just the Bureau of Land Management (BLM), Forest Service (FS), and the NPS, but also representatives of the Navajo Nation, the Zuni Pueblo people, the Hopi tribe, the Ute Mountain Ute Indian tribe, and the Uintah & Ouray Ute Indian tribes.

The proposal is not a one-and-done solution to an incredibly old and still rampant problem of mistreatment of native peoples. Opponents to the Bears Ears National Monument abound and include both Native Americans and Americans of European descent. Marie Holiday, who lives in Monument Valley, equates the establishment of the national monument with “closing the door to your own people.” She worries that her home in Monument Valley, which is included within the proposed monument boundaries, would no longer be open to traditional uses by native peoples. “We still get our wood from there”, she told a county commission in a meeting held last August about the proposal. “My grandmother went to get some herbal stuff, and I know where it is, and pinyon, too. If there’s a national monument, we are not going to have access to it.”

But Willie Grayeyes, a leader of the Utah Dine Bikeyah group who helped draft the proposal, disagrees. “Under any form of land designation,” he said, “Native Americans would have access under religious freedom.” The debate, per usual, rages on.

Would it be better if we could go back in time and simply undo all that European settlers and conquistadors have done to Native Americans in the western hemisphere? Arguably, yes. Is it possible? Of course not.

The problem we face now is not erasing or undoing the past, but forging the path for a better future. That better future needs to be inclusive of the opinions and feelings of Native Americans, it needs to take Native American concerns into account in the planning of new legislation about public lands, and it needs to provide reparations for historic mistreatments of Native Americans to an extent that they are afforded real opportunities to thrive in this world – not through forced assimilation “under the benign influences of education and civilization,” as Ulysses S Grant suggested at his second presidential inauguration in 1873; but in accordance with their own principles and fundamental values and beliefs.

Squabbling over rights, royalties, and ownership of a bunch of misappropriated names is a step backward. The kind of inclusivity we are seeing with the proposed Bears Ears National Monument is definitely a step forward. And while it may not be precisely the solution that we are ultimately aiming for, at least it gets us moving in the right direction.

The New York Times

Letter: A National Monument in Utah

The New York Times

March 28, 2016

To the Editor:

Re “Remote Utah Landscape Becomes a Conservation Battleground” (front page, March 13):

Tribes have proposed land conservation as the solution to land-use challenges in southeast Utah, and we do not view our ancestral homeland as a battleground between state and federal control. The Bears Ears landscape is symbolic of the rich history and culture of our Native ancestors and serves as a place of healing, not division.

It is disappointing to see a small number of Utah elected officials try to divide communities, and now our country, over our dire need to stop the looting and desecration of sacred sites and antiquities in Utah.

Gov. Gary Herbert has insisted that protecting this land will be divisive, when 66 percent of

Utahns and 86 percent of Navajos in Utah support designation of Bears Ears as a national monument. Instead, he should be bringing all parties together.

Healing is the main purpose of our proposal, and this means acting as if we all live in one country, not separate states, tribes and political parties. Healing is about uniting to protect important lands like Bears Ears by understanding the spiritual and cultural significance of this place to everyone.

I, like many others, believe that Bears Ears can bring Utah and America together, not divide us.

WILLIE GRAYEYES

Chairman, Utah Diné Bikéyah
Tonalea, Ariz.

The Salt Lake Tribune

Letter: Bears Ears monument would be a delight for the eyes

Salt Lake Tribune

March 29, 2016

Last November, my wife and I drove from Denver to Salt Lake City but chose the longer route so we could spend a day around Green River photographing the natural beauty at Goblin Valley State Park.

Every time we have driven through Utah, we have scheduled an overnight stop (usually in

Moab) just so we could take pictures. Utah is our nation's most diversely photogenic state. On behalf of our cameras, we support the plan to create a national monument at Bears Ears.

R. Thomas Berner
Bellefonte, Penn

The Salt Lake Tribune

Op-ed: Recent national monuments have protected local interests

Salt Lake Tribune

March 26, 2016

By John Ruple

It has been said that "we are entitled to our opinions, just not our own facts." Recent debate over the Public Lands Initiative and Bears Ears National Monument proposal makes this a good time to review the facts about national monument designations.

For 110 years, the Antiquities Act has empowered presidents to protect lands having historic or scientific interest. Indeed, 15 of the last 19 presidents, Republicans and Democrats alike, have designated national monuments. Grand Canyon, Capitol Reef and Arches national parks all began as national monuments.

Critically, the Antiquities Act affords presidents the ability to craft monument designations that are responsive to local concerns. President Obama, for example, recognized the importance of water to westerners when, in creating the Basin and Range National Monument, he stated that the monument neither created new federal water rights nor altered existing state-issued water rights. In creating the Browns Canyon National Monument, he expressly recognized state "jurisdiction and authority with respect to fish and wildlife management." In creating the Rio Grande Del Norte National Monument, he protected utility line rights-of-way within the monument. Similarly, the Basin and Range National Monument proclamation states that, "nothing in this proclamation shall be deemed to affect authorizations for livestock grazing, or

administration thereof, on federal lands within the monument. Livestock grazing within the monument shall continue to be governed by laws and regulations other than this proclamation." And of course monument proclamations apply only to federal land. As the San Gabriel Mountain National Monument proclamation and every other recent proclamation make clear, monuments are established "subject to valid existing rights." These kinds of assurances, and more, are common in monument proclamations.

Recent national monument proclamations also universally require managers to create a management plan in consultation with state, local and tribal government because, as all six members of Utah's congressional delegation recently noted, "the wisest land-use decisions are made with community involvement and local support, ... [and] the most effective land management policy is inclusive and engaging, not veiled or unilateral."

That is why, in creating the Berryessa Snow Mountain National Monument, President Obama directed monument managers to "provide for public involvement in the development of the management plan including, but not limited to, consultation with tribal, state and local governments. In the development and implementation of the management plan, [federal agencies] shall maximize opportunities

... for shared resources, operational efficiency, and cooperation."

Furthermore, monument designations do not, as some have claimed, limit American Indian access or use — to do so would violate the American Indian Religious Freedom Act, which declares that "it shall be the policy of the United States to protect and preserve for American Indians their inherent right of freedom to believe, express, and exercise the traditional religions ... including but not limited to access to sites, use and possession of sacred objects, and the freedom to worship through ceremonials and traditional rites."

In fact, in designating the Chimney Rock Mountains National Monument, President Obama required the Forest Service to "protect and preserve access by tribal members for

traditional cultural, spiritual, and food- and medicine-gathering purposes, consistent with the purposes of the monument, to the maximum extent permitted by law." Virtually identical language is found in each of the six most recent monument proclamations.

If President Obama does create the Bears Ears National Monument, we should expect that he will take similar steps to protect state, local and tribal interests. Let's set aside political rhetoric and debate the Bears Ears proposal and Public Lands Initiative with these facts in mind.

John Ruple is an associate professor of law (research) at the University of Utah's S.J. Quinney College of Law, and a fellow with the University's Wallace Stegner Center for Land, Resources and the Environment.

NAVAJO TIMES

NEWSPAPER OF THE NAVAJO PEOPLE

Conservation group: Bears Ears proposal has deep roots

Navajo Times, 3-24-26

BY KRISTA ALLEN

Utah – A secular cathedral in southeastern Utah is at risk. But a coalition of five tribes, with support from conservation groups, is pushing for federal designation, seeking to protect 1.9 million acres of culturally significant land.

The land known as Bears Ears – named for twin buttes that jut out over the horizon – has become a conservation battleground. “We want to preserve,” said Leonard Lee, vice chair of the Utah Diné Bikéyah board of trustees, in Navajo at a recent public meeting on the proposal. “A legislative process is at the forefront.”

In addition to being a mecca for outdoorsy people, Bears Ears is home to more than 100,000 archeological sites, ranging from lithic scatter to granaries to complex villages, which are considered sacred by several American Indian tribes, including the Diné and the Kiiis’áanii, who have long-standing ties to the landscape.

“Non-Natives told us, though, that Bears Ears isn’t Native land and that it belonged to the Anasazi,” Lee explained.

Some tribes, according to the Bears Ears Intertribal Coalition, trace their ancestry to the ancient peoples who populated the region since time immemorial. Some Diné and Nóóda’í (Ute) still use the land.

“We don’t want our children and grandchildren to go over the fence and be a common criminal,” Lee said. “This is our land.”

Bears Ears, though, has been a target for looters and grave robbers. Between 2014 and 2015, more than a dozen serious looting cases were reported.

From small-scale theft to ancestral remains being tossed aside to graves being plundered, these acts, the coalition argues, are threatening the past and the future of sacred archeological sites in Bears Ears.

And recently, 26 American Indian tribes with ancestral, historical, and contemporary ties to Bears Ears expressed their support for protecting this landscape through a conservation proposal under the Antiquities Act of 1906.

Lee says the proposal was a long time in the making. And for seven years, grassroots groups and a number of Native leaders worked intensely to get to this point.

The proposal states that the true origins of the movement, however, go back much farther.

“The need for protecting the Bears Ears landscape has been broad and heartfelt for well over a century,” the proposal reads. “The rampant looting and destruction of the villages, structures, rock markings, and gravesite ...

sadden and sickened our ancestors, and that sense of loss and outrage continues today.” In a community meeting regarding the proposal March 20, Albert Holiday, member of the UDB board, said that there are plants used as herbal medicine in Bears Ears.

“We want to designate it (Bears Ears) ‘Shash Jaa’ National Monument,” Holiday said in Navajo. “We need your input.”

Mary Jane Yazzie, member of the UDB board and a representative from the White Mesa Ute tribe, said the Nóóda’í people have allotted lands in Allen Canyon near the buttes.

“Herb- and nut-gathering, willow tree-cutting, you name it, we used to gather those things around Bears ears,” Yazzie said on behalf of her tribe.

For one young woman, Shine Salt, student at Northern Arizona University and a correspondent of the Times, the Bears Ears issues has become a research topic for a capstone course.

“Our old hogans are being burnt down and our old corrals are no longer there,” said Salt. “You can only see an outline.”

Salt said she will be presenting her research soon in Reno, Nev.

The Oljato Chapter last November passed a resolution in support of the national monument by a vote of 40-0-0.

“Tribes and local residents are strongly in favor of protecting the region as a national monument,” UDB reported on its website.

While the UDB wants to protect Bears Ears forever, there are at least 500 people who oppose the idea.

“We can just go there and utilize it, getting our resources,” Marie S. Holiday said. “Once it becomes a national monument, we’re not going to have that access like we do today.”

“We don’t want a national monument,” Holiday added.

“We know what’s happening to Canyon de Chelly where the people don’t have a say. We see that with the tribal parks, (in which) residents want infrastructure. They are having problems.”

The Year of Bears Ears

Conservation Alliance (blog) March 21st, 2016

By Tim Peterson, Utah Wildlands Program Director, Grand Canyon Trust



If you're looking to hike, bike, raft, boat, or climb, there's no better place than Utah. You may be familiar with Arches, Canyonlands, and Capitol Reef, but around and between Utah's iconic National Parks are millions of acres of wilderness-quality lands – mountains and badlands, cliffs and canyons, rivers and streams, sandstone towers and wild mesas.

Unfortunately, the majority of Utah's iconic landscape is still open to fossil fuel and mineral development. These extractive industries always boom and bust, inflicting lasting scars on the landscape, leaving taxpayers to clean up the

mess when the money dries up. Many in Utah are now looking to recreation for a more sustainable future. After all, the recreation economy brings Utah \$12 billion annually in spending and more than 122,000 jobs.

It seemed, for a time, that even Utah's pro-fossil fuels politicians were concerned about protecting the recreation economy. The 2013 Utah Public Lands Initiative (PLI), spearheaded by Representative Rob Bishop (R, UT), offered hope. Bishop claimed the PLI sought "to build consensus" over which areas in seven eastern

Utah counties should be preserved and which should be developed.

We at the Grand Canyon Trust, along with our partners in the conservation and recreation communities, were inspired by the promise of the PLI. We worked hard, making solid progress early on, even reaching negotiated agreements in two counties that struck a delicate balance that ensured conservation came out ahead. But things began to sour in 2015. One county broke from our negotiated agreement and another excluded everyone living outside the county when crafting their proposal. Discussions elsewhere deteriorated over too little wilderness and too much fossil fuel development. Despite our best efforts at compromise, by mid-2015 it became clear that “consensus” was no longer Representative Bishop’s goal.

In January 2016, Bishop released a draft of his PLI, and it’s a big step backwards for conservation in Utah. The bill would actually *weaken* existing on-the-ground protections for Utah’s best wilderness-quality lands. Representative Bishop, long known as a friend to industry, is using the PLI as a vehicle to float all kinds of new legislative language – from weakening the Wilderness Act of 1964 to transferring tens of thousands of acres and more than nine thousand public roads over to state ownership – just to name three of the bill’s many poison pills.

Though consensus compromise has failed in the PLI, there is a bright ray of hope on the horizon. A historic coalition of five sovereign Native American Tribal Governments (Navajo, Hopi, Uintah and Ouray Ute, Ute Mountain Ute, and Zuni) has come together to propose a new national monument for 1.9 million acres of

public lands around a place called Bears Ears in southeastern Utah. Bears Ears is not only beautiful, with outstanding hiking, climbing, biking, boating, and camping opportunities, it is a vibrant cultural landscape full of ancient villages, cliff dwellings, and rock art that continues to be vital to tribal communities across the Colorado Plateau as a place of subsistence, spirituality, healing, and contemplation. The Bears Ears Inter-Tribal Coalition’s landmark proposal calls upon the president to use the Antiquities Act of 1906 to create a new national monument for Bears Ears. The Antiquities Act was created to protect archaeologically and culturally significant resources, but for the first time tribes are petitioning the president for a national monument that calls for joint management between the tribes and the federal government.

The Bears Ears Inter-Tribal Coalition’s inspiring campaign has healing at its core – for the land and for all people – and the Obama administration is taking notice. At the 2015 Native Nations Conference in December, President Obama promised: “*we will review tribal proposals to permanently protect sacred lands for future generations.*”

Bears Ears represents the best shot at permanent protection in Utah in nearly two decades. We at the Grand Canyon Trust support the efforts of the Bears Ears Inter-Tribal Coalition. We’re very excited about Bear Ears and we hope you are too! You can help make sure 2016 is the “*Year of Bears Ears*” by signing the petition to President Obama in support of the tribes to permanently protect Bears Ears as a national monument. You can learn more about the effort at <http://www.protectbears.org/>.



College, university students rally at Capitol for Utah's wildlands

Fox 13 News, March 15, 2016
By Tamara Vaifanua

SALT LAKE CITY – We may be in the thick of March Madness, but some college and university students are pushing rivalry aside to protect Utah's wildlands.

On Tuesday, students representing Brigham Young University, University of Utah, Westminster College, Utah Valley University and Utah State University stood on the steps of the Capitol opposing the Public Lands Initiative.

"The Public Lands Initiative as it stands right now degrades existing Utah wilderness and opens up millions of acres to fossil fuel development," said Karsyn Ansari, a University of Utah student.

Students vowed to fight against Congressman Rob Bishop and Rep. Jason Chaffetz's proposal for 18 million acres of federally managed lands in the state.

"It strips protections and endangers some of the most unique and magnificent landscapes on earth," said Eyrie Horton, a Westminster College student.

The students also called on President Obama to address the Bears Ears National Monument.

"We support use of the Antiquities Act to create Bears Ears National Monument in southern Utah securing these lands for our future," Anasari said.

Bishop spoke to FOX 13 News over the phone Tuesday, saying the draft is a good compromise.

"We are already preserving in some way two-thirds of the land that was requested," Bishop said.

Students delivered a letter to Gov. Gary Herbert's office outlining their concerns.

The Governor's Office released this statement:

"We received a letter today from Utah students regarding the Public Lands Initiative. The governor appreciates their involvement in the legislative process and would encourage them and any other interested citizens to submit their comments to Utah's congressional delegation as the Public Land Initiative is still in draft form." Jon Cox, spokesman for Governor Gary Herbert.

Bishop said he has yet to receive the students' letter.

"If they had specific ideas, specific language to the bill, they know how to reach me," Bishop said.

Bishop said he will submit a final draft soon.

Six high school students also signed the letter. They represent AMES Charter School and Rowland Hall Saint Marks High School.

USU student, peers rally against Public Lands Initiative

Logan Herald Journal, Mar 15, 2016

By Kevin Opsahl staff writer

SALT LAKE CITY — A Utah State University student was among a group of high school and higher education student leaders who spoke out against the Public Lands Initiative on Tuesday on the steps of the Utah Capitol.

Logan Christian, a junior environmental studies major, joined students from Brigham Young University, the University of Utah and other institutions and schools in opposing the proposed Public Lands Initiative Act, sponsored by Utah's Rep. Rob Bishop and Rep. Jason Chaffetz — federal legislation that designates certain federal lands for conservation purposes, certain lands for recreational purposes and other lands for economic development purposes. Only lands in Summit, Duchesne, Carbon, Uintah, Grand, Emery and San Juan counties would be affected.

"As a college student, I have learned the power that research has for uncovering the truth," said Christian in prepared remarks he gave at the rally. "In doing so, we found that there are, of course, multiple sides to this issue. But it also became abundantly clear that the PLI has one big issue in and of itself. The majority of voices have been left out, and there is a significant bias towards developing fossil fuels over protecting lands, not a compromise between the two. For these reasons, we stand in firm opposition to the Public Lands Initiative."

After the rally the students delivered a letter addressed to Gov. Gary Herbert, President

Barack Obama, Sen. Orrin Hatch, Sen. Mike Lee, Rep. Mia Love and Rep. Chris Stewart.

The letter asked these government officials to use the Antiquities Act to create Bears Ears National Monument in Southern Utah, "securing these lands for our future."

The Antiquities Act allows the president to create national monuments to protect public lands, and Bears Ears, home to 1.9 million acres of land and 25,000 tribal and 100,000 archaeological sites, is considered prized property of many Native Americans. A coalition is pushing for National Monument status.

Asked for a response to the rally, Lee Lonsberry, communications director for Bishop, wrote in an email, "Rep. Bishop would just remind all folks that he is still open to input and welcomes all specific suggestions and comments about the PLI discussion draft. They can submit their input via UtahPLI.com."

Once Bishop's office is done collecting feedback on the PLI, the representative will introduce the bill to Congress.

According to information about the PLI on Bishop's website, over 65 detailed proposals were submitted by local governments, Native American tribes and interested stakeholders representing more than 120 different interests, to assist lawmakers in writing the legislation — a strategy that combined the PLI into "a single compromise plan."

The information on Bishop's website said PLI works to provide "certainty and opportunity" for all types of land users, noting the plan would bring increased mineral and energy production.

"While some may oppose provisions related to multiple-use, these opponents should support the fact that the conservation provisions outnumber opportunity provisions by a 4-to-1 margin," the information about PLI on Bishop's website states. "Compromise is key to legislation."

But in an interview after the rally, Christian disagreed the PLI symbolizes compromise.

"If you're going to call it a compromise then you have to address the majority of Utah citizens and not completely ignore requests from a coalition of Native American tribes that have held these lands sacred for hundreds of years," Christian said. "How it currently stands, the Public Lands is completely inadequate; it's a public lands giveaway."

Christian was referring to the fact that some Native Americans told media outlets the PLI draft bill "adds insult to injury," and conservationists say it does more harm than good.

Christian also called PLI a fossil fuel development bill.

"They think they're creating jobs — which is true, they do create jobs — but it's temporary; it's boom and bust," the USU student said.

"These companies come in and extract, and when the wells run dry, the town overnight vanishes, loses jobs, displaces families. In the long run, it's much worse for the county than providing sustainable forms of income. ... These are public lands that we travel to, and they're incredibly tarnished when you start throwing oil wells in."

Samantha Hawkins, a BYU student who helped organize the event, said the student voice on the PLI matter is an important one and adds a unique perspective.

"Our generation seems to be more active in taking a stance on environmental issues. Students frequent these lands for recreation and for solitude far more than any other demographic," she wrote in an email. She continued, "We care about the state of the earth, and we want our children and grandchildren to be able to experience the same lands that shaped our friendships, our education, our faith and our entire world view. The PLI rolls back protections from these lands that we care so deeply about, which is why we want to raise our voices against the PLI."

Deseret News

University students decry Bishop's public lands bill

Deseret News, March 15, 2016

By Amy Joi O'Donoghue

Leaders from a variety of student organizations from area universities and colleges spoke Tuesday against the Public Lands Initiative being shepherded by Reps. Rob Bishop and Jason Chaffetz, R-Utah. They say it fails to protect public lands.

SALT LAKE CITY — A group of young student leaders from multiple universities along the Wasatch Front said they do not want the shortsightedness of today's political leaders to ruin their chances — and their children's chances — of being able to enjoy Utah's untamed landscapes.

The students drafted a letter to President Barack Obama and Utah's congressional delegation voicing their opposition to the Public Lands Initiative being crafted by Reps. Rob Bishop and Jason Chaffetz.

On Tuesday after a press conference, they also delivered the letter to Utah Gov. Gary Herbert.

"The draft PLI is a step back for conservation in Utah," said Logan Christian, vice president of Utah State University's Student Organization for Society and Natural Resources.

Christian asserted that student groups were among those left out of the public meetings soliciting input for land uses being carved out for 18 million acres in seven eastern Utah counties.

"The Public Lands Initiative ignores the voice of Wasatch Front residents who suffer from poor air quality," he added.

The students said they researched the draft legislation unveiled in January and have been in touch with local environmental organizations to learn more about the proposal. They said they have also talked to local county commissioners in impacted counties: Carbon, Duchesne, Emery, Grand, San Juan, Summit and Uintah.

Cinimin Kofford, a member of Utah Valley University's sustainability committee, said the proposed legislation ignores protections for the San Juan River — one of the last wild rivers of the West — and of 4.4 million "wilderness quality" lands in Utah, the measure proposes to safeguard only 1.7 million acres.

"That is huge loss for future generations," she said.

Many of the students said they have visited San Juan County's Bears Ears area, and made a renewed call for the creation of a Bears Ears National Monument spanning 1.9 million acres.

The Bears Ears Inter-Tribal Coalition has been pushing for the new monument, saying a national conservation area designated in Bishop's bill does not go far enough to protect the Native American sacred area from looting, off-vehicle highway use and other degradations of cultural resources.

The question of how much land should be protected and in what manner has sparked contradictory assertions among Native Americans about who speaks for who and what ideological position should prevail.

Last Friday, San Juan County Commissioner Rebecca Benally said local, Utah Navajo do not want a monument designation for the area because it would interfere with Native American uses on the land. She added that it is offensive that others want to create a monument in the name of "romanticizing" the Native Americans and by pandering.

Willie Grayeyes, chairman of the Navajo conservation nonprofit Utah Dine Bikeyah, in

response stressed that Native Americans are united locally and nationally to see the "treasures" of Bears Ears protected and Benally is in the minority.

Students on Tuesday emphasized they believe the public lands planning process behind Bishop's proposal caters to oil and gas development — one student repeated the environmental movement's mantra of "Keep It in the Ground" — and not enough landscapes are protected for their natural value.

The measure is flawed, said Westminster College's Eyrie Horton, because it includes 2.5 million acres as energy zones and is a "broken crutch" that props up fossil fuels.

Deseret News

Letter: PLI a bad bill

Deseret News, March 13 2016

By Heather Dove

The PLI doesn't protect Bears Ears, an irreplaceable natural and cultural treasure.

I attended the March 2 Public Lands Initiative hearing, representing Great Salt Lake Audubon and its 1,600 members who have been summarily excluded by Rep. Rob Bishop. The PLI recognizes the desires of a small fraction (5 percent) of Utahns that Bishop invited into the process; 95 percent of Utahns, including Native Americans, and the American public who own this land, were ignored, as demonstrated by the absence of the Utah delegation at the hearing.

The PLI appears on the surface to protect wildlands and provide benefit to people and wildlife, but in fact it is a vehicle for promoting extractive industries. It doesn't provide a balanced approach for conservation and

economic benefit. It promotes unsustainable boom and bust extractive industries, at the expense of our public lands, the climate and our children's future.

The PLI doesn't protect Bears Ears, an irreplaceable natural and cultural treasure. It doesn't protect wilderness or national conservation areas in accordance with established standards. It undercuts existing national park airshed protections. It promotes degradation of wildlife habitat and allows industrial activities adjacent to and within wild and scenic areas. It's simply a bad bill and does not represent the majority of Utahns, Native Americans nor the American people.

Heather Dove
Salt Lake City

The New York Times

Remote Utah Enclave Becomes New Battleground Over Reach of U.S. Control

The New York Times, March 12, 2016

By Jack Healy

SAN JUAN COUNTY, Utah — The juniper mesas and sunset-red canyons in this corner of southern Utah are so remote that even the governor says he has probably only seen them from the window of a plane. They are a paradise for hikers and campers, a revered retreat where generations of American Indian tribes have hunted, gathered ceremonial herbs and carved their stories onto the sandstone walls.

Today, the land known as Bears Ears — named for twin buttes that jut out over the horizon — has become something else altogether: a battleground in the fight over how much power Washington exerts over federally controlled Western landscapes.

At a moment when much of President Obama's environmental agenda has been blocked by Congress and stalled in the courts, the president still has the power under the Antiquities Act of 1906 to create national monuments on federal lands with the stroke of a pen. A coalition of tribes, with support from conservation groups, is pushing for a new monument here in the red-rock deserts, arguing it would protect 1.9 million acres of culturally significant land from new mining and drilling and become a final major act of conservation for the administration.

But this is Utah, where lawmakers are so angry with federal land policies that in 2012 they

passed a law demanding that Washington hand over 31 million acres managed by the Bureau of Land Management and the Forest Service to the state. The federal government — the landlord of 65 percent of Utah's land — has not complied, so Utah is now considering a quixotic \$14 million lawsuit to force a transfer.

Conservative lawmakers across the state have lined up to oppose any new monument. Ranchers, county commissioners, business groups and even some local tribal members object to it as a land grab that would add crippling restrictions on animal grazing, oil and gas drilling and road-building in a rural county that never saw its share of Utah's economic growth. Unemployment here is 8.4 percent, more than double the state average.

"We've chosen to live here knowing we're never going to get rich," said Bruce Adams, a San Juan county commissioner and fifth-generation rancher whose cattle largely graze on federal allotments. "We chose to live here because we love the land, we love the country."

To create a new monument out of Bears Ears "would be almost un-American," Mr. Adams said. Val Dalton, a rancher who grazes cattle almost exclusively on federal land, said new federal protections "would put us out of business."

But for the coalition of tribes and nature advocates seeking preservation, a new national monument here would preserve a stretch of mountains, mesas and canyons six times the size of Los Angeles. It could also create a new model for how public lands are managed: The tribal coalition of Navajos, Zunis, Hopis, Utes and Ute Mountain Utes wants to jointly manage the land with the government.

"You can't talk about who we are as a people without talking about the land," said Eric Descheenie, a chairman of the intertribal coalition leading the effort. "The same kind of love that we have for relatives is no different than the love we have for the land. Our traditional people know and understand these lands as living, breathing beings."

A monument at Bear Ears was always going to be a fight, but the armed occupation of a federal wildlife sanctuary in rural Oregon this year has added a raw edge to the debate. Ranchers and conservative land activists here opposed the takeover of the Malheur sanctuary, but sympathized with the grievances over grazing lands and federal rules that lay at the heart of the siege.

When Gov. Gary Herbert, a Republican, visited the White House this winter, he hand-delivered a note urging Mr. Obama not to proclaim a new monument in Bears Ears. He cited the "heated and antagonistic" dispute over public lands, and said any presidential proclamation could poison the debate for decades.

Indeed, Utahns are still mistrustful over the fact that nearly 20 years ago, President Bill Clinton created the Grand Staircase-Escalante National Monument here, Mr. Herbert said in a telephone interview.

"This is just going to add kerosene onto the fire," he said. "It's not a smart thing to do."

Last month, at the urging of Senator Dianne Feinstein, Democrat of California, Mr. Obama designated three national monuments in Southern California, covering 1.8 million acres. By contrast, Utah's Republican representatives in Salt Lake City and in Washington overwhelmingly oppose Mr. Obama acting on his own: Instead, they are pushing a broader bill that would conserve some stretches of land while allowing energy development in other parcels.

"Not all Western lands are Yellowstone," said Representative Rob Bishop, who, with his fellow Utah Republican congressman, Jason Chaffetz, has been cobbling together a huge public-lands bill that would draw a new map for wilderness, roads, energy development and recreation across 18 million federal acres in eastern Utah.

"There needs to be some kind of trade-off," Mr. Bishop said. "This administration is trying to stop all kinds of economic and mining development."

His proposal would conserve about four times as much land as it envisions for energy development. It would also preserve about 1.2 million acres of the Bears Ears as a "national conservation area."

Environmental groups have largely denounced the plan, saying it would lead to more roads and traffic in the back country and open eastern Utah to tar-sands extraction and new oil drilling. Tribal groups pushing for a monument say they would have a far weaker voice in how the area was managed.

Opinions are as split as opposite sides of a canyon in the tiny towns like Aneth, White Mesa

and Montezuma Creek, where nodding pump jacks draw up oil, packs of wild horses dart across the roads, and occasional cars of tourists pull over to snap photos.

Harrison Johnson said his Diné ancestors (more commonly called Navajos) hunted and lived in the Bears Ears region long before Utah was Utah. People still go there to hunt elk or deer, gather wood for fence posts and herbs for ceremonies. And he said he wanted no more federal oversight of the land. “The protection’s already there for us,” Mr. Johnson said. “We don’t just go in there and tear up things. We know how to take care of the land.”

But Malcolm Lehi, a Ute Mountain Ute tribal council member, said it was time for tribes to have a more equal footing in caring for the West’s pristine places. On a recent hike past the rock-art carvings and old dwellings, it was so still that he could hear a bird’s wings beating as it whooshed past him.

“It stopped me in my tracks,” Mr. Lehi said. “The past has never left us. It is present to this day, and I heard the past come back alive.”

NATIVE AMERICA CALLING

YOUR NATIONAL ELECTRONIC TALKING CIRCLE

Thursday, March 17 2016 – Protecting Bears Ears » Native America Calling

Native America Calling, 03.11.2016

<http://www.nativeamericacalling.com/thursday-march-17-2016-protecting-bears-ears/>



The nearly two million acres in southeastern Utah is so important that five tribes are proposing an unprecedented collaboration with the federal government. The coalition wants President Barack Obama to establish the Bears Ears National Monument. A proposal in the Utah legislature would pre-empt that effort. We will get an update on the effort to protect Bears Ears. We'll also discuss the implications of national monument status.

Tribes oppose effort to stop Bears Ears National Monument in Utah

Thursday, March 10, 2016

Indianz.com

Tribal leaders are speaking out against an attempt to prevent [President Barack Obama](#) from establishing the [Bears Ears National Monument](#) in Utah.

[Sen. Mike Lee](#) (R-Utah) submitted an [amendment](#) on Monday that bars the establishment of any national monument in the state unless Congress approves. Although there's no guarantee the provision will make it into [S.2012](#), the Energy Policy Modernization Act, tribal leaders are already lobbying against it.

"This latest such attempt by Sen. Mike Lee (R-Utah) will eviscerate the very law that was originally passed to help protect Native American sacred religious and cultural sites – the Antiquities Act, said Regina Lopez-Whiteskunk, the head councilwoman of the [Ute Mountain Ute Tribe](#). "These are not merely symbolic protections we seek. The ancestral lands of the Bears Ears region continue to face rampant and ongoing looting and destruction of artwork and gravesites. These are acts that literally rob Native American people of spiritual connections, as well as a sense of place and history. They are insults to the dignity of our societies and traditional knowledge."

The Ute Mountain Ute Tribe is part of the [Bears Ears Inter-Tribal Coalition](#). The group is calling on Obama to protect 1.9 million acres of sacred and historic lands in Utah.

"Bears Ears is not just a beautiful place; it is a vibrant cultural landscape that is home to more than 100,000 sacred cultural sites including ancient villages, cliff dwellings, rock art, and the gravesites of our ancestors," the coalition said in a [statement](#).

Despite support from the Ute Mountain Ute Tribe, the [Navajo Nation](#), the [Ute Tribe](#), the [Hualapai Tribe](#) and all [20 Pueblo governments](#), Republicans in Utah oppose a monument designation. They have tried to undermine tribal support and have refused to include Bears Ears in their [Utah Public Lands Initiative](#).

S.2012 is a bipartisan energy bill that [Sen. Lisa Murkowski](#) (R-Alaska), the chair of the [Senate Committee on Energy and Natural Resources](#), hopes to bring to the floor soon. According to [Bloomberg BNA](#), Lee has placed a hold on the package due to concerns about a provision to address the [lead water crisis in Flint, Michigan](#).

The text of Sen. Lee's amendment follows:

SEC. _____. REQUIREMENTS FOR
ESTABLISHMENT OR EXPANSION OF NATIONAL
MONUMENTS IN THE STATE OF UTAH.

Effective during the period beginning on the
date of enactment of this Act and ending on the

date that is 1 year after that date, no
establishment or expansion of a National
Monument in the State of Utah shall be carried
out unless expressly authorized by Act of
Congress.

The Salt Lake Tribune

Letter: The 'rightful owners' are the Native Americans

Salt Lake Tribune - First Published Mar 05 2016 05:00AM

The recent public meeting to discuss the proposed Public Lands Initiative was crowded with so many speakers that I had to leave without putting in my two cents:

Rep. Rob Bishop's goal is to, "Return lands to their rightful owners."

San Juan County Commissioner Phil Lyman suggests lands are best administered by those who live on them.

Ammon Bundy says, "Land and resources must be made available to its rightful owners."

It seems to me that all they are in full support of creating the Bears Ears National Monument and allowing it to be managed by the International Coalition of Native American Tribes in San Juan County.

Dudley McIlhenny



Indian Country TODAY MEDIA NETWORK

It's Time to Heal Bears Ears

Editorial by Regina Lopez-Whiteskunk

Indian Country Today Media Network - 3/4/16

In the past, policies and laws have always been written as prescriptions for us Native American people to follow, including when it comes to protecting the lands, dwellings, art, and final resting places of our ancestors. But now, for the first time, Native American people are using the law of the United States—the Antiquities Act of 1906—to ask the president of the United States to protect our cultural and spiritual homeland: an area we call the “Bears Ears” in southeastern Utah.

Our elders have called for the Bears Ears, which sheltered our ancestors for thousands of years, to be protected, not only for us, but for all people. And our leaders have listened to this people’s movement. A coalition of sovereign nations: the Ute Mountain Ute, Hopi, Navajo, Zuni, and Uintah and Ouray Ute, have brought a proposal to Washington D.C. to ask President Obama to protect 1.9 million acres around Bears Ears as a national monument. These 1.9 million acres are all public lands, held by the United States government, but right now, they are unprotected.

This first-of-its kind national monument proposal is a strong statement that we, as Native Americans, are a part of the solution. We are the circle that surrounds the box, where the policies and laws live. We are here to provide education, support, and solutions and we are also asking for our seat at the table, to help collaboratively manage the lands of our ancestors once a national

monument is created. The Antiquities Act was passed to protect antiquities, but it should also honor the connections Native Americans still have to the land by giving us a voice in decisions about how our ancestral lands are managed.

Native Americans have always maintained a relationship with the land. Bears Ears is home to the dwellings of our ancestors, the final resting places of our people, and sacred areas where our people still collect traditional herbs and medicines today. But it is also home to oil and gas and potash. Like so many ancestral lands, the Bears Ears are threatened not only by looters and grave-robbers, but by mining and oil and gas companies, all of whom are inflicting wounds.

The land and its precious resources need to be healed, but there are other wounds as well, which is why healing forms the inner core of our Bears Ears movement. Relationships between tribal nations have been healed as we work together toward a common goal. And now the Bears Ears Inter-Tribal Coalition is looking to heal the relationship with the United States government. We are not wielding the hatchet of war, but rather extending our hand to say: join us in encouraging the spirit of healing.

We understand the work is vast, and disagreements are sure to come, but we are all seated at the same table, actively engaged, ready to learn from one another,

encouraged by our elders, ancestors, and the many tribes who support our efforts.

Once a national monument is created, we must work together to help educate visitors, locals and, most importantly, the younger generations. We must listen to the history of the early settlers and their stories and historical connections to this area to make sure existing and future management plans are founded on a clear understanding of the value of this land.

We believe Bears Ears should be protected, for all people; the laws to make this a reality

exist. It is up to Native Americans to ask the United States government to use them to protect these lands, which are part of our past, and our present. We are all human beings at the end of the day, breathing in the same air, walking on the same land and citizens of the same United States of America.

Regina Lopez-Whiteskunk is the head councilwoman of Ute Mountain Ute Tribe and a member of the Bears Ears Inter-Tribal Coalition. She lives in Towaoc.

BuzzFeed NEWS

Obama's Next National Monument Could Ignite "Fierce" Land Battle In The West

The president has set aside more public lands than any administration in American history. Critics say these kind of proclamations subvert the democratic process and undermine local interests.

BuzzFeed News - Posted on Mar. 4, 2016, at 5:33 p.m.

[Jim Dalrymple II](#)

One hundred miles northwest of the Four Corners, two buttes rise out of the red dirt and scrubby brush. The buttes, named for their ursine appearance, are known as Bears Ears, but for visitors of this remote corner of Utah, the glowing sandstone and hawks gliding overhead might distract from what the area is becoming: a battleground.

This sprawling 1.9 million-acre parcel of land may soon become a new national monument — a protected space similar to a national park. There are a few ways for a place to obtain that status, but in the case of Bears Ears, all eyes are currently trained on President Obama, who can declare a national monument with the wave of his pen.

The president just [created](#) three new national monuments in California. Together with existing conservation areas in the region, the national monuments create [the second largest desert](#) preserve in the world. Last year, the president [created](#) a 704,000-acre national monument called Basin and Range in Nevada, as well as others in [California](#) and [Texas](#). In 2013, Obama designated a handful of new monuments, including [several in western](#) states.

In each of these cases, Obama cited the [Antiquities Act](#), a relatively obscure law dating back to 1906 that's [designed](#) to protect things like archeological sites. The

law gives a president wide-ranging discretion to set aside public lands, and it has been used by chief executives of both political parties. Bill Clinton, for example, famously and controversially used to it [create](#) the Grand Staircase-Escalante National Monument in Utah. George W. Bush used the law to [set aside](#) the vast Papahānaumokuākea Marine National Monument in Hawaii.

But Obama has been more aggressive; according to the White House, the president "has protected more acres of public lands and water than any administration in American history."

Advocates of conserving these spaces often see a presidential proclamation as an advantage, a way to bypass the byzantine process that usually comes with getting things done in government.

But critics say these kind of proclamations subvert the democratic process and undermine local interests.

Battles over the federal government's ownership of large stretches of land in the West go way back. The 1970s and 80s saw the rise of the "[Sagebrush Rebellion](#)," and the Bundy-led standoffs in Nevada and Oregon were the latest iteration of that still-simmering conflict. Across the West people are still arguing, and occasionally fighting, over who should control the land.

And there's no place where that's more true than Bears Ears. A coalition of Native Americans wants the large stretch of land to become a national monument — but a special kind where they share control.

The push to turn Bears Ears into a national monument took off last fall. Though there had been talk of protecting the site before, a group of Native American tribes calling themselves the [Bears Ears Coalition](#) submitted a [66-page proposal](#) for the site in October.

The group says the site is peppered with more than 100,000 Native American sites, some of which date back hundreds and thousands of years, and “we have been here the longest.”

“Our ancestors variously inhabited, crossed, hunted, gathered, prayed, and built civilizations on these lands,” it says. “Their presence is manifested in migration routes, ancient roads, great houses, villages, granaries, hogans, wikiups, sweat lodges, corrals, petroglyphs and pictographs, tipi rings, and shade houses.”

Eric Descheenie, a coalition co-chair and senior advisor to the president of the Navajo Nation, said that Native Americans in the region see the land as something more than just a place of biological and geological interest. It's a sacred space, he said, that has “personhood and agency” and where ceremonies have “been practiced verbatim since time immemorial.”

“It's more than simply saying that it's an important piece of land, it actually harbors our ability to heal,” Descheenie added.

The proposal asks Obama to set aside 1.9 million acres. And with Obama's time in office winding down, along with his interest in monument designation, the coalition is optimistic it'll score a victory.

“Right now the tribes are incredibly hopeful,” Descheenie said.

But given the contentious mood surrounding federal lands in the West, the nature of the coalition's proposal is significant.

According to Regina Lopez-Whiteskunk, a Ute Mountain Ute Tribal Council Member who has worked with the coalition, the tribes are asking not for a traditional declaration, but instead for one that would have them co-managing the site with the feds. It's a novel, and never-before-deployed idea.

“It's a means of us extending our hands out in partnership rather than asking for a handout,” she explained. “We want to be a part of the solution.”

Descheenie said this process is an essential part of the coalition's proposal, and would allow the site to evolve according to need. When asked if an ordinary proclamation and monument — in which the federal government retains full control of the site — would be problematic, Descheenie said he believed it would.

“I know it would be a problem,” he added.

In other words, the coalition wants an Antiquities Act declaration, but appears reluctant to accept the kind of unilateral authority the typically characterizes national monuments.

But some locals and Utah lawmakers adamantly oppose turning Bears Ears into a national monument at all, and want the federal government completely out of the state.

After the Bears Ears Coalition finished its proposal last fall, it took it to Utah Representatives Rob Bishop and Jason Chaffetz — Republicans who have been vocal critics of federal land use.

Neither Bishop nor Chaffetz responded to BuzzFeed News' request for comment, but both Descheenie and Lopez-Whiteskunk

said reaching out to the lawmakers did not end well.

“There was no substantive engaged,” Descheenie said. “They nodded along, they smiled and they were cordial, and at the end of the day that was about it. It was kind of like talking to a wall that just wouldn’t respond.”

That may be because the lawmakers have created their *own* proposal for Utah’s public lands.

The [Utah Public Lands initiative](#) would set aside some lands for conservation, and is billed as being based on the “belief that conservation and economic development can coexist and make Utah a better place to live, work, and visit.” Still, it has been [blasted](#) by [conservationists](#) and the Bears Ears Coalition, which [called](#) it “woefully inadequate.”

The public lands initiative is not limited to Bears Ears, but Chaffetz, Bishop, and all of Utah’s U.S. representatives and senators [sent a letter](#) to Obama in January specifically opposing a national monument. The letter warned of “fierce local opposition” should the president move forward with a “veiled and unilateral” proclamation and argued that decisions should be made “with community involvement and local support.”

“We believe the wisest land-use decisions are made with community involvement and local support,” it added.

The initiative and accompanying resistance to a national monument spring from widespread angst, and anxiety, in the rural West over the way federal agencies manage land. Those feelings are particularly strong in Utah’s San Juan County, the location of Bears Ears and where, according to County Commissioner Phil Lyman, only 8% of the land is privately owned.

Lyman told BuzzFeed News federal policies have slowly chipped away at the economy of his county and “for the most part people don’t appreciate a unilateral executive order and I would certainly say that’s the case with Bears Ears National Monument.”

Many in the area are concerned a decision by Obama would restrict mining and grazing on the land. “If you’re relying on those for any part of your economy,” Lyman said, “you’re just up a creek without a paddle.”

Bruce Adams, also a commissioner in San Juan County, agreed with Lyman on the issue.

“For them to create a national monument feels like they’re pulling the rug out from under us,” Adams said. Both commissioners said some Native Americans in the region also share their concerns.

Sen. Mike Lee — who also opposes a presidential designation of a national monument — [has pointed to](#) the Kaayelii band of the Navajo, saying they believe it “would threaten their livelihood and destroy their way of life.”

A representative of the Kaayelii did not respond to a BuzzFeed News request for comment.

Conn Carroll, a spokesman for Lee, told BuzzFeed News that when the federal government sets aside land it “puts a monkey wrench in the economic development of these rural counties.” Carroll acknowledged that there are differing views on what should happen to Bears Ears, but argued everyone should have some say in what happens, not just the White House.

“The question is, how are we going to decide that?” Carroll added. “Is it going to be done in a democratic way?”

Obama has not said what plans, if any, he has for Bears Ears, and White House

officials did not respond to a request for comment. But in the meantime, there is a long list of other potential places in the West that could also become national monuments, and points of conflict.

Observers have [pointed](#) to other areas in Utah, as well as New Mexico, Montana, and [Idaho](#). In Nevada, there is a push to designate Gold Butte a national monument.

Located near the Arizona border, Gold Butte is filled with unique geological features and ancient petroglyphs, Annette Magnus, executive director of [Battle Born Progress](#), an advocacy group that has pushed for a monument, told BuzzFeed News.

“It desperately needs to be preserved,” she said.

Gold Butte is significant because its part of the region contested during the first Bundy standoff in 2014, when family patriarch Cliven Bundy faced off with federal authorities in southern Nevada over cattle grazing rights.

Following the standoff, the federal government [pulled out](#) of the Gold Butte area. There were later reports of [shots fired](#) at a survey team, prompting the Bureau of Land Management to warn its staff to stay away from the region.

The area [remained](#) hotly contested and largely unmanaged into this year, and the conflicts show how federal land generally, and candidates for monumentalization specifically, remain flash points.

Magnus — who said she had seen cows grazing the range during her visits to the area — pointed to the Bundys as one reason the area needs to be turned into a national monument. But she also explained that in Nevada there are two ways for that to happen: by legislation and presidential proclamation. Advocates for a monument will take either, Magnus said, adding that the legislative option has the benefit of consensus.

“We’d love to have everyone on board,” she said.

Public Lands Initiative draft undermines Wilderness Act

Guest editorial - Park Record (Park City, UT)

Erika Pollard, National Parks Conservation Association

Posted: 03/04/2016

Since the Utah Public Lands Initiative began, the National Parks Conservation Association, a nearly 100-year-old organization, has been an engaged stakeholder in the process, representing more than a million members and supporters nationwide. We long hoped for on the ground, collaborative solutions to eastern Utah's public lands issues. However, all semblance of compromise is overshadowed in the draft bill by broad policy provisions -- some of which were not shared or discussed with stakeholders, and others that NPCA identified as nonviable compromises from the beginning of the process.

While the discussion draft does include an expansion at Arches National Park, we are shocked by many other policy provisions in the bill and much of the draft bill language.

NPCA is disappointed that our long standing priority of Completing Canyonlands by expanding the park boundaries to reflect the original vision for the park was not addressed. A Bears Ears National Conservation Area, as proposed in the PLI draft, would be adjacent to the park but would not adequately protect the basin and its many natural and cultural resources from irresponsible off-road vehicle use and other potentially incompatible uses. The Bears Ears National Monument, as proposed to the Obama Administration by the Intertribal Coalition, would provide much stronger

protections for our Canyonlands Completion area, and we are excited about its prospects.

Though we support new wilderness designation inside the national parks as proposed in the draft PLI, the stipulations attached to the wilderness administration language would essentially reduce the level of protection for lands inside national parks. The draft bill undermines the Wilderness Act, potentially the Clean Air Act, and ultimately the authority of the National Park Service to fully manage wilderness values as well as the parks' natural and cultural resources.

NPCA is also opposed to opening more than 2.5 million acres to expedited energy development. We strongly believe that Master Leasing Plans are more effective at creating certainty on the Utah landscape not only for energy development, but also for recreation and conservation. Prohibiting the application of this valuable management tool would nullify years of cooperative efforts invested in the MLP and prevent a similar level of consideration at other deserving public lands.

Finally, we are dismayed by the unacceptable giveaway of R.S. 2477 rights-of-ways inside national park boundaries and on the broader landscape. Within park boundaries, travel management by the National Park Service is critical to achieve the flow and volume of visitors into the parks enabling them to meet goals for

recreational access and long-term resource protection.

The discussion draft of the PLI does not represent a balanced approach to resolving Utah's public land issues and in fact includes

many threats to the national parks and the broader landscape in eastern Utah that we all hold dear.

MOAB SUN NEWS

Letter: Bears Ears must be protected

Moab Sun News - Posted: Thursday, March 3, 2016

Murray Cohen, Denver

Dear Editor,

There are places in Utah so rich in heritage and stunning scenery that people consider them some of the most beautiful places on earth. People travel from near and far to view spectacular red rock scenery from Canyonlands and Arches down to the Four Corners. This native Westerner, small-business owner and family man is not an expert on Utah politics, but I do know that there are lands in the state that compare to no other and deserve protection. Bears Ears is such a place, and we have a chance to ensure cultural and historic lands, and recreational and spiritual opportunities are protected for generations to come.

I have lived in the West all of my life, and I've spent a lot of time traveling the back roads, anxious for their end and what lies beyond. These experiences have been some of the most meaningful experiences of my life — hiking, backpacking, boating, rafting, camping and exploring. To be honest, the greatest thrill, though, is just being on our public lands in Utah. Hanging out by the camp fire, gazing at the thousands of stars while the moon rises over a huge canyon wall — the simple pleasures in a land that contains hundreds of multilayered canyons, majestic mountains and azure blue skies. Here, time is measured in millions of years. There is an overwhelming wonder and silence here — the kind that makes you realize that we are all insignificant compared to what nature has achieved.

Among the silence is also a voice of those who came before us: the voice of ancient

people. These were determined people who could build their homes hanging high off a canyon wall, walk for miles every day in the blistering heat of summer and conserve enough resources to survive the brutally cold winters. Many of the canyons are filled with reminders of their presence: ruins, pictographs, cliff houses, pottery and even echoes of their ancient wisdom. This vast landscape was their home and they had a special culture of their own that coexisted with nature, and they respected it. It remains a sacred place for them today. And it is to me, too, though I recognize not to the same original, generational depth. As Americans, we should show that same respect for these lands — lands that will continue to draw people to experience their amazement. We need ancient wisdom and natural wonders to bring us back into balance, and remind us in the digital age that we can't allow greed to continue wreaking havoc on this planet.

Protecting Bears Ears can help do that. 1.9 million acres of beautiful red rock canyons, striking mountain ranges, expansive plateaus, ancient ruins and so much more should be protected. I am inspired by the Bears Ears Intertribal Coalition's vision for this place — for protection, for collaborative management, for traditional knowledge, for commitment to the public good, for healing. While tribes have pushed forward the idea of protecting these sacred lands, there is strength in numbers and the numbers of those supporting the coalition's proposal continue to grow.

Rep. Rob Bishop's Public Lands Initiative could go before Congress, but his proposal

would not provide adequate protection for Bears Ears. In absence of a strong bill to do just that, we must come together as a community of supporters for these public lands, to ensure they are not developed, destroyed, looted or lined with drilling pads.

People don't come from around the world, or even from neighboring states, to visit lands that have lost their historic, scenic, ecological and divine values. We come here to experience the peace and beauty of this magnificent area. We come here to hike and camp and explore places such as Mule

Canyon, Grand Gulch, Cedar Mesa, Dark Canyon, Comb Wash, Owl Canyon, Elk Ridge, Recapture Wash, and to raft the Colorado, climb canyon walls and bike the endless trails.

These lands should be protected as they were, as they are, and as they should remain. Bears Ears deserves national monument status for all of us — including those who came before us and have left their sacred mark in this region, and, especially, for future generations.



Statesman Journal

PART OF THE USA TODAY NETWORK

Letter: Public Lands Initiative only benefits a few

Salem Statesman Journal (OR)

March 3, 2016

The recent [occupation of Malheur National Wildlife Refuge](#) reflects a larger struggle by right-wing groups, extractive industries and other special interests to wrest control of federal lands across the west.

Another place this battle is being played out is the Red Rock Canyon country of Utah, one of the most iconic landscapes in the world.

There, a process known as the Public Lands Initiative was supposed to bring together all interested parties in an effort to reach consensus concerning the fate of the region's public lands. Instead, it evolved into a wish list for the [fossil fuel industry](#), and the only people being asked to compromise in this "grand bargain" were those who favored conservation.

The Navajo and other Native American tribes in the area realized their efforts to get sacred lands at the Bears Ears region set aside were being ignored and pulled out of the process.

The Public Lands Initiative would roll back existing protections for millions of acres of spectacular canyon country, encourage intensive industrial uses of public lands and allow mining and gas drilling near iconic national parks such as Arches and Canyonlands.

These lands belong to all of us and deserve better.

David Harrison

Salem

Deseret News

Bishop's public lands bill skewered in citizens hearing

Deseret News, March 2, 2016



Opponents of Rep. Rob Bishop's Public Lands Initiative eviscerated the bill in a "citizens hearing" Wednesday organized by the Utah Wilderness Coalition and attended by hundreds.

"It is truly a disaster," said Mark Maryboy of Utah Dine Bikeyah, renewing Native American tribes' call for the creation of the Bear Ears National Monument.

The hearing at the University of Utah's Orson Spencer Hall was recorded and videotaped and will be submitted to Washington, D.C., to be included in the official congressional record on the initiative, said organizer Tim Wagner from the group Utah Physicians for a Healthy Environment.

Other groups at the podium included the Sierra Club, Southern Utah Wilderness Alliance, the National Parks Conservation Association and Grand Old Broads For Wilderness.

"I am in the public in public lands," said Di Allison, chairwoman of the Grand Old Broads for Wilderness. She said the proposal by Bishop,

R-Utah, decimates provisions of the Wilderness Act.

"It butchers the definition of wilderness after years and years of painful collaboration and compromise," she said.

Peter Metcalf, CEO of Black Diamond, said the initiative, touted as the fruits of a cooperative, grass-roots effort, instead is a "Pearl Harbor all-attack" on public lands.

Bishop unveiled his public lands planning bill in January after three years of working with a wide variety of groups, industries, county commissioners and local residents from eight eastern Utah counties. He warned throughout the process that his bill is one of compromise — that no one will get everything they want, but everyone will get "something."

Daggett County pulled out before the bill was released, and since then, Summit County voted to urge Bishop to rewrite that portion of the bill to reflect its public land planning desires.

The bill is an attempt to settle the contentious — and often litigious — fights that occur over how Utah's vast public lands should be managed by the Bureau of Land Management and the U.S. Forest Service. It sets up "wilderness" areas and creates energy zones, but environmental groups say the wilderness is in name only.

Juan Palma, former Utah director of the BLM, took to the podium at the event, emphasizing that his heritage has a deep connection to the land and the voices of Latino people should be included in the public lands planning process.

“Public lands are a salvation to me,” he said. After his remarks, he said he could not support Bishop’s proposal as written, noting specifically that its provisions for grazing — allotments can only go up and not decrease — go against the reality of managing landscapes for droughts and other threats.

Organizers of Wednesday’s hearing — which was standing room only — said they put on the citizen event to make sure Utah residents’ voices were heard in the land planning process.

County.

Although Bishop said there would be opportunity for comment on his draft bill, Terri Martin with the Utah Wilderness Coalition said there's been no meaningful outreach.

Scott Groene, executive director of the Southern Utah Wilderness Alliance, said Bishop’s measure has to be derailed before it gains any momentum.

“If we stop the Public Lands Initiative, we open the door for President Obama to protect the Bears Ears,” he said.

An inter-tribal coalition has called for the designation of a new national monument to protect cultural resources in a 1.9 million acre area in San Juan

The Salt Lake Tribune

Conservationists say Public Lands Initiative would do more harm than good in Utah

The Salt Lake Tribune March 2, 2016

By [BRIAN MAFFLY](#)

Critics call bill "an all-out assault" on Utah's cultural heritage and quality of life.

While some rural communities are generally pleased with draft language in U.S. Rep. Rob Bishop's Utah [Public Lands Initiative Act \(PLI\)](#), many Native Americans and urban Utahns are seething that they were excluded from the process intended to resolve land-use controversies on 18 million acres of public land in eastern Utah.

That displeasure was on full-throated display Wednesday night at the University of Utah where at least 500 conservation-minded people packed a "citizens' hearing" to denounce various aspects of the [65-page draft](#) Bishop and fellow Utah Rep. Jason Chaffetz released in January after more than two years of meetings with various "stakeholders."

Critics say the draft bill is "an all-out assault" on the state's natural heritage and landscapes that sustain its economic vitality and quality of life by stripping protections from millions of acres and allowing incompatible uses in designated wilderness.

"It's a disaster," said former San Juan County Commissioner Mark Maryboy in Navajo, then in English. A Navajo community leader, Maryboy is a proponent of the Bears Ears National Monument aimed at conserving the lands around Cedar Mesa which is rich in Native American antiquities.

"We tried to work with Chaffetz and Bishop to see if we could come up with a national conservation area. They refused to work

with us and it was unfortunate to see this draft," Maryboy said. "It is more for energy development. We must not allow that legislation to pass. We are very disappointed that the county commissioners and the Utah leadership don't know how to work with Native Americans. Total disrespect."

Beside Maryboy on the stage were four empty seats bearing the names of Chaffetz, Bishop and Sens. Mike Lee and Orrin Hatch. The Republicans were invited to the event but either declined or did not respond.

Chaffetz said the Southern Utah Wilderness Alliance, which co-hosted the event with the U. Environmental Club and other groups, ignores the interests of rural Utahns and has distorted the initiative.

"I have been listening to this group for the past three years, and if they have anything new to offer, my door is still open," said Bishop, who could not attend because of a scheduling conflict.

"Not all stakeholders are able to receive 100 percent of what they want as part of PLI," he said through a spokeswoman. "We have received constructive — and at times critical — comments from every single participant involved in PLI, including all seven counties. But unlike SUWA, the counties and legitimate interest groups are still working with the delegation instead of buying misleading television ads and holding one-sided faux hearings."

The Utah Wilderness Coalition organized Wednesday's event to give Wasatch Front residents a platform for venting frustrations

with the PLI process. Bishop plans no hearings outside Washington, D.C., after he introduces a final version of the bill.

SUWA's David Garbett wondered why the delegation is avoiding feedback from Utah's urban residents, who have a powerful stake in the fate of these lands.

"All that shows is that they believe the whole Wasatch Front is stacked against them so they are not going to bother hearing what they have to say," he said. "They said they held 1,200 meetings, but they are talking to about 5 percent of the state's population, those who live in the seven counties. It's unfortunate that they are acting like petulant children rather than engaging in a public dialogue. I don't think it bodes well for the [Public Lands Initiative](#)."

Utah's political leaders have applauded the PLI for paving a path through the decades-long impasse over how Utah's scenic public lands should be used. Gov. Gary Herbert's energy policy adviser, Cody Stewart, attended the event — as much a rally as it was a hearing — but did not speak.

A diverse range of organizations and individuals, including the National Parks Conservation Association, outdoor industry businesses, and the Bears Ears Inter-Tribal Coalition denounced the draft Wednesday. Grand and Summit county residents who spoke said their counties are on record opposing the draft, which fails to incorporate conservation aspects of their proposals.

"They promised to be inclusive and hoped to reach a grand bargain," said moderator Tim Wagner, uttering the closest thing to a compliment in more than three hours of remarks. "This was a worthy endeavor and the conservation community participated in good faith. As the initiative played out inclusivity disappeared."

Wagner, director of Utah Physicians for a Healthy Environment, patted a stack of 2,000 citizen comments to be sent to Bishop.

Featured speakers included retired state Bureau of Land Management director Juan Palma; former Congresswoman Karen Shepherd, D-Salt Lake City; Black Diamond CEO Peter Metcalf; and Lauren Wood, a river guide and emerging Utah voice for conservation.

Author Terry Tempest Williams issued statement through a friend, denouncing the initiative as a "fraud" for its failure to allow Utah citizens a meaningful opportunity to shape the proposal.

"It has little to do with protecting Utah's beloved wild lands, and a lot to do with protecting the corporate interests of oil and gas companies that are fueling the climate crisis," Williams said.

Latinos care deeply about public lands, yet this minority group was ignored, according to Palma.

"Why is it Latino voices are important? I give three reasons," asked Palma, now chief conservation officer for Hispanics Enjoying Camping and Hunting in the Outdoors. "We have deep roots in the West. We have some knowledge about these lands, and third, we might actually know what we are talking about."

Spanish explorers blazed many of the early trails across the Southwest.

"Many of our forebears are buried along these trails. We didn't just come out yesterday like some people want you to believe. Some of us have been here a long time and some are perfectly legal citizens," Palma said.

Metcalf gave a scathing assessment of the PLI's potential to harm the very assets that he says makes Utah's economy among the nation's most robust.

"What is driving Utah's economy is not the dying extractive industries, but outdoor tourism and film," Metcalf said. "Protecting wild landscapes and are absolutely integral to our state's vibrant economic future."

Many speakers described the PLI as a prelude to Utah's ultimate goal of "seizing" control of 31 million acres of public lands.

NPCA's Erika Pollard said her group was "shocked" by many items in the draft, which marks a dramatic departure from current law and land management norms. Bishop's draft would hamstring the National Park Service and other federal agencies' ability to protect wilderness and other natural values, as well as their cultural resources.

She highlighted a controversial provision that would resolve thousands of disputed

road claims in favor of the counties, totaling some 10,000 miles of routes, many inside parks.

"Within park boundaries, travel management by the National Park Service is critical to achieve the flow and volume of visitors into the parks enabling them to meet goals for recreational access and long-term resource protection," Pollard said. "The discussion draft of the PLI does not represent a balanced approach to resolving Utah's public land issues and in fact includes many threats to the national parks and the broader landscape in eastern Utah that we all hold dear."

Unprecedented tribal call for national monument

Examiner.com March 2, 2016

In [Utah](#), where two-thirds of the land is already owned by the federal government, native tribes have united in an unprecedented action of petitioning President Barack Obama to designate nearly two million acres as a national monument. The proposed Bears Ears National Monument is bordered by the San Juan River, the Colorado River, the Navajo Nation and White Mesa and contains more than 190,000 archaeological sites on land sacred to the petitioning tribes.

President Obama has announced intention to designate a number of monuments in his final year of office, the latest being preserves in the California desert. A sitting president may name public monuments without Congressional approval under the terms of the 1906 Antiquities Act. Former President Bill Clinton named the 1.9 million acre [Grand Staircase-Escalante National Monument](#) in 1996 without conferring with Utah lawmakers and ever since then state leaders have said the unilateral decision ignored the opinion of Utah's citizens.

Utah Gov. Gary Herbert opposes designation of Bears Ears and presented the President with a [letter of opposition](#) on Feb. 22 at the national governors' meeting in Washington, D.C. "I respectfully ask you to refrain from using the [Antiquities Act](#) to designate a national monument in Utah," reads the opening of the letter.

"History shows this sort of action will exacerbate an already tense situation and will further perpetuate the longstanding public lands conflict. Any unilateral action

could set back progress, perhaps for decades," he warned.

At stake for Herbert is the future of the [Utah Public Lands Initiative](#), spearheaded by [Rep. Rob Bishop](#) (R-Utah) and Rep. Jason Chafferty (R-Utah). This political initiative is meant to negotiate the best use of Utah's public lands, which can and has included off-road driving, mineral extraction, desecration of archaeological sites, building of roads in wilderness areas, timber harvesting and other activities.

The largest coalition of native tribes and the first ever to call for a monument designation, the [Bear Ears Coalition](#), called upon leaders of the PLI to protect the lands in Bears Ears, but leaders say they were not allowed to participate in negotiations. Representing the Navajo, Hopi, Ute Mountain [Utes](#), the Unitah and Ouray Utes, and the Zuni, and endorsed by 25 of the Pueblos of New Mexico, the Coalition is pressing to preserve the lands which "play a role in the cultural, spiritual and historical lives of all Native American people in the region."

The petition has been endorsed by the National Congress of American Indians, the oldest and largest group representing the interests of native Americans. According to the Coalition, more than 75 percent of Native Americans support the designation.

If President Obama designates Bears Ears as a national monument, the area will be jointly administered by an 8-member committee including one member from each of the five tribes and representatives from the three

federal agencies which already have stakes in some of the land: the National Park Service, the Forest Service and the Bureau of Land Management.

Mining would be prohibited in the new monument, as would the building of new roads. Traffic on existing roads would be strictly monitored. Hunting, recreation and

enjoyment of the arches, canyons and other natural wonders would be permitted. Natives would be allowed to continue to gather traditional medicines, herbs and plants and to practice sacred ceremonies without public disturbance.

President Obama has not announced his decision yet.

THE DAILY SENTINEL

Letter: Bears Ears region needs national monument recognition

Grand Junction Sentinel, March 2, 2016

Nature is divine and worth protecting; protecting our sacred lands has been as much a part of me as my culture and heritage. My people have fought to keep and preserve our culture and land for hundreds of years, long before Utah became a state. I am a Navajo native of Montezuma Creek Utah, and part of the Aneth chapter. I have read Congressman Rob Bishop's purported Public Land Initiative and it is nothing more than a deceptive tactic to open up oil and gas interests on our public lands and our sacred historical sites.

We have asked President Obama to protect Utah's Bears Ears region by designating the area as a national monument under the Antiquities Act of 1906. Working in unity as Native Americans our collective proposal includes 1.9 million acres of currently unprotected lands, encompassing more than 100,000 archeological sites. These sites not only possess unique historical and scientific landmarks, but most importantly irreplaceable spiritual and cultural significance. Our land is a vital part of our story; they are our sacred places we share with our ancestors. This deep connection cannot be replicated or replaced, and Rep. Bishop's PLI goes too far.

Congressman Bishop's Public Land Initiative blatantly ignores our request to have our culture and heritage protected. The PLI not only seeks to keep Bears Ears from becoming a national park, but it also wants to keep the majority of areas open to oil and gas development, which would negatively impact our environment and change the scenic spiritual value in the worst way. Also, the PLI would appoint a four-person "management commission" to oversee the "conservation area" in and around the archeological, spiritual and unique sites. This management commission would be made up of representatives from Utah's Department of Natural Resources and the San Juan County Commission. The county commission is currently led by Phil Lyman, who was recently sentenced to jail for leading an illegal ATV ride that damaged Native American archaeological sites.

This land belongs to all of the American public; it is our land. We must protect it and say no to Congressman Rob Bishop's Public Land Initiative.

JOHN ROSS
Moab, Utah

TRI-UTE COUNCIL



Joint Inter-Tribal Resolution # 16-001

TITLE: Support for Presidential designation of the Bears Ears National Monument to protect cultural, historical, and natural resources on federal lands in San Juan County, UT

WHEREAS, we, the Tri-Ute Council are invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian Nations, rights reserved and secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States, to enlighten the public toward a better understanding of the Indian People, to preserve Indian cultural values, and otherwise promote health, safety, and welfare of our Indian People, do hereby establish and submit the following resolution; and,

WHEREAS, the three Ute Tribes of Utah and Colorado including the Ute Mountain Ute Tribe, Ute Indian Tribe, and Southern Ute Indian Tribe claim historic and ongoing ties to the lands, animals, plants, resources of San Juan County, Utah; and

WHEREAS, the *Bear's Ears National Monument* is the ancestral home of many additional Southwestern Native American Tribes, including the Utes, Hopi, Zuni, Acoma, Zia, and Jemez Pueblos, and the White Mountain and Jicarilla Apache Tribe, also assert their affiliation, occupation and enduring use of these Monument lands; and

WHEREAS, the National Monument is bordered on the west by the Colorado River and on the south by the San Juan River and Navajo Nation reservation, the Monument is characterized by prodigious topographic diversity and striking landforms.

WHEREAS, the National Monument region is unsurpassed in the world for its integrity and abundance of archaeological resources.

WHEREAS, the National Monument area has been inhabited for greater than 12,000 years by multiple indigenous cultures, who roamed, and built civilizations on these lands.

WHEREAS, the Bears Ears National Monument region is comprised of primarily Bureau of Land Management Wilderness Study Areas and lands and U.S. Forest Service Roadless Areas.

WHEREAS, the Utes and Native Americans have a unique and important cultural and historical ties to the land and its wildlife and other natural resources; and

WHEREAS, the Utes' connections to the land support Native life and culture in important, life sustaining ways, including: subsistence hunting, fishing and gathering of nature's materials for medicinal, spiritual and other uses, preservation of tribal sacred places and as sources of economic development; and

WHEREAS, Native Americans have shown quality and excellence in managing lands and natural resources to protect the cultural integrity of the homeland of Native peoples; and

WHEREAS, these areas are under constant threat of cultural vandalism, looting of Native cultural sites, indiscriminate off road vehicle use that damages areas sacred to Native peoples, energy

development footprints that negatively impact lands of historic and cultural importance, and general degradation of wildlife and plant habitats of importance to Native traditional practices;

WHEREAS, to prevent this rapid destruction of lands in southeastern Utah is important to Native peoples, formal protection as a National Monument is required;

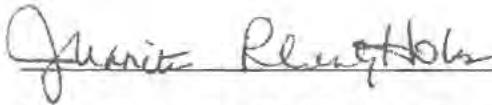
WHEREAS, the Bears Ears National Monument will best be Collaboratively Managed with the full and active involvement of the Tribes that share ancestral and ongoing ties to the region.

WHEREAS, formal protection of southeastern Utah lands as a National Monument will provide important consistency and quality to management of these lands, and define principles of management that will positively affect Native values on these lands in the following ways:

NOW THEREFORE BE IT RESOLVED, that the Tri-Ute Council extends its support for the Bears Ears National Monument designation by President Obama that reflects the will and the values of Native peoples whose identities, histories, cultures and futures are inextricably tied to these lands.

CERTIFICATION

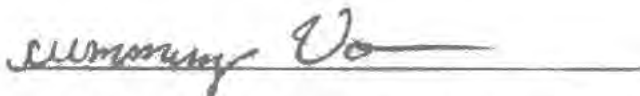
The foregoing resolution was adopted by the Tri-Ute Council at a meeting on June 14, 2016 in Towaoc, Colorado with a quorum present.



Juanita Plentyholes, Ute Mountain Ute Tribe, Towaoc, Colorado

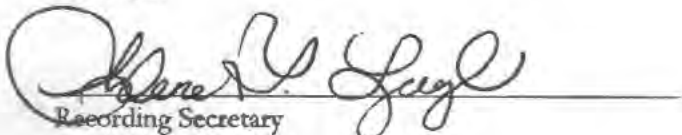


Clement Frost, Southern Indian Ute Tribe, Ignacio, Colorado



Ute Indian Tribe Representative, Ft. Duchesne, Utah

ATTEST:

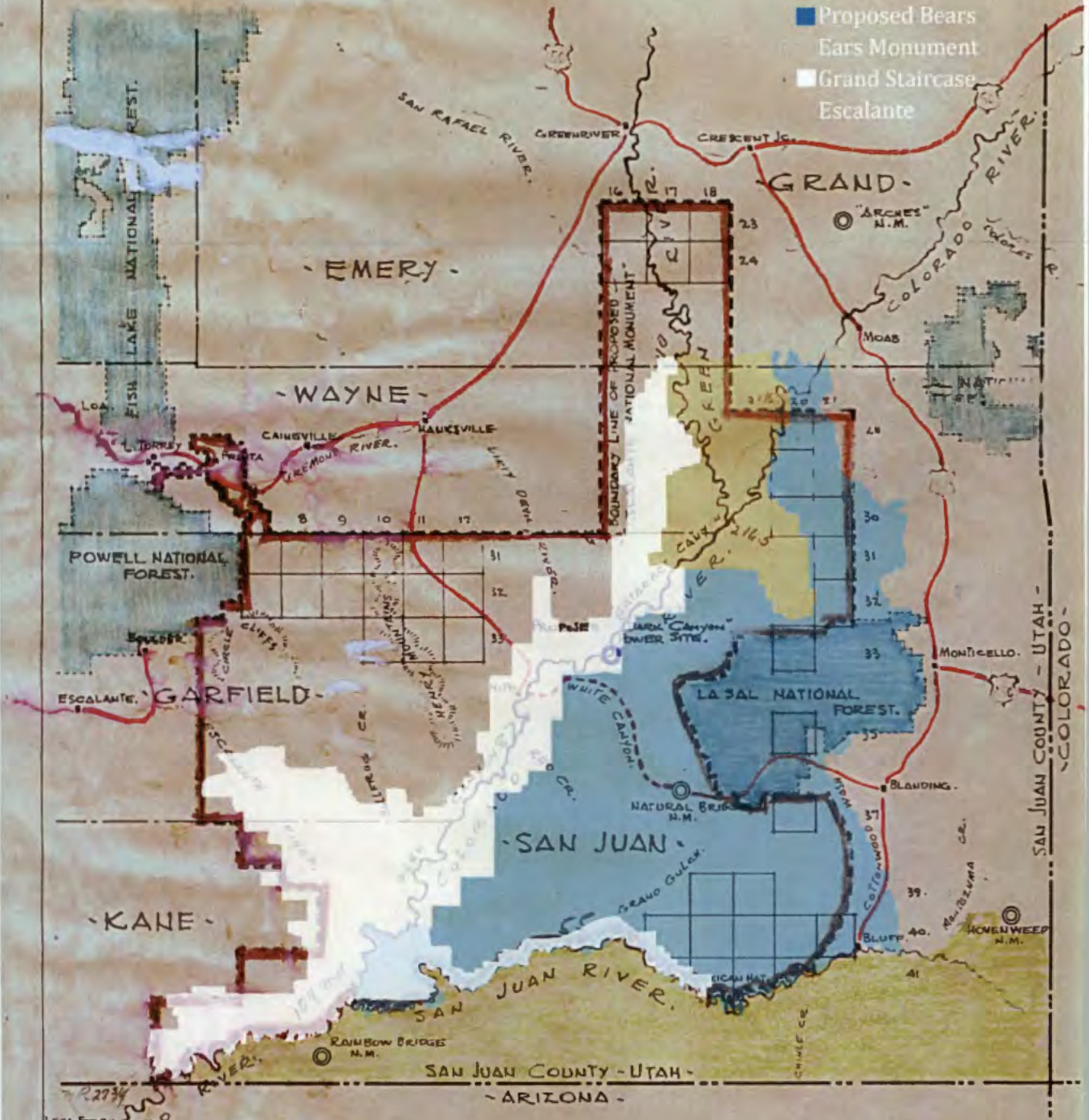


Recording Secretary

- DEPARTMENT OF INTERIOR -
 - NATIONAL PARKS SERVICE -
 "PROPOSED ESCALANTE NATIONAL MONUMENT"
 - APRIL - 1936 -

Legend:

- Canyonlands
- Proposed Bears Ears Monument
- Grand Staircase Escalante



R. 2734
 Lees Ferry
 Colorado River

Lay map 36

G.C.Y.

UTAH
Brade

President Barack Obama
The White House
1600 Pennsylvania Ave, NW
Washington, D.C. 20500

September 12, 2016

Dear President Obama,

We the undersigned are current and former elected officials and candidates in the state of Utah who support protection of a Bears Ears National Monument. We are writing to ask you to use your authority to ensure that America's most important unprotected cultural landscape receives the protection it so richly deserves.

The Bears Ears Inter-Tribal Council represents five sovereign Tribes with deep cultural ties to the region. Their leadership of this effort has been inclusive and provides a vision for Native Americans to protect their heritage while maintaining access and appropriate use for all Americans, regardless of where they live.

There is a false media narrative around the effort to protect Bears Ears that would have you believe that Utah elected officials are unanimously opposed to a Bears Ears National Monument. We hope this letter puts that narrative to rest and we ask that you use your authority under the Antiquities Act to protect this land for all people, for all time.

Thank you.

Sincerely,

Patrice Arent
Representative
Utah House

Steve Barth
Former Representative
Utah House

Andy Beerman
Councilmember
Park City Council

Heather Bennett
President
Salt Lake City School
Board

Jim Bradley
Member at Large
Salt Lake County Council

Joel Briscoe
Minority Assistant Whip
Utah House

Peter C. Clemens
Candidate for
Utah's 1st Congressional
District

Jim Dabakis
Senator
Utah Senate

Rani Derasary
Councilmember
Moab City Council

Krista Dunn
Former Councilmember
Murray City Council

David D. Erley
Mayor
Castle Valley

Gage Froerer
Representative
Utah House

Jon Harper
Candidate for Utah
Attorney General

Joe Hatch
Former Councilmember
Salt Lake County Council

Tory Hill
Councilmember
Castle Valley Town
Council

Dave Jones
Former Minority Leader
Utah House

Kalen Jones
Councilmember
Moab City Council

Patricia Jones
Former Senator
Utah Senate

Brian King
Minority Leader
Utah House

Claudia McMullin
Councilmember
Summit County Council

Erin Mendenhall
Councilmember
Salt Lake City Council

Robert O'Brien
Councilmember
Castle Valley Town
Council

Kristen Peterson
Former Councilmember
Moab City Council

Misty K. Snow
Candidate for U.S.
Senate (UT)

Barry Sochat
Councilmember
Rockville City Council

Stephen P. Tryon
Candidate for Utah's
3rd Congressional
District

Elizabeth Tubbs
Councilmember
Grand County Council

Mark Wheatley
Representative
Utah House

Ted Wilson
Former Mayor
Salt Lake City

Lisa Zumptf
Councilmember
Springdale Town Council

President Barack Obama
The White House
1600 Pennsylvania Ave, NW
Washington, D.C. 20500

September 20, 2016

Dear President Obama,

We the undersigned are current and former elected officials and candidates in the state of Utah who support protection of a Bears Ears National Monument. We are writing to ask you to use your authority to ensure that America's most important unprotected cultural landscape receives the protection it so richly deserves.

The Bears Ears Inter-Tribal Council represents five sovereign Tribes with deep cultural ties to the region. Their leadership of this effort has been inclusive and provides a vision for Native Americans to protect their heritage while maintaining access and appropriate use for all Americans, regardless of where they live.

There is a false media narrative around the effort to protect Bears Ears that would have you believe that Utah elected officials are unanimously opposed to a Bears Ears National Monument. We hope this letter puts that narrative to rest and we ask that you use your authority under the Antiquities Act to protect this land for all people, for all time.

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Angela Romero
Representative
Utah House

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Utah House

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Former Mayor
Salt Lake City

Lisa Zumptf
Councilmember
Springdale Town Council

Key Findings from a Utah Statewide Survey

May 2016



Lori Weigel



#16298

Methodology

- *N=500 interviews conducted with registered Utah voters*
- *Statistically valid sample with an overall margin of sampling error of $\pm 4.38\%$ at the 95% confidence interval for the total sample.*
- *Interviews conducted May 11th-12th, 14th, 2016*



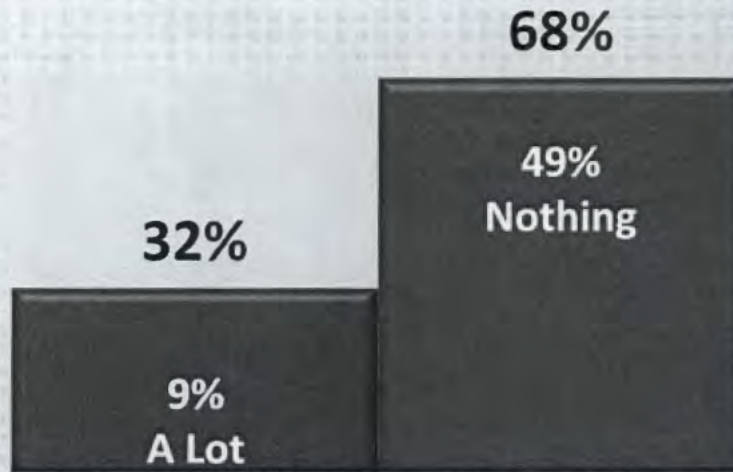


**There is Strong
Support for
Creation of a
National
Monument**

One-third of respondents say that they have heard about the proposal.

Seen/Read/Heard about Increased Protections

-36%



Top Sub-groups: A Lot (9%)	
Men Ages 50+	21%
Visit Public Lands 10+/year	17%
Independent Men	16%
Ages 65+	15%
Democrats	15%
Hunters	15%
Ages 55-64	14%
Less Active LDS	14%

■ Total A lot/Some

■ Total Not Much/Nothing At All

How much have you seen, read or heard about a proposal by five Native American tribes asking the federal government to increase protections for existing public lands in southeastern Utah known as the Bears Ears area?

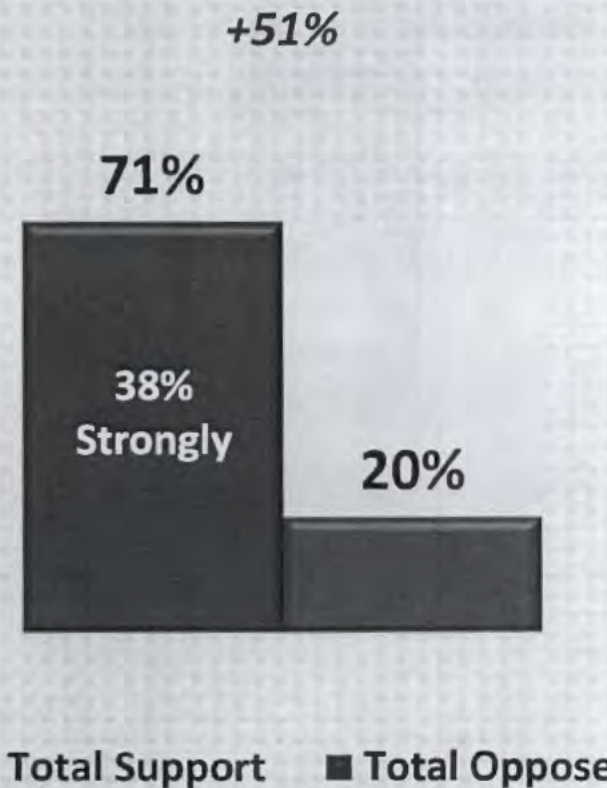


There is robust support for increased protection once all respondents are informed.

As you may know, some of the national public lands in Utah are designated as national monuments, with protections for natural areas and water similar to those in national parks. The public can view camp, fish, hike, hunt, view wildlife, ride ATV's and enjoy other recreation and ranchers can lease land for grazing in Utah's national monuments. They are also protected from development, mining and other kinds of resource extraction.

One proposal that originated with five local Native American tribes is to protect 1.9 million acres of existing public lands surrounding the Bears Ears buttes south of Canyonlands National Park as a National Monument, in large part to protect ancient cliff dwellings and sacred Native American sites.

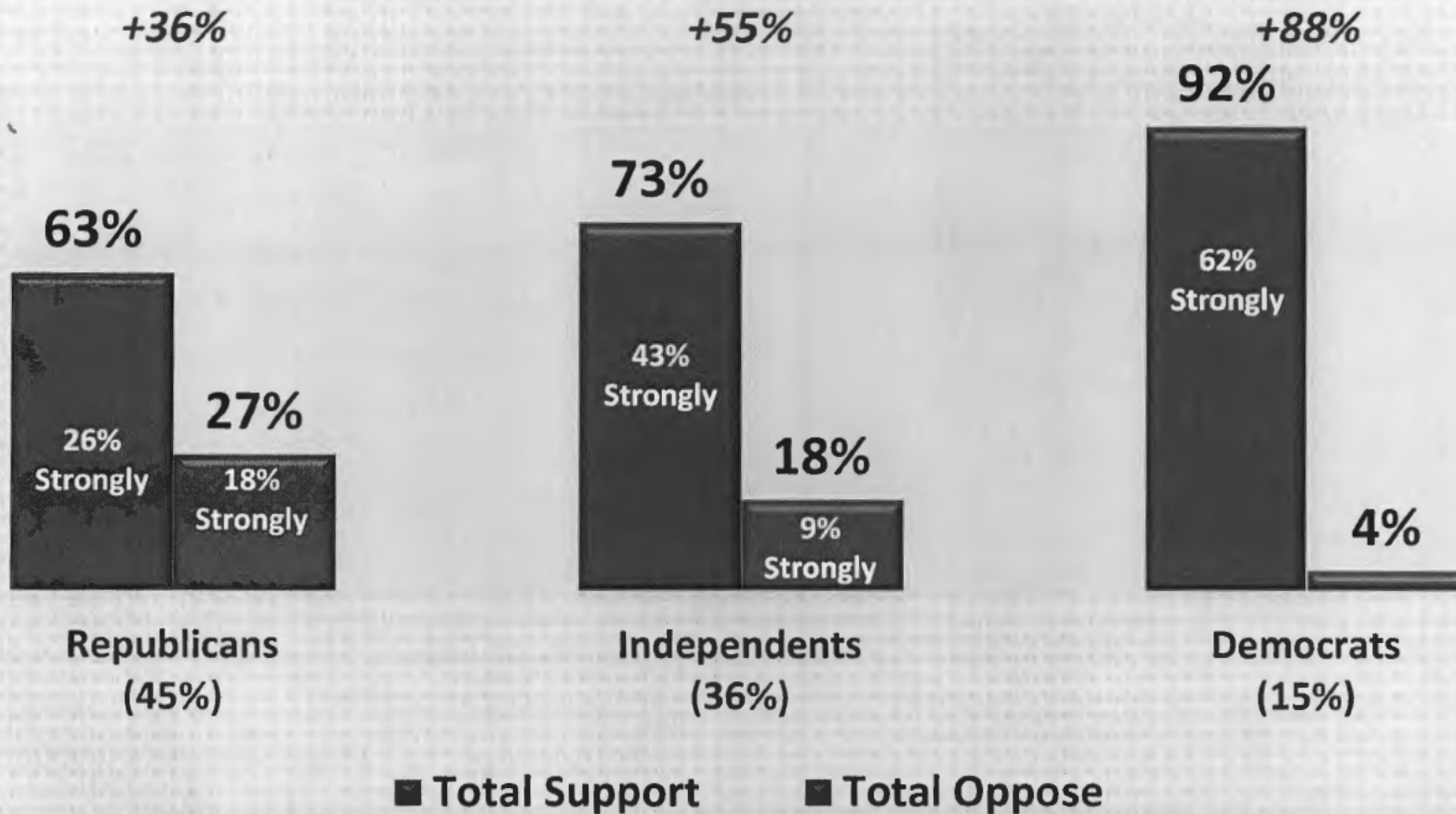
Support for Increased Protection



Having heard this description of the proposal, does this sound like something you would support or oppose?

Support is strong across party lines.

Support for Increased Protection by Party



Having heard this description of the proposal, does this sound like something you would support or oppose?

Strong majorities support the proposal in all regions.

Support for Increased Protection by Region



Salt Lake (35%)	
Support	Oppose
75%	17%

Wasatch Front (40%)	
Support	Oppose
71%	19%

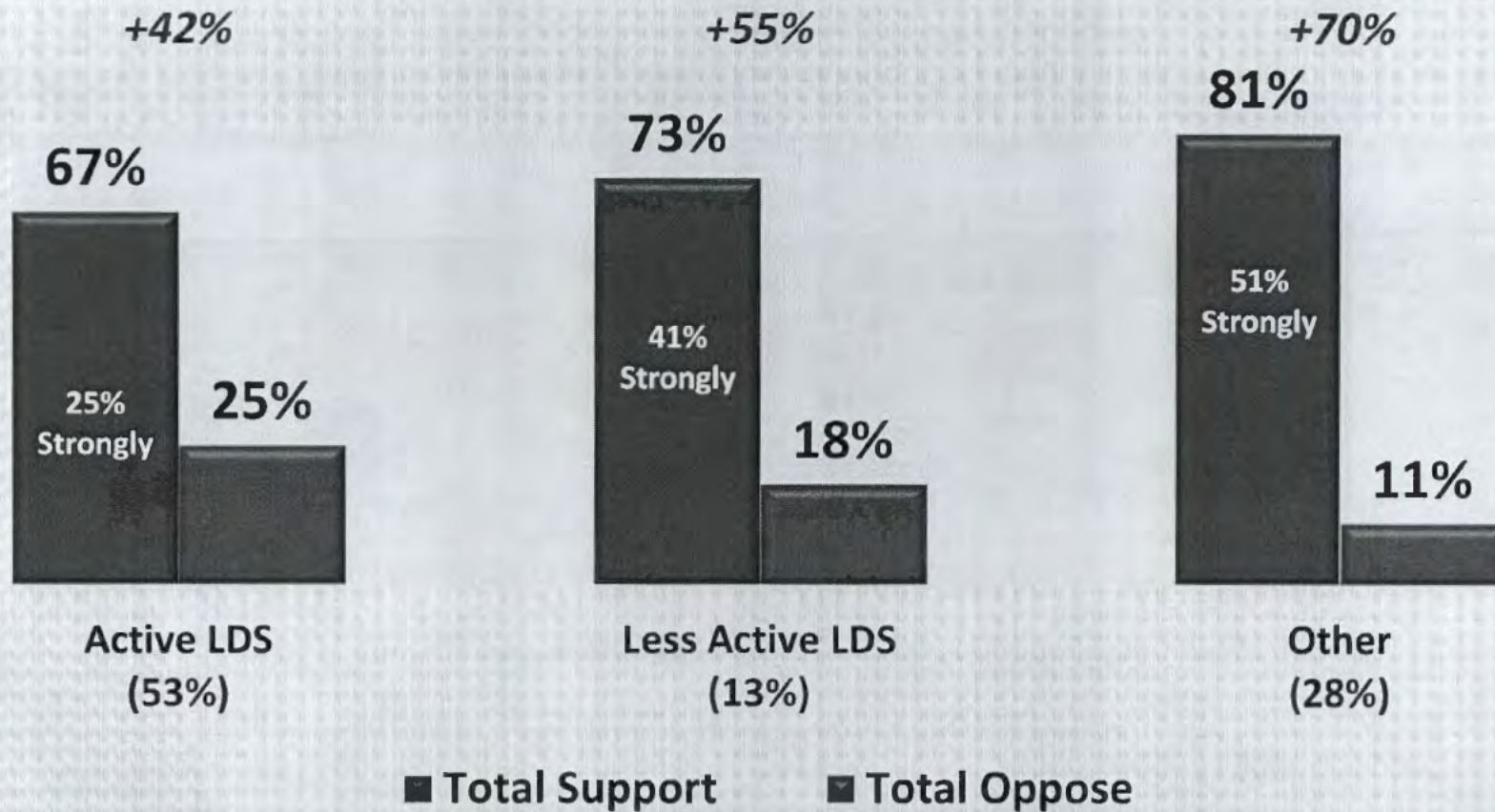
Rest of State (24%)	
Support	Oppose
67%	26%

Having heard this description of the proposal, does this sound like something you would support or oppose?



There is support across faith lines as well.

Support for Increased Protection by Religion



Having heard this description of the proposal, does this sound like something you would support or oppose?

Voters point to wanting to protect the Native American history and outdoors areas for recreation and family time.

"I think so much of our lands, the Indian ruins and stuff, have been ruined by people. I think they need to be protected."

- GOP senior woman in Salt Lake County

"Mostly just the way I was raised up, a largely Boy Scouting and active outdoor family. I spent the better half of my childhood down in southern Utah in those national parks and national lands down there and I would very much like to see those expanded or at least maintained and not diminished at all."

- GOP 35-44 year old man in Salt Lake County

"I am definitely for preserving that part of our national heritage. It is very important. I have visited some of the cliff dwelling ruins, those in New Mexico and Arizona. While I'm not Native American myself...I still see so much value in making sure that we preserve those kinds of monuments and the land regions around them for future generations. I'm very strongly for that for personal experience."

- GOP, 35-44 year old man in Utah County

"I'm a coal miner, so we've got to be able to access some. But the more ground that we set aside as national parks, and national monuments, the better I think."

- Democratic 55-64 year old man in Carbon County

What are the one or two main reasons why you would support this proposal?

This should not be surprising as many Utah residents are taking part in outdoor recreation in the state.



And, which of the following types of outdoor activities do you participate in regularly?

Many residents are active sportsmen.



Hunting



16%



Fishing



38%

Both

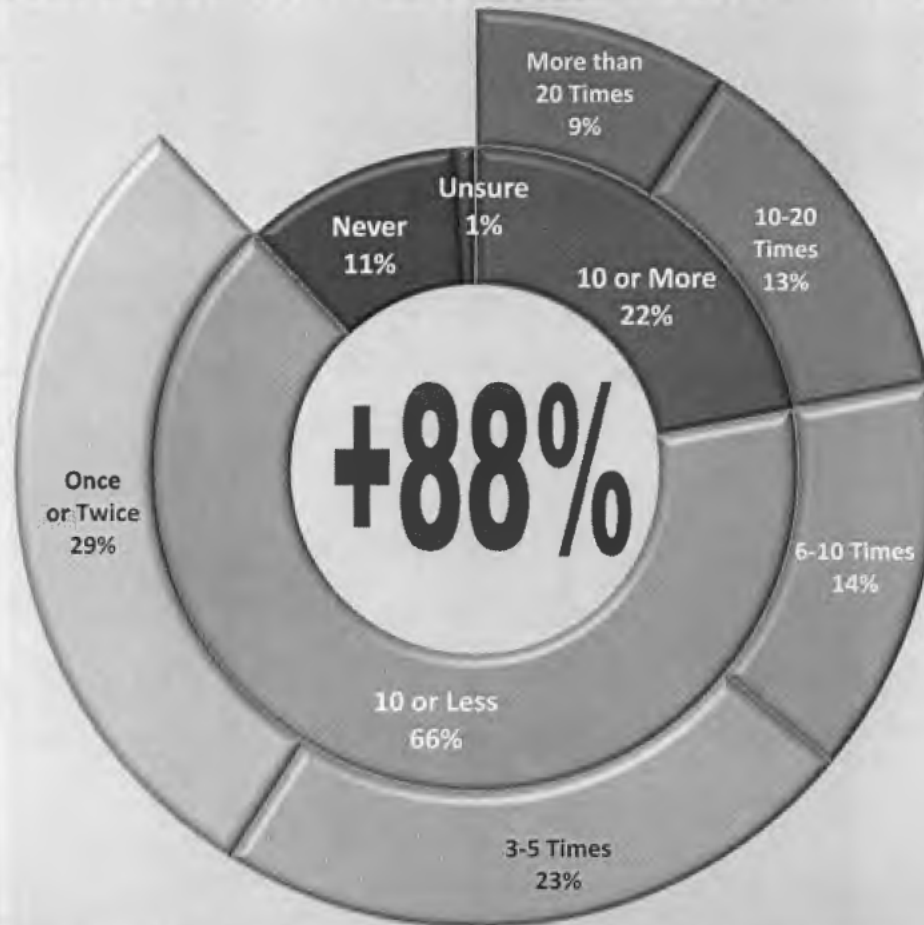


15%

Have you purchased a hunting or fishing license in last three years?

And the vast majority visit national public lands, with many reporting visiting them frequently.

National Public Land Visitation Frequency



Over the past year, how many times do you think you have visited national public lands such as national parks, national forests, national monuments, national wildlife refuges, or other national public lands?

That could in part be why voters overwhelmingly say that public lands have positive benefits.

Public lands like national monuments, national forests, and wildlife refuges support our economy; provide opportunities to hunt, fish, and enjoy the outdoors with family and friends, protect our heritage, and enhance our overall quality of life.

84%

Public lands like national monuments, national forests, and wildlife refuges keep land off the tax rolls, cost government to maintain them, and prevent opportunities for mining or other industrial activities that could provide jobs.

11%

Next, please tell me which of the following statements comes closer to your opinion, even if neither one matches your opinion exactly.

These benefits from National Monument designation received the most positive response.

Benefits Ranked by % Extremely Important

	Extremely Important	Extr/Very Important
Better protect petroglyphs, cliff dwellings, Mormon pioneer artifacts, and other unique historic sites from looters and vandals	40%	83%
Provide opportunities for children to get outside and explore nature	40%	83%
Protect the home of more than one hundred thousand Native American archaeological and cultural sites including cliff dwellings and ancient sites, considered sacred by many tribes.	38%	78%
Protect habitat for threatened animals, such as bighorn sheep, eagles and dozens of other types of birds	37%	73%
Conserve natural areas and wildlife habitat	35%	78%

Still thinking about this issue - I'm going to read you a number of specific benefits of designating these existing public lands in Utah. After I read each one, I'd like you to tell me how important you think each one of these is: is it extremely important, very important, somewhat important, or not important?

Other benefits garnered a less powerful reaction.

Benefits Ranked by % Extremely Important

	Extremely Important	Extr/Very Important
Provide families with affordable places to vacation, recreate and spend time together	28%	72%
Continue to allow recreational opportunities for those who come to hike, camp, hunt, ride off-road vehicles and recreate here	23%	65%
Sustain small businesses that create jobs in nearby communities	22%	65%
Protect for local residents and visitors some of the best outdoor recreation in the region, including world famous attractions like rock climbing at Indian Creek, rafting the San Juan River, hunting on Elk Ridge, Four Wheel Driving the Hole in the Rock Trail, and Hiking through Grand Gulch	20%	65%
Preserve opportunities for local ranchers to graze livestock on these lands	15%	46%
Provide access for off-road vehicle users, horseback riders, cyclists, and hikers	13%	48%
Preserve opportunities for hunting	12%	34%
Increase the number of rangers and enhance services for visitors	12%	43%

Still thinking about this issue - I'm going to read you a number of specific benefits of designating these existing public lands in Utah. After I read each one, I'd like you to tell me how important you think each one of these is: is it extremely important, very important, somewhat important, or not important?

Voters side with supporters by 45 point margin when considering uses of the potential Bears Ears areas.

Supporters say that increasing protections for these existing national public lands will safeguard historic, recreational and wildlife areas from industrial development. It will also better protect sites that are sacred to many Native American tribes in the region, some of which have already been damaged by grave robbing and vandalism. Those sites would be conserved while access continues for outdoor recreation, hunting, grazing and other traditional uses.

69%

Opponents say that this proposal is really just a federal land grab, and these lands are not really threatened. It will restrict public access, end ranching in these areas, create burdensome regulations on recreation, and outright ban responsible energy development such as oil and gas drilling and uranium mining. That negatively affects Utah's economy, hurts local jobs, and restricts our energy future.

25%

I'd like to read you two viewpoints about this and please tell me which one comes closer to what you think, even if neither perfectly matches your viewpoint.

The process regarding how it becomes a Monument though is less solid ground for supporters.

Supporters say that proposals to increase protections for these existing national public lands have been stalled in Congress for more than 6 years, which is why after years of community input, five Native American tribes came together to ask the President to safeguard an area threatened by looting and vandalism, and which they consider to be sacred. Those sites, along with Mormon pioneer trails, recreation areas, and sensitive wildlife areas, would be protected.

52%

Opponents say that public lands belong to the people – not the government. Yet every time you turn around, government is closing roads, blocking access to mining areas, and generally locking the people out of their own lands. Congress should be given time to consider a legislative fix to this situation, instead of President Obama acting on this proposal that is really being pushed by environmentalists.

38%

I'd like to read you two viewpoints about this and please tell me which one comes closer to what you think, even if neither perfectly matches your viewpoint.



The Bottom Line

The Bottom Line

- There is strong support for National Monument designation of the 1.9 million acres of existing public lands referred to as the Bears Ears. Support is significant among all demographic, geographic and partisan sub-groups in the state.
- Support may in part be due to the electorate's high rates of outdoor recreation and visiting national public lands.
- Residents place a high level of importance on ensuring that these public lands are protected as a way to safeguard historic artifacts and sites, for wildlife, and for families.
- After hearing both rationales in support and opposed to the designation, a majority of voters side with supporters each time.



**PUBLIC OPINION
STRATEGIES**

Lori Weigel
lori@pos.org | (703) 836 7655



Chief Manuelito (1818-1893) photo courtesy of the Bridgeman Art Library.

DINÉ HISTORY

Every Navajo child learns about our legendary Chief Manuelito who was born north of Cedar Mesa in a Diné village at Bears Ears. His bravery and leadership rescued many Navajo from being captured by the United States government, earning him a strong place in history. Likewise, many Navajo are tied to the region north of the San Juan River as their ancestors also resided here. Presently administered by the Bureau of Land Management and the US Forest Service, Cedar Mesa is open to livestock grazing, hunting, mineral exploration, firewood collection, and all forms of motorized use, all with no recognition for its significance to Diné People. This is only one example of many areas we have an obligation to see preserved and protected for future generations. Therefore, we now recognize our voice must be heard and we must reestablish ourselves as effective stewards for these lands.

Unfortunately, we do not believe Washington DC decision makers, Salt Lake City environmental groups, or even many other residents of San Juan County understand and appreciate how Navajo people view public lands or utilize its resources. We are therefore skeptical and even fearful for what we might yet lose from our traditional places. The historical relationship between our people and the United States and Utah governments has not often been favorable toward our interests. There are very few examples where our participation has led to outcomes respectful of Diné perspectives, or were sympathetic to the desires of our people. Therefore, it is with a guarded sense of hope, that our Elders discuss these lands and the role they play in the lives of Diné People.



Opposite: Sacred ruin on Cedar Mesa.



ACKNOWLEDGEMENTS

When my brother, Kenneth, and I first discussed this work, we both were reluctant to commit. Even though, we knew in our hearts we must somehow convey our peoples sentiments and convictions for these lands. Simply, we did not want to disappoint our Elders. How could we be sure that their words would be listened to, and not once again ignored?

However, even as all sides continue to argue about these lands, the lands continue to be desecrated. Therefore, we have chosen this time to ask for our Elders' wisdom, as so much hangs in the balance for all of our peoples. We are also hopeful our legitimate voices can serve as a bridge to foster a more successful planning process.

There are too many to name who contributed to this important work to fit on one page. However, I would like to specifically acknowledge the leadership of the Navajo Nation as well as the following individuals: Don Mose, Bessie Spencer, Eugene Begay, Louise Atcity, Richard Yanito, Willie Skow, Donna Jones, Ben Whitehorse, Bessie Holiday, Clyde Benally, Dutchman Rentz, Glec Bedonie, Harrison Hudgins, Harry Johnson, Irene Ben, James Jim, Janet Chee, Joe Ben, Kenneth Maryboy, Lena Jones, Leonard Lee, Leonard Miller, Mary Lou Harvey, Mary Johnston, Rebecca Benally, Shorty Todachinnie, Bessie Jim, Briana Austin, Florence Cly, Jean Salt Fat, Ken Sleight, Jimmy Fat, Ronald Chee, Thomas Chee, Albert Howard, Dorothy Jones, Charley Todachinnie, Alex Bitsinnie, Francis Shorty, Joe Tree, Tom Atene, Forrest Cuch, Willie Begay, Edyth Tahe, Herbert Yazzie, and my mother, Clara Maryboy.

This book's design is the creation of Scott Aucutt. The beautiful photos of our people were taken by Lynn Hoffman-Brouse, and of our lands by Chris Noble.

The David and Lucile Packard Foundation and Round River Conservation Studies very generously support this work.

It is a great honor to serve my people.
A'he'hee,


Mark Maryboy



Joe Ben éi yaatii'

"T'óó'íidǫ́' t'óó ahayóí nida'asziin. Díi kojí' nihí hahoodzooígíí County bi'dininígíí bíyi'. 'Atiin anlid' ánidadoolnít ha'ninigíí éi nichǫ' áádóó díi nida'aztiin nihk'éi dóó nihichóoni' kéédahat'inigíí t'óó dadazhdi'doolkat."

"We have enough roads in the county. New ones do not need to be built. Roads where our ancestors use to live would be the right places to close off the roads."

UTAH NAVAJO LAND PLANNING CONTINUED

The public lands of San Juan County are our home, yet often we perceive that federal agents, recreationists, and outside hunters do not welcome us. In order to play a larger role in the management of lands critical to the future well being of the Navajo, our proposal will put forward a measure to collaboratively manage sites important to the Diné and other Native American tribes. Collaborative management offers a more equitable approach for addressing the interests of those affected by land use designations, and creates opportunities to capitalize on our knowledge of the area and its values. We believe these advantages are persuasive in light of inadequate funding for management activities, and in the face of limited compliance or outright opposition to management regulations from local interests.



Opposite: Valley of the Gods



Clara Maryboy, Diné elder
© Lynn Hoffman Berzise

Bears Ears
**A NATIVE
PERSPECTIVE**

*on America's most significant
unprotected cultural landscape*



Ancestral Pueblo dwellings on Cedar Mesa
© Don Johnson

PROTECT BEARS EARS

Bears Ears National Monument

"It's not just because it's land. It's our heritage, it's our elders. We've created a family based on trust. We're working collaboratively now. It's not just for each tribe, it's for everyone, for next generations, for what we leave for them. We need to unite in sovereignty".

**— Alfred Lomahquahu,
Vice Chairman of the Hopi Tribe**



© Nathan Hoopes

The ancient past makes itself undeniably present in a few places on earth – the Giza pyramids, Machu Picchu, Stonehenge, and Angkor Wat come to mind. And the Bears Ears region ranks right up there with them. Picturesque cliff dwellings confront the senses as we try to imagine how and why people would choose to live in such precarious and spectacular places. Striking, mysterious figures etched and painted on stone faces many hundreds of years ago touch our souls. The archaeological and cultural treasures of Bears Ears are ours to protect, preserve, and embrace.

What will the monument protect?

- Hundreds of thousands of archaeological sites
- One of the most spectacular and unspoiled archaeological landscapes in North America
- Thousands of ancient artworks, including what may be the oldest rock image in North America
- Cliff dwellings, great houses, pueblos, shrines, standing stone towers, cathedral-like caves and rock shelters
- Burials and sacred artifacts belonging to our ancestors
- Ancient Chacoan roads still visible for miles on the landscape
- A rich history of continuous cultural presence going back over ten thousand years



Cliff dwellings on Comb Ridge © Nathan Hoopes

Intact kiva © Nathan Hoopes

Cooking vessel in situ © Josh Baum

"We have enough roads in the county. New ones do not need to be built. Roads where our ancestors used to live would be the right places to close off the roads."

— Joe Ben



Projectile point © Nathan Hoopes

Ancient Chacoan road on Tank Mesa © QMD/Don



Bears Ears Inter-Tribal leaders in Washington DC © Gavin Noyes

Protect Bears Ears

For more information on the Bears Ears Inter-Tribal Coalition, to learn how to help protect Bears Ears, or for media inquiries, please visit:

www.bears earscoalition.org

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Grand Canyon Trust
Friends of Capitol Reef



Pictographs in Grand Gulch © David Muench

July 24 – Pioneer Day – Official holiday in Utah. Celebrates Mormon pioneers settling

July 2-3 – Hopi Arts Festival

July 17-29, 2005 – First inter-tribal summer gathering at Bears Ears

August 14 – National Navajo Code Talker Day

August – Native American Festival & Pow Wow in West Valley City

August – Annual Pioneer Celebration in Monument Valley

Other:

June 1 – 1868 Navajo Nation Memorial Day

June 2 – 1924 Citizenship Act

In 1935 acting director of the Park Service, Arno Cammerer, first announced the details of a portion of the overall plan which included possible new national monuments in southeastern Utah. But Ickes' scheme soon ran up against the political and economic realities in the Western States, as well as the conflicting intentions of the Army Corps of Engineers for example, and the Natural Resources Committee which were anxious to secure such areas for water and power development sites. When the Interior Department presented its recreation plan to Congress, other departments joined western representatives in blocking what seemed to be an alarming extension of Interior's jurisdiction. Partly because of the protests of Representative [p.113] J. W. Robinson of Utah, the final bill merely called for a survey of recreational resources.⁵

The April report of the Utah State Planning Board reflected an interest in supporting the federal plan, but the specific conception of its chairman, Ray B. West, did not receive the support of the Park Service.

<http://www.riversimulator.org/Resources/NPS/Escalante/1965SpringUHQescalanteNM.pdf>

In August 1909, while Cummings was working under a federally approved Antiquities Act permit along part of the San Juan drainage (in northern Arizona and southern Utah), officials of the Smithsonian Institution interrupted his field investigation. Cummings' party was instructed to leave the area because all materials in this pristine, undisturbed site were reserved for the Smithsonian collections in Washington, D.C. (Cummings 1909a). W. B. Douglass, U. S. Examiner of Surveys for the General Land Office (GLO), opposed the permits issued to the University of Utah. Apparently, Douglass' goal was to keep all artifacts from the newly established Navajo National Monument in the hands of the national government at the Smithsonian (Jett 1992; Rothman 1993).

In a letter of protest to First Assistant Secretary of the Interior, Frank Pierce, Cummings expressed his frustration with the situation:

[the] Smithsonian already has the best material from Arizona, New Mexico, and Utah stored away in its cellars in such quantities that half of it can never be put on exhibition or made available for study. . . . Why should not the West and western institutions have the benefit of at least part of these things that belong to this own region? The West should not always be a mere feeder for the rest of the country (Cummings 1909a).

Cummings' frustration reflected other regional concerns which led to concerted efforts to establish museums at western universities to share the artifacts with the local citizenry as well as attract potential students (Cummings 1909b). Upon application, the University of Utah museum was authorized in October, 1909 to become an official depository of artifacts for the collections made by Hewett and Cummings in the previous seasons and those yet to come. A western institution had achieved permission to maintain an archeological collection, to proceed towards displaying antiquities, and tell the story of the ancient people of the Southwest in a native environment. Despite previous entanglements, Cummings maintained a perspective that encouraged cooperation and civility between eastern and western researchers (Cummings 1909c) since any newly discovered information was of benefit to all. Ultimately, both parties united in an arrangement motivated by pragmatism and diplomacy (Jett 1992:15; Rothman 1993) and the existing Antiquities Act permits were not cancelled.

<http://www.nps.gov/archeology/pubs/studies/study02C.htm>

http://historytogo.utah.gov/utah_chapters/utah_today/thecanyonlandsnationalparkcontroversy.ht

The National Park Service first surveyed southern Utah in 1935 and looked broadly at the Canyonlands Basin, Glen Canyon, the Waterpocket Fold, Cataract Canyon and the canyons of the San Juan River. The first Escalante National Monument proposal in the next year recognized the extraordinary character of this immense, unimpaired landscape. The proposed monument contained 6,000 square miles and included the entire Greater Canyonlands region. This description by M. R. Tillotson, NPS regional director in Santa Fe, in a report on the 1935 proposal (Newell, 1977), applies just as accurately today to Greater Canyonlands: There is probably no single section of the entire scenic southwest which offers a greater variety and a more interesting array of spectacularly scenic effects than does the area under consideration. It is a land of deep canyons, narrow gorges, terraced plateaus, cliff-bound mesas, tortuous entrenched stream meanderings, large-scale buttes and temples, weirdly eroded formations, wind-swept desert-like slopes, standing rocks, high escarpments, natural bridges and colorings so gorgeous as at times to seem almost gaudy. All this on so gigantic a scale as to be difficult of comprehension. Distances are vast. Accessibility is extremely difficult—in many places practically out of the question. Canyons, virtually impassable, are everywhere . . . It would be impossible, even in a much more extensive report than this adequately to describe the country. Utah citizens initially supported the new conservation proposal.

In April 1936, the Utah Planning Board declared that "an extension of authority, especially of the National Park Service, would be beneficial to the people of Utah." (Richardson, 1965) At the time, no more than 100 people lived in those 6,000 square miles—in Fruita and Hite. Nearly all the acreage was grazed, a livelihood for 463 families and their 26,290 cattle, 2,618 horses, 144,298 sheep and 534 goats. (West, 1936)

Despite the Planning Board's recommendation, grazing and mining interests shot down this visionary concept. Two more modest Escalante proposals of 4.5 million acres followed, one promoted in 1940 by Interior Secretary Harold Ickes. But none became law.

<http://greatercanyonlands.org/wp-content/uploads/2014/05/GCNM-White-Paper.pdf>

MAP ON PAGE 12 OF THIS WHITE PAPER

THE NATIONAL PARK SERVICE FIRST PROPOSED A NATIONAL MONUMENT PROTECTING GREATER CANYONLANDS and the surrounding canyons of the Colorado River in 1935. The following year, the first proposal for a 6,000-square-mile Escalante National Monument recognized the need to preserve the extraordinary character of southern Utah's redrock wilderness—including Greater Canyonlands. Pro-development advocates attacked this visionary idea, but President Franklin Roosevelt's Interior Secretary Harold Ickes continued to push for a 4.5 million-acre Escalante National Monument through 1940. World War II diverted our attention, but Bates Wilson, Superintendent of Arches National Monument, worked tirelessly to introduce decision makers to this remarkable place in the 1950s.

<http://greatercanyonlands.org/wp-content/uploads/2014/05/GCNM-White-Paper.pdf>

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Utah Elected Officials Request Meeting with President Obama (<http://www.lee.senate.gov/public/index.cfm/press-releases?ID=46549290-E004-4EF9-A37D-9CB74806EC13>)

Lawmakers express strong opposition to national monument designation in Utah

Apr 29 2016

WASHINGTON, D.C. – Today, Utah lawmakers' hand-delivered a letter to the White House requesting a meeting with President Obama on potential use of the Antiquities Act to create a national monument in Utah. Before delivering the letter, members of the Utah Delegation met with White House officials to discuss public land issues.

Letter signatures include Utah Governor Gary Herbert (R-UT), Senators Orin Hatch (R-UT) and Mike Lee (R-UT), Representatives Rob Bishop (UT-01), Jason Chaffetz (UT-03), Chris Stewart (UT-02), and Mia Love (UT-04), and San Juan County Commissioner Rebecca Benally.

Excerpts from the letter:

“To further communicate our strong opposition against the unilateral creation of a national monument in the State of Utah, we respectfully request the opportunity to personally meet with you to discuss our basis for opposition.”

“In a February meeting with the National Governors Association, you stated that open lines of communication are needed when discussing national monument designations. To that end, we believe a meeting involving you, Governor Gary Herbert, the Congressional delegation, and Utah’s only elected Navajo official is critical to successful communication and planning.”

Background:

President Obama is being pressed by environmental groups to use the Antiquities Act to designate 1.9 million acres of Bears Ears in southern Utah as a national monument. Earlier this year a draft of the Public Lands Initiative (PLI) was announced as a balanced approach to land conservation. Many stakeholders, including conservation groups, continue to support PLI as the

preferred alternative to a national monument.

Find the full text of the letter below:

April 29, 2016

Dear Mr. President,

It is widely known that you are considering use of the Antiquities Act to declare a national monument in the State of Utah. We have previously written to you expressing our opposition to this action. While we appreciate the Secretary of the Interior's response to our letter, we believe it was an inadequate response, as the Department of the Interior does not possess the authority to declare a national monument.

To further communicate our strong opposition against the unilateral creation of a national monument in the State of Utah, we respectfully request the opportunity to personally meet with you to discuss our basis for opposition.

A meeting of this nature is supported by your recent public statements. In a February meeting with the National Governors Association, you stated that open lines of communication are needed when discussing national monument designations. To that end, we believe a meeting involving you, Governor Gary Herbert, the Congressional delegation, and Utah's only elected Navajo official is critical to successful communication and planning.

Finally, we hope a recent meeting we had with your staff will result in a productive dialogue regarding the Public Lands Initiative (PLI). The PLI is a balanced legislative approach to land management in eastern Utah. If passed, the PLI will establish greater land-use certainty and conserve more than four million acres of federal land. Many groups, including conservation groups, are still at the table providing feedback and comments on the draft PLI. The same draft was given to your staff on January 14, 2016 but thus far feedback has not been provided.

Thank you for your consideration. Collaborative planning is essential in the land management arena, and we look forward to meeting with you.



STATE OF UTAH

GARY R. HERBERT
GOVERNOR

OFFICE OF THE GOVERNOR
SALT LAKE CITY, UTAH
84114-2220

SPENCER J. COX
LIEUTENANT GOVERNOR

February 17, 2016

President Barack Obama
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear Mr. President:

Over the past several weeks, I have seen multiple statements in the media that a national monument designation in Utah is forthcoming. Given the heated and antagonistic environment, which exists currently related to public lands, I respectfully ask you refrain from using the Antiquities Act to designate a national monument in Utah. History shows this sort of action will only exacerbate an already tense situation and will further perpetuate the longstanding public lands conflict. Any unilateral action could set back progress, perhaps for decades.

I am convinced the protection and preservation of natural beauty for future generations and a balanced, growing economy are goals we both share. In Utah, we have the capacity and willingness to design a solution that accomplishes these goals. In fact, Congressman Rob Bishop (UT-01) and Congressman Jason Chaffetz (UT-03) have spent nearly three years working to forge a partial solution to Utah's public lands conflict through the Public Lands Initiative (PLI). This collaborative, locally driven process to draft legislation is nearing completion, as it is seeking one more round of public comment and feedback before formal introduction. Acting now would completely short-circuit this effort and would likely end a valuable consensus-seeking process.

As evidenced by opposition from virtually every elected county, state, and federal official, the state of Utah strongly opposes any unilateral monument designation within our state. Furthermore, many cabinet officials from your Administration have told me repeatedly that no national monument will be designated in Utah without an open, public process occurring first. I respectfully request you adhere to the commitments made by your staff and engage directly with Utah's elected officials, allowing extensive public input before deciding whether or not to create a new national monument in the state of Utah.

Sincerely,

Gary R. Herbert
Governor



Bears Ears National Monument



A Cultural Vision For Public Lands Conservation

A Map Portfolio of the Bears Ears Proposal

Bears Ears Inter-Tribal Coalition- 2/18/16

Public Comments¹ in Support of Bears Ears National Monument

"My maternal grandparents told me several stories of the sanctuary Bear's Ears provided. They always built their homes within view of the mountain and each time I see the "ears," it makes me feel safe and connected to my ancestors and family." Simon Tapaba



"I support this project. Leave this place open to prayers and that we gather plants & woods." Ms Marian Sam, Montezuma Creek, UT

"Take care of the ruins, protect the plants..., protect the stories about Bears Ears from my father." Bessie Begaye, Blanding, UT



"I gather firewood. I go hunting there every year. I go there for pinyon picking." Mark Keith, Montezuma Creek, UT

"As far as I can remember my great grand parents (lists all ancestors, self, and children) have used this land... We all gathered wood, native medicine, pinions + berries, sumac for basket making, hunting deer, elk, juniper berries for making beads, pinyon pitch for making water baskets, etc. All these essentials is our main source for survival, especially when there is no jobs or financial assistance on our reservation. We want to use this land as we always have for the past 200+ years. Reserve this land for us for the next century for our future generations." Marilyn and Andrew Holiday (Sr.), Monument Valley, UT

"I support the Navajo Nation proposed wilderness and Bears Ears National Monument. This land is very sacred to the Natives in so many ways." Rose Marie Johnson, Tonelea, AZ



¹ In 2014, the Bears Ears proposal received 64% of all comments of support (500 letters) from local residents during San Juan County's public comment period. Since then more than 15,000 people from across the country have asked President Obama to protect Bears Ears.



Areas Important for Native American Hunting, Fishing, and Gathering

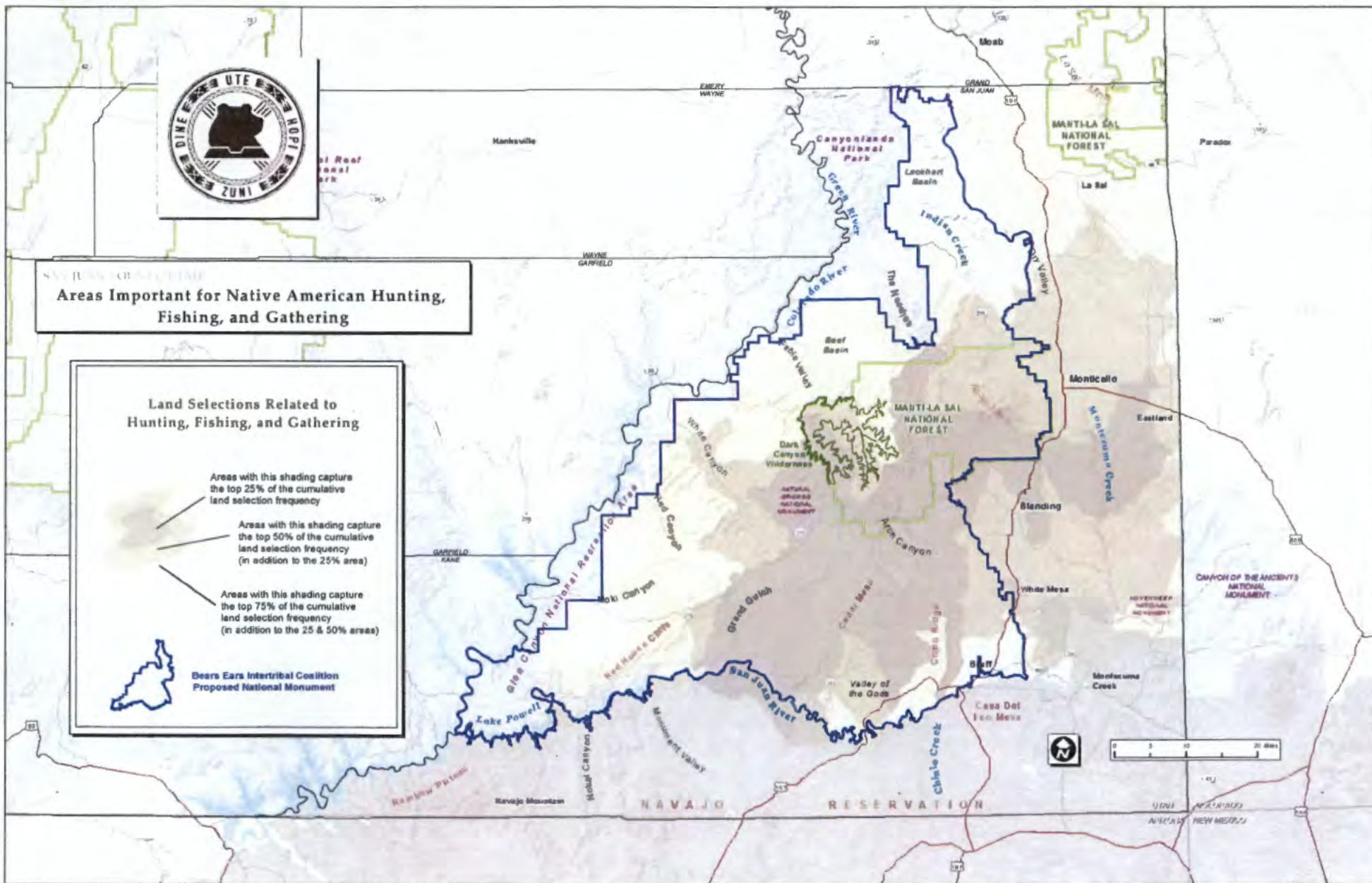
Land Selections Related to Hunting, Fishing, and Gathering

Areas with this shading capture the top 25% of the cumulative land selection frequency

Areas with this shading capture the top 50% of the cumulative land selection frequency (in addition to the 25% area)

Areas with this shading capture the top 75% of the cumulative land selection frequency (in addition to the 25% & 50% areas)

Beers Ears Intertribal Coalition Proposed National Monument





Areas Considered by Native Americans to be Sacred

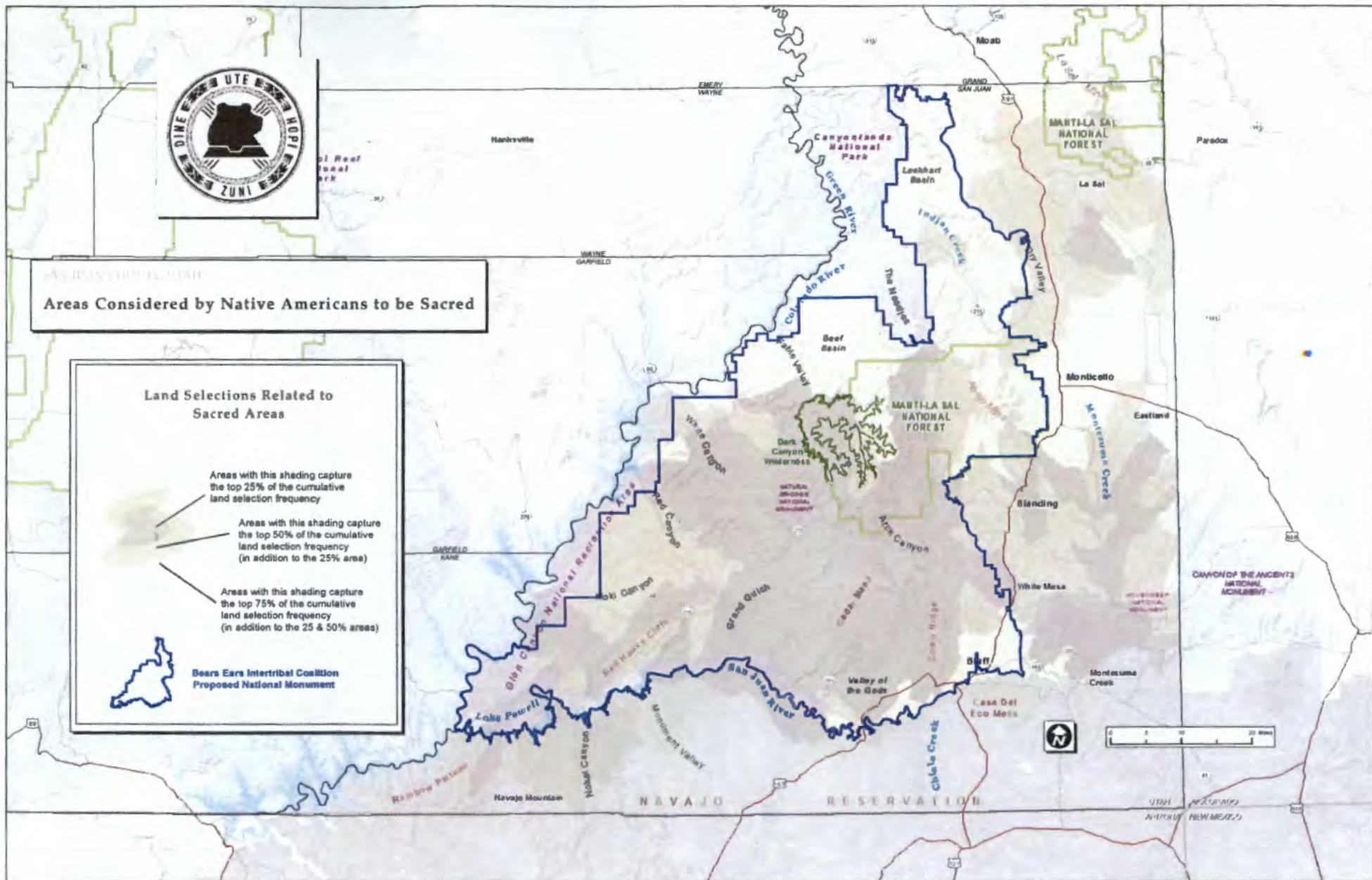
Land Selections Related to Sacred Areas

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Bears Ears Intertribal Coalition Proposed National Monument





Areas Important for Native American Ceremonial Land Use

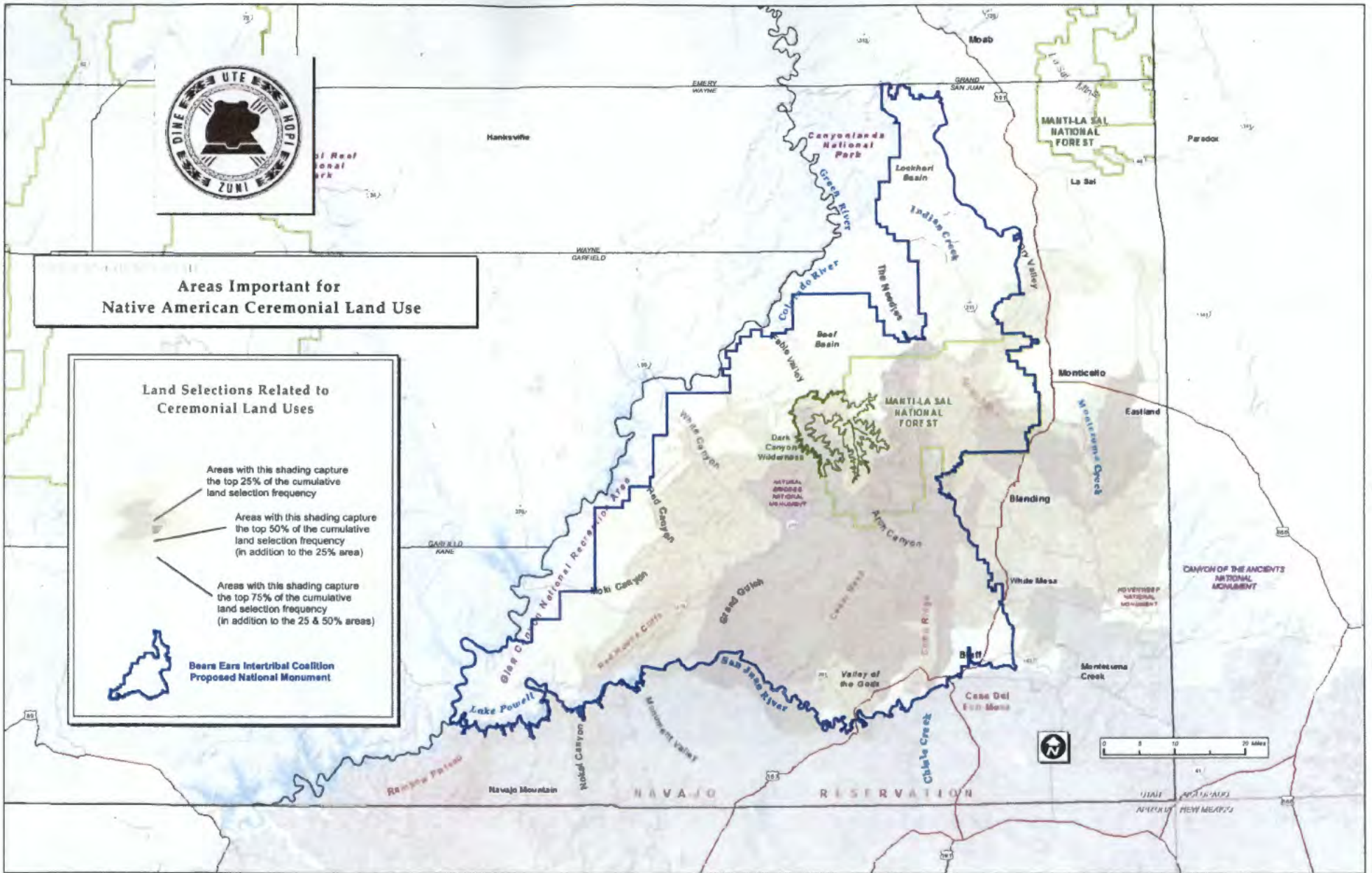
Land Selections Related to Ceremonial Land Uses

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Bears Ears Intertribal Coalition Proposed National Monument





Areas Important for Native American History

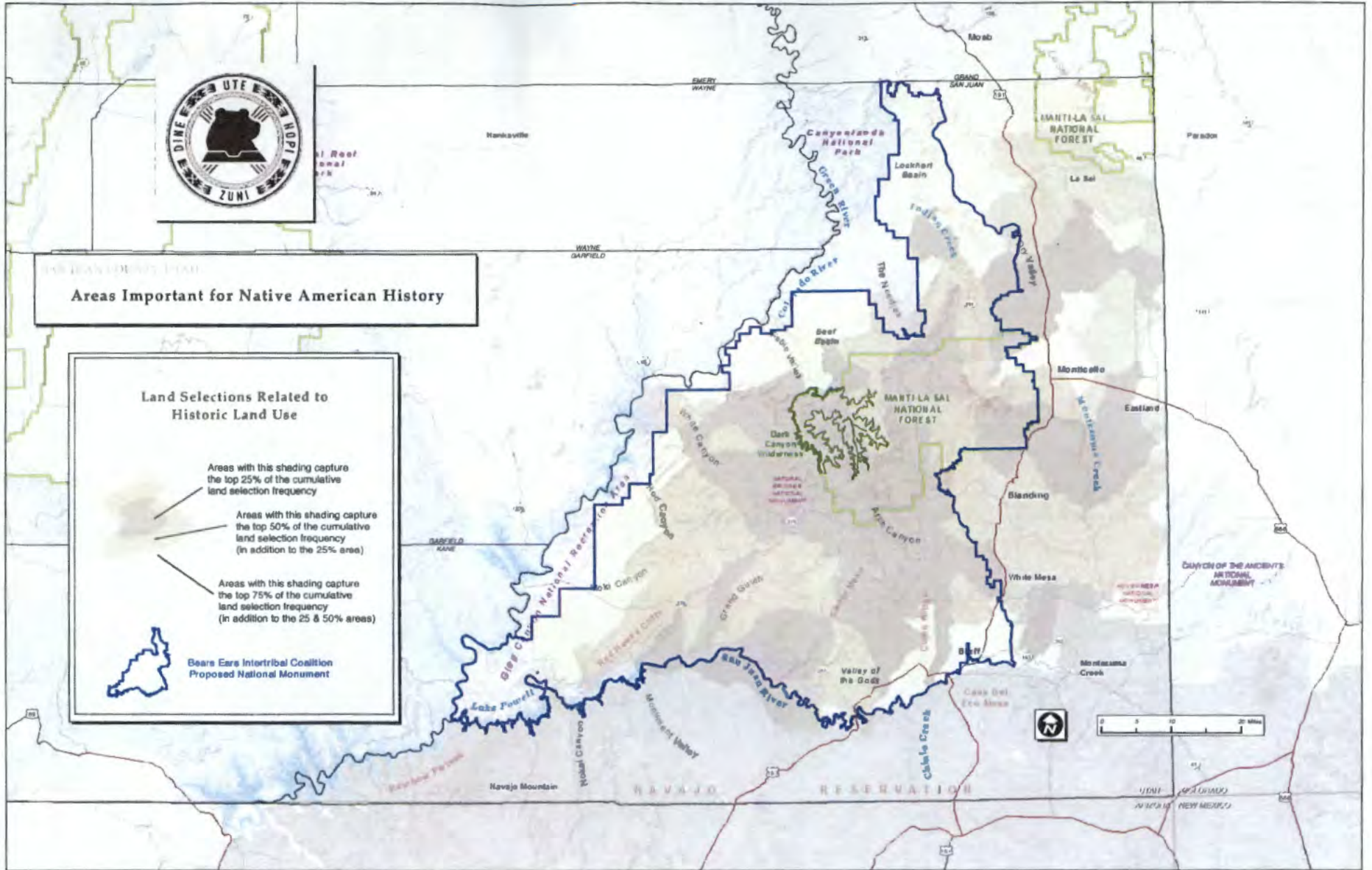
Land Selections Related to Historic Land Use

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Bears Ears Intertribal Coalition Proposed National Monument





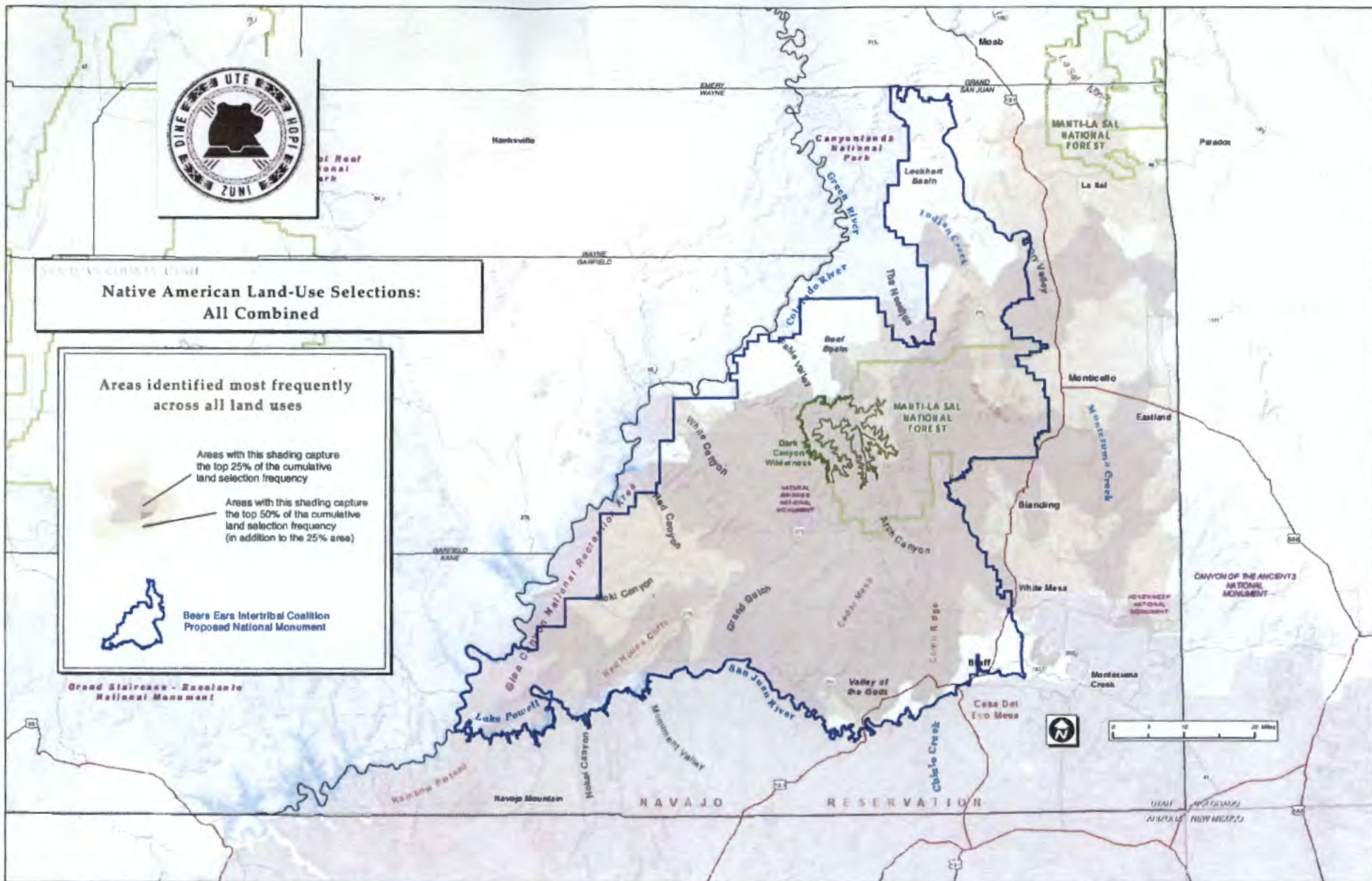
Native American Land-Use Selections: All Combined

Areas identified most frequently across all land uses

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

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(in addition to the 25% area)

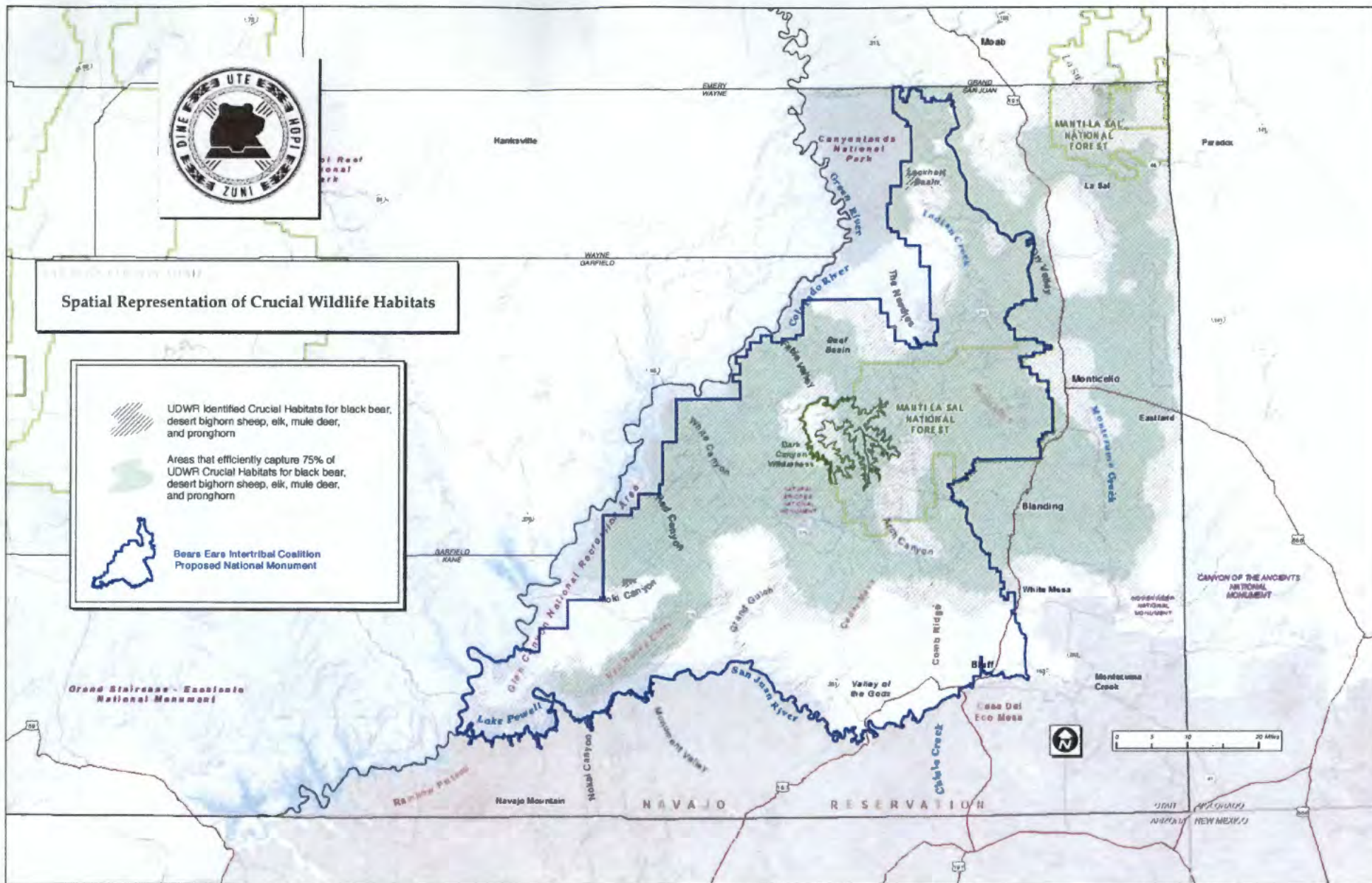
Bears Ears Intertribal Coalition
Proposed National Monument





Spatial Representation of Crucial Wildlife Habitats

 UDWR Identified Crucial Habitats for black bear, desert bighorn sheep, elk, mule deer, and pronghorn
 Areas that efficiently capture 75% of UDWR Crucial Habitats for black bear, desert bighorn sheep, elk, mule deer, and pronghorn
 Bears Ears Intertribal Coalition Proposed National Monument





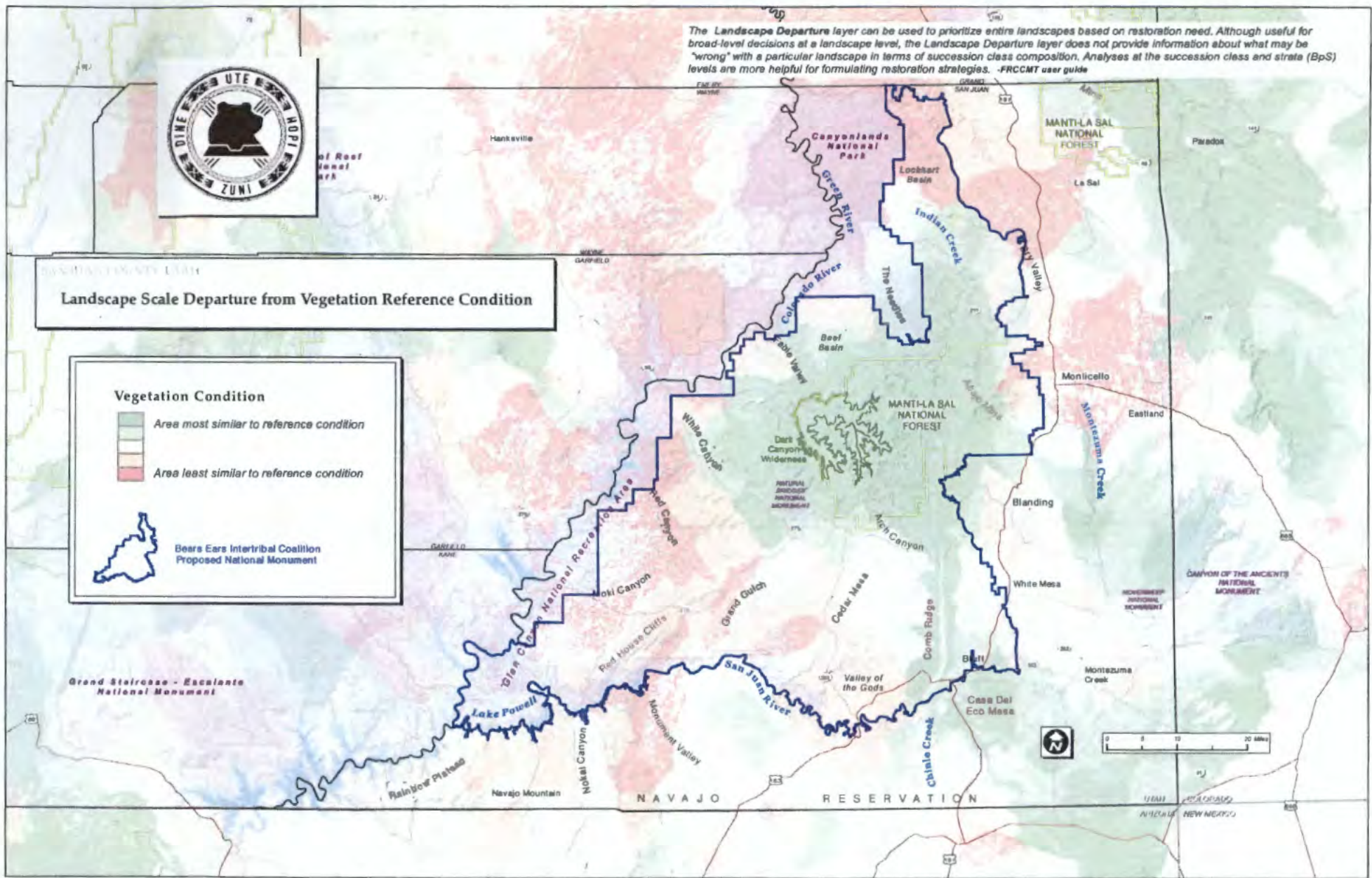
The Landscape Departure layer can be used to prioritize entire landscapes based on restoration need. Although useful for broad-level decisions at a landscape level, the Landscape Departure layer does not provide information about what may be "wrong" with a particular landscape in terms of succession class composition. Analyses at the succession class and strata (BpS) levels are more helpful for formulating restoration strategies. -FRCCMT user guide

Landscape Scale Departure from Vegetation Reference Condition

Vegetation Condition

- Area most similar to reference condition
- Area least similar to reference condition

Bears Ears Intertribal Coalition Proposed National Monument



Grand Staircase - Escalante National Monument

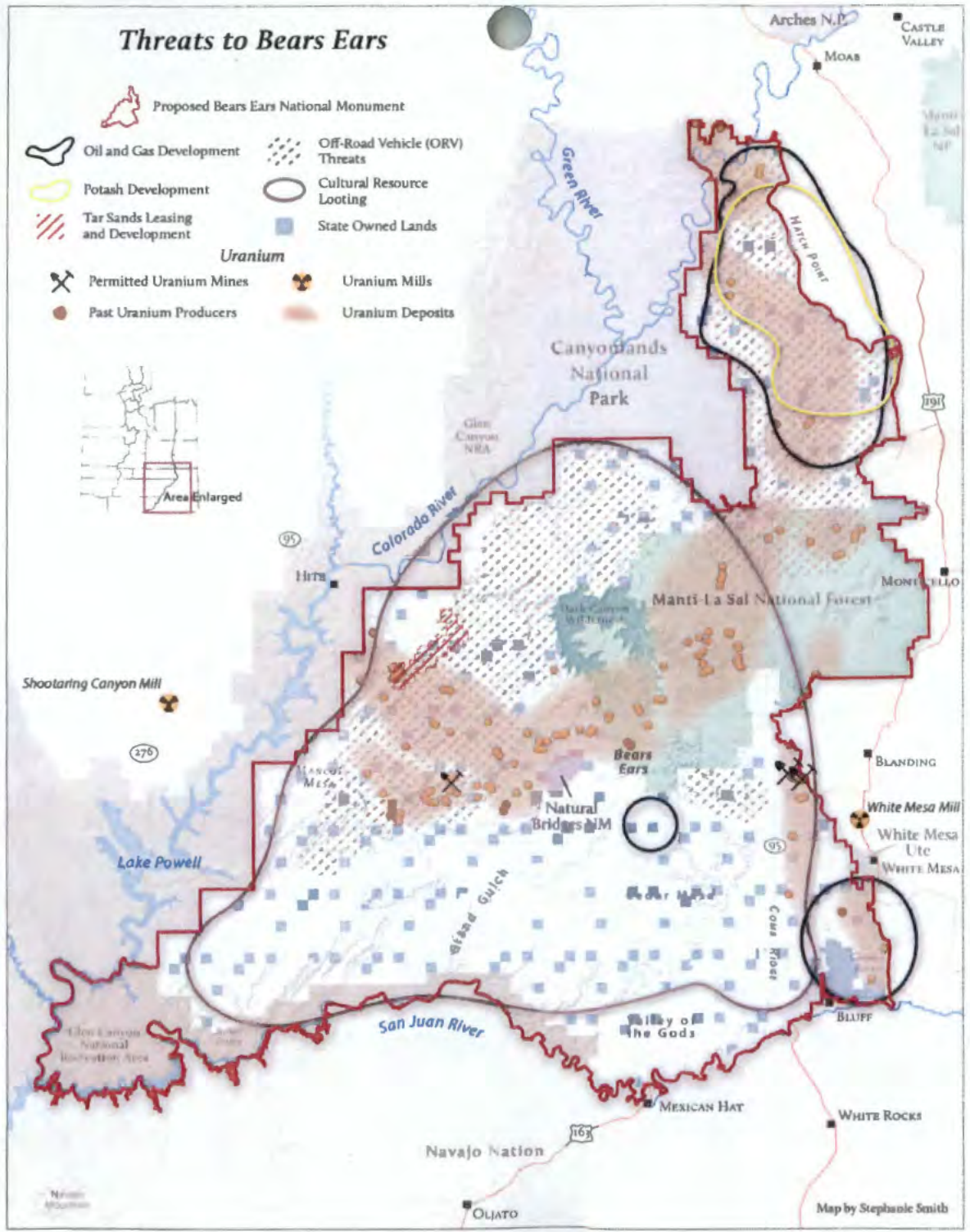
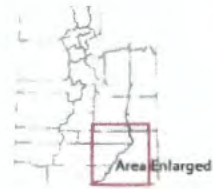
CANYON OF THE ANCIENTS NATIONAL MONUMENT

NAVAJO RESERVATION

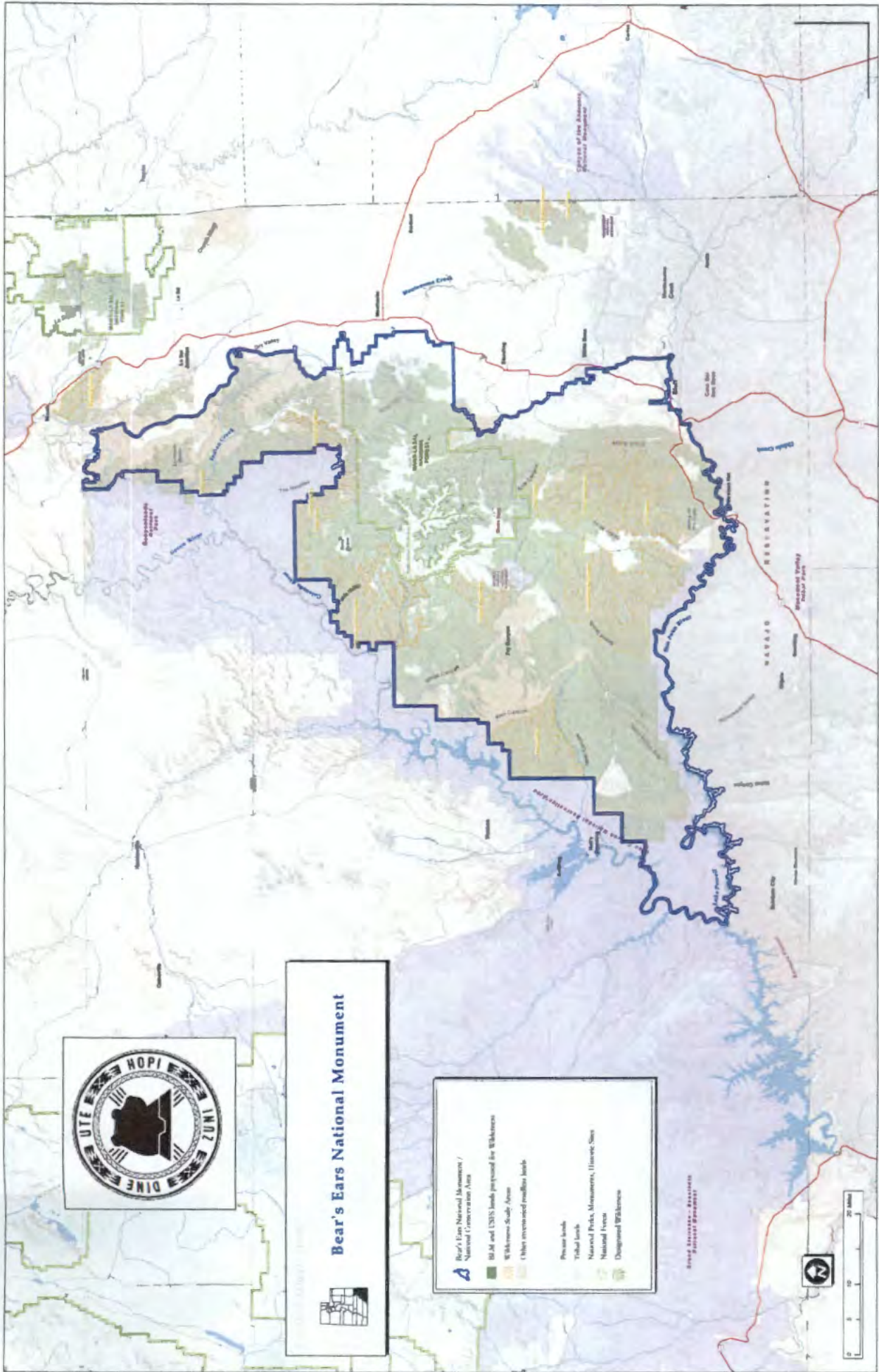
NEW MEXICO

Threats to Bears Ears

-  Proposed Bears Ears National Monument
-  Oil and Gas Development
-  Potash Development
-  Tar Sands Leasing and Development
-  Off-Road Vehicle (ORV) Threats
-  Cultural Resource Looting
-  State Owned Lands
- Uranium**
-  Permitted Uranium Mines
-  Past Uranium Producers
-  Uranium Mills
-  Uranium Deposits



Map by Stephanie Smith



Bear's Ears National Monument

- BLM and USFS lands (managed for Wilcox)
- Wilcox Study Area
- Other recreational/public lands
- Private lands
- Tribal lands
- National Parks, Monuments, Historic Sites
- National Forest
- Designated Wilderness

BLM Resource - Recreation
 Planning Summary



[p.109]

Federal Park Policy in Utah:

The Escalante National Monument Controversy of 1935-1940

By Elmo R. Richardson*



Campers hiking along the streambed of the Escalante River area included in the proposed Escalante National Monument. Utah Tourist & Publicity Council (Nelson Wadsworth)

[p.110] Utah was faced with a particularly difficult task during the depression years of the 1930's. Small in population though vast in area, the state had neither sufficient manpower nor a self-sustaining economy upon which to base a recovery program. Almost entirely dependent upon direct use of lands and resources, its economic development was, to a great extent, determined by federally administered forests, grazing and reclaimed lands, and Indian reservations. As the crisis deepened, it became obvious to the leaders and citizens of Utah that government at every level must encourage and maintain more intensive land and resource use. The conditions arising out of sparse population and an economy based upon access to the public domain would be primary considerations for both state and federal planners. Some of the specific programs that came out of the plethora of plans during these years were mutually satisfactory and beneficial to both state and federal interests. Other ideas, poorly conceived and ill-timed, produced only personal antagonisms and mutual distrust. Among the latter was the proposed Escalante National Monument, a plan for the development of a scenic and recreational area in southeastern Utah.

During the decades preceding the Depression, the National Park Service of the Department of the Interior had secured from Congress the creation of Zion and Bryce Canyon National Parks and, by Presidential proclamation, the establishment of six national monuments. With the exception of Zion, these withdrawals involved small amounts of land and preserved sites of striking geologic or archeologic value. During the Hoover administration, Secretary of the Interior Ray Lyman Wilbur sought approval of further tracts in the southern part of the state. Although his policy was particularly solicitous of state jurisdiction over the public domain, he decided that the slightly used land in that arid region could best be developed as part of the national park system. In March 1931 Park Service Director Horace Albright designated almost 30,000 acres west of Zion for reclassification and then asked Governor George H. Dern of Utah for his view of the suggestion making a nearby Kolob Canyon National Park. Because Dern could not examine the area in person, he consulted with citizens in the region and with the state's delegation in Congress. Learning that Senator William H. King opposed such a reservation and that the stockraisers who used part of the canyon for grazing especially needed the land, he declined to support Albright's plan. As a Democrat he might also have been unmoved because of his party's victory in [p.111] November 1932, and the matter was left hanging when he entered the cabinet of Franklin D. Roosevelt as secretary of war.¹

Dern's successor was Henry H. Blood, also a Democrat, a spokesman for the most influential elements in the state and for the agrarian conservatives in his party. Significantly, he enjoyed the confidence of the new President and obtained for Utah substantial federal assistance in the fields of employment relief, drought control, and water development. When the Park Service reopened the question of Kolob Canyon in July 1935, however, they found him as reticent as Dern had been. In rejecting the national park idea, Blood followed the advice of J. M. McFarlane of the Utah State Board of Agriculture and

Representative W. K. Granger, who felt that the land should continue under the jurisdiction of the Grazing Division of the Interior Department which administered the newly passed Taylor Grazing Act.² This matter was a foretaste of the conflict of aims between state and federal administrations.

At the same time emergency legislation tied these two more closely together than they had ever been before. New schemes like the Civilian Conservation Corps were especially effective in assisting the economy and citizens of the state, and earned the praise of Utahns ranging from the governor on down to the residents of the small towns in "Dixie," Moab, and Escalante.³ In 1935 the Utah State Senate responded to federal suggestions for co-ordinating recovery plans by creating a State Planning Board. This bureau was partly supported by Congressional appropriation and was designed to work with many federal offices, including the Natural Resources Committee headed by Secretary of the Interior Harold L. Ickes. In 1936 when Congress directed Ickes to make a study of park, parkway, and recreation areas throughout the nation, he was able to draw upon the results of studies made by the planning boards of the states. By that time [p.112] Utah's Planning Board had completed a survey of the natural and commercial resources of the state, including a suggestion for immediate development of the tourist attractions along the Colorado and Green rivers which flowed through brilliant canyon lands in the southeastern corner of the state. The possibilities of a national park of 570 square miles in the "Wayne Wonderland" seemed especially appealing. When Governor Blood asked for the views of the Congressional delegation, most of them endorsed it heartily. "I believe it would be a fine thing," Senator Elbert D. Thomas replied, "if we could have another national park in Utah based upon this inspiring region." Consequently, a report issued by the Utah Planning Board in April 1936, declared that "an extension of authority, especially of the National Park Service, would be beneficial to the people of Utah." Aware of the fact that the state's share of tourist business was far less than those of the surrounding states, the Planning Board shared the current interest in cultivating that new source of income. But significantly the report added that initiative for the designation of park areas should be left in the hands of the local people.⁴

Under the bold and determined leadership of Secretary Ickes, the Interior Department contemplated an enlargement and intensification of the entire national park system. This plan called for the creation of such new parks as Grand Teton in Wyoming, Kings Canyon in California, and Olympic in Washington, and the enlargement of other reserves like Dinosaur National Monument on the Colorado-Utah border. In 1935 acting director of the Park Service, Arno Cammerer, first announced the details of a portion of the overall plan which included possible new national monuments in southeastern Utah. But Ickes' scheme soon ran up against the political and economic realities in the Western States, as well as the conflicting intentions of the Army Corps of Engineers for example, and the Natural Resources Committee which were anxious to secure such areas for water and power development sites. When the Interior Department presented its recreation plan to Congress, other departments joined western representatives in blocking what seemed to be an alarming extension of Interior's jurisdiction. Partly because of the protests of Representative [p.113] J. W. Robinson of Utah, the final bill merely called for a survey of recreational resources.⁵

The April report of the Utah State Planning Board reflected an interest in supporting the federal plan, but the specific conception of its chairman, Ray B. West, did not receive the support of the Park Service. Immediate development of southeastern Utah might be begun, he suggested, by construction of a network of highways connecting Mesa Verde National Park in nearby Colorado with Zion and Bryce, Natural Bridges National Monument, and "Wayne Wonderland" in Utah. The time seemed to be especially good because Congress was then considering an appropriation for park roads. Cammerer, however, advised West that the network would have to wait upon the completion of a full investigation in the field.⁶ A short time later the Park Service informed the Utah officials that it hoped to fulfill the long-standing state and federal desire for recreational development of the Colorado River Canyon by establishing a new national monument along its course.



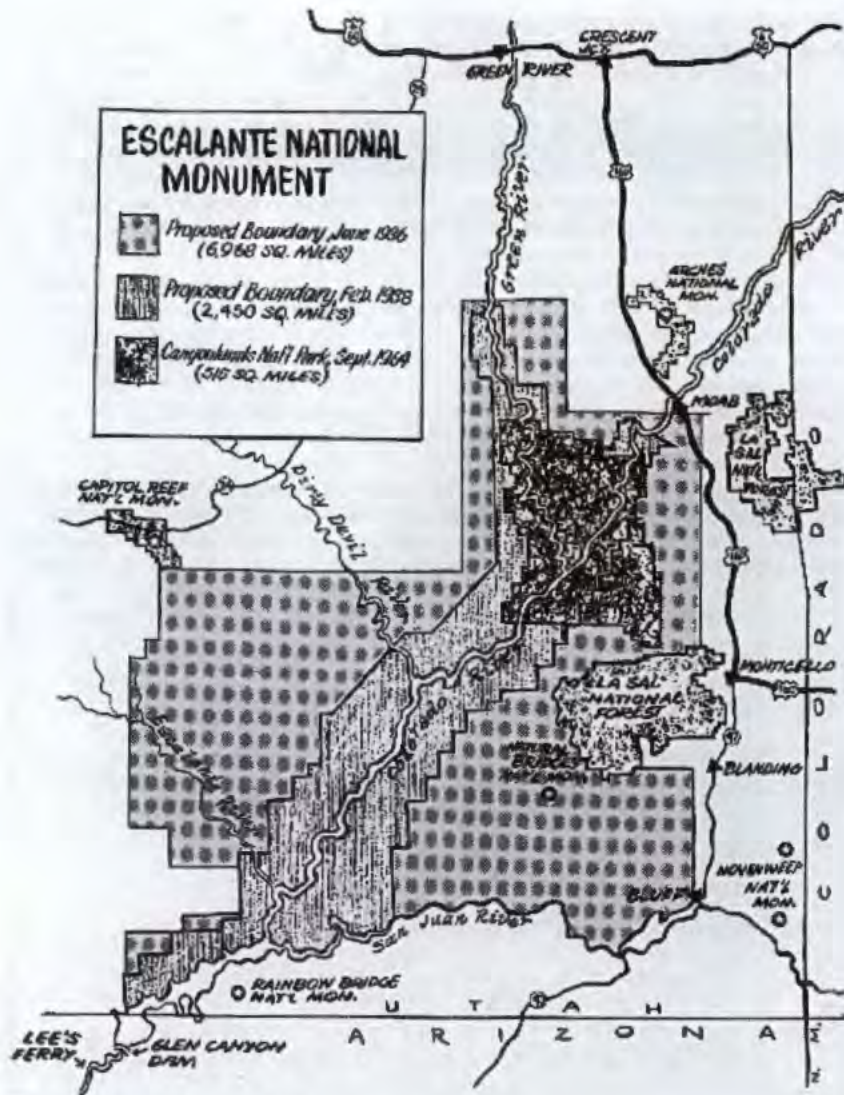
At this site on November 7, 1776, the Escalante party descended to the Colorado River cutting steps in the rocks. The party crossed the river and from this point returned on a southeasterly direction to Santa Fe, their point of origin. Utah State Historical Society

Drawing upon the findings of field investigations begun in 1935 on the request of Utahns interested in the proposed Wayne County national park, the Park Service designated an area of 6,968 square miles as the object of preliminary investigation. Extending 200 miles from the Colorado border to the Arizona border, the tract encompassed about eight per

cent of the total area of Utah. It contained what Cammerer later [p.114] described as "an amazing wilderness labyrinth" of stark, multicolored canyon walls, some of them rising almost directly from the bank of the river, others stretching back to the horizon for several miles. Included in the area were over 30,000 acres of patented land, 24,000 acres of state school lands, 151 unsurveyed townships, and parts of three federal grazing districts. The arid conditions of the soil cover supported only 463 families, but these raised an estimated 144,000 sheep, 26,000 cattle, and 2,600 horses.⁷ Because it lay across the route of the Spanish priest who first explored the Four Corners region, it was to be called Escalante National Monument.

In response to Cammerer's request for a statement of sentiment in Utah toward the proposal, Governor Blood and the state's delegation in Congress asked the Park Service to permit the residents of the affected area to express their views in a public meeting. In May 1936 a public notice was sent out by both federal and state officials, and early the next month some 87 persons gathered at Price, the largest town adjacent to the area under study. More than half of them were from vast San Juan County which formed the southeast corner of the state. Most of the individuals present at the meeting were connected with cattle, sheep, and/or horse raising interests; a few were representatives of southern Utah civic clubs; and some were agents of the grazing districts administered under the Taylor Act. The Park Service sent Superintendents P. P. Patraw and Jesse Nusbaum from nearby Zion and Mesa Verde as well as David Madsen of the Wildlife Division. Chairman West of the Planning Board, who personally felt that local interests could be protected within the monument, planned to attend but fell critically ill just before the meeting convened. Another member of the Planning Board, George Staples, went in his place.⁸

The session was opened by a statement from J. Q. Peterson, regional grazer of the Grazing Division, who argued for retention of Taylor Act status for the area, and who had the support of most of the audience. Twenty-one thousand residents in the vicinity, he pointed out, would in some way be affected by closing of the range to grazing. Madsen of the [p.115] [p.116] Wildlife Division then tried to assure his fellow Utahns that the Interior Department had no wish to injure the economy of the region, but suggested that perhaps it had already reached a peak of development as grazing land. A recreational site would diversify that economy and still permit use according to capacity and need until ultimate non-use status could be brought about.



Escalante National Monument

A prominent San Juan cattleman rose to reply to Madsen. "Secretary Ickes and the Park Service knew what they were doing when they sent Dave Madsen down here," he observed somewhat bitterly. "They realize that it's a pretty up-hill battle to convince the citizens of Utah and even the people of the United States of the scenic value of their properties." He acknowledged the possibility of tourist trade, and claimed to have supported the creation of Arches National Monument north of Moab, but he felt that tourism was overvalued and cited the fact that visitor spending at Zion had not substantially reduced the debt of Washington County. Moreover, he insisted that eastern tourists would find livestock as good an attraction as scenery. "I was sorry that Mr. Ickes made the inference that this area could be closed," he concluded. "This is still a democratic country and we proposed to discuss this matter and petition in the manner of democratic government and we don't believe the full story has been presented to Mr. Ickes. . . ." Similar statements from others expressed local annoyance and disappointment with the administration. One of them stated that federal regulation of the public domain was desirable, but the tourists did not want to see a bunch of bobcats and wildcats. Most of the residents were worried that the vast withdrawal of grazing lands would damage the market for cattle and sheep. "This is just a little harder rap than we can take without putting up a battle," a stockman concluded. "You can make it legal but you can never make it moral."⁹

After the assembly voted unanimously to oppose the withdrawal of the entire 6,968 square-mile tract under study, Staples of the Planning Board asked them to consider some modifications of the matter. Further discussion noted that there was room enough in the tract for all uses of the land, and that an adjustment of boundaries which would recognize local interests might be satisfactory to both state and federal planners. A special committee, appointed to undertake that task, met in November of the same year. After the Utahns listened to further arguments by Patraw and Nusbaum of the Park Service, F. G. Martines, one of the original sponsors of a Wayne County national park, endorsed the idea of the monument. [p.117] However, he pointed out that its size should be restricted to the few points that were accessible by road. Sumner Margetts, whom the new chairman of the State Planning Board, William Wallace, had sent to represent the state administration, not only

supported this idea but demanded that state jurisdiction over its own lands, as well as grazing rights, should be continued within the reserve. Greatly disappointed, Nusbaum replied that mineral exploration or other economic activities would defeat the whole purpose of a national monument. Trying to submit some kind of solution, the majority of the committee then suggested that boundary lines be drawn three miles from the center of the river on both sides, and that state, private, and interstate water-use agreements be retained within the monument—thus preserving both scenic and economic values. This resolution was adopted without the support of Margetts. Although the Park Service and Grazing Division officials did not vote, Nusbaum told the group that the Park Service would not accept such limitations.¹⁰

From this point in time two different views of the Escalante Monument issue emerged to become the source of a conflict of interests between state and federal officials. J. Q. Peterson, regional director of the Grazing Division, assured Governor Blood that the resolutions of the Price meeting were "safe and desirable." Chairman Wallace of the Planning Board apparently shared the doubts of his colleague, Margetts, but certainly saw that the sense of the later meeting in November emphasized the primacy of state interests in any boundary solution. Yet the Park Service chose to interpret these two meetings with undue optimism. Many months later in a report to Senator William King of Utah, Cammerer maintained that those assembled at Price had recognized the merits of a national monument even if they wanted to secure access rights and limit its boundaries to the margin of the canyon walls. Because of their protests at the time, the Park Service agreed to reduce the proposed tract to 2,450 square miles, forming a strip between three and 50 miles wide from the Arizona border to two points north of the junction of the Colorado and Green rivers. Moreover, Cammerer informed the senator that Nusbaum and Patraw had called on Governor Blood and found him to be far from hostile to the proposal. Indeed, he had "stated frankly that scenery and recreation were the most important economic assets of the State."¹¹

[p.118] When the Utah officials learned of the Park Service's interpretation of local sentiment, they were sufficiently alarmed to undertake measures in their own defense. Obtaining a verbatim transcript of the Price session, Margetts sent copies to every state and federal administrator concerned with the monument proposal. From King, Blood obtained a map of the new tract boundaries and gave it to Margetts with instructions to prepare a detailed version for use by the Planning Board. The governor also made it clear that he had never made a statement about scenery and recreation such as Cammerer claimed. As he assured citizens of Moab, his administration was seeking "the greatest good to the greatest number, for the longest time."¹²



Angel Arch, in the Needles area, is in the recently created Canyonlands National Park. Utah Tourist & Publicity Council (Ward Roylance)

In April 1938 Margetts and E. H. Burdick, geologist for the Planning Board, presented the results of their study of the Escalante proposal to Wallace. There was no question, the report asserted, about state and private jurisdiction over the lands and waters included in the tract. Moreover, the Boulder Dam Act and the Natural Resources Committee assured [p.119] future development of several power sites along the Colorado and Green, sites whose potential output would total over a million horsepower. Far from being at the peak of economic development as the Park Service officials claimed, the area warranted further exploration for oil and other minerals. The reduction in size of the proposed tract did not alter the initial objection by the Utahns: even at 2,450 square miles the Escalante Monument would be second only to Yellowstone National Park in area. Such an enormous tract was not needed to preserve the canyon of the Colorado. Far from agreeing to this expanse, the report claimed the November committee had anticipated a reduction to one-half or one-third of that size. The withdrawal of this large portion of the state was "not a proper subject to be placed before any limited group for recommendations." Because Utah had not requested the creation of Escalante Monument and because the Park Service had not adequately assessed the problems involved in their proposal, the report called for public opposition to the scheme.¹³

Acting Director Arthur Demaray of the Park Service assured Congressman Robinson that no action would be taken on the proposal until the difficulties enumerated by Margetts could be ironed out to the satisfaction of all parties. That assurance, however, did not stifle a statewide discussion of the issue during the summer of 1938. Utahns were naturally anxious to defend their economic interests, but there was a surprising amount of sentiment for compromise. When 200 members of the Southern Utah Association of Civic Clubs met in Monticello in August, they went on record as favoring full development of the region, including the creation of a national monument. A federation of women's clubs in the same part of the state urged

Governor Blood to support Escalante if the federal government granted access to properties therein. Claiming to speak for others, a professor at Brigham Young University insisted that the power interests were responsible for making a political issue of the matter; the federal government, he believed, must hold those potential sites inviolable. Such sentiments seemed to T. H. Humpherys, state engineer and member of the Planning Board, to be part of a calculated effort to furnish the federal officials with an excuse to get the President to proclaim Escalante National Monument at once.¹⁴

[p.120] In October the Utah officials received support for their views when the Colorado River Basin States met in convention at Salt Lake City. The delegates there declared that the creation of any monument without the safeguard of local interests would adversely affect the material development of the West. Encouraged by this, Blood inquired of the Interior Department whether Humpherys' fear of a sudden proclamation was warranted. In reply, Ickes' first assistant secretary, E. K. Burlew, repeated the earlier promise of no action until further investigation. His assurance that the same access rights would be granted in Escalante National Monument as had just been granted in an addition to Dinosaur National Monument did not mention the fact that these rights were subject to pending legal interpretations of the Colorado River Compact and the Boulder Dam Act. While in Reno, Nevada, where the National Reclamation Association was meeting, Governor Blood tried to call Marvin McIntyre, Roosevelt's private secretary, but could not get him; he then called Burlew and found him to be "very cordial" and apparently anxious to secure the cooperation of the Utah officials. Later, in a letter accompanying a copy of the Escalante Monument proclamation, Burlew again assured him that neither present nor future economic interests would be retarded. The document provided for movement of livestock and protection of valid rights and claims. Moreover, if the Colorado Basin study showed the need for more reservoirs and power sites in the area, "such would not be prohibited."¹⁵

A reading of the proposed proclamation itself did not support Burlew's assurances. What it did state was merely that all existing laws as amended pertaining to ownership and use would have full force in Escalante National Monument. Yet a number of the more recent laws, especially those relating to power development, were obviously still subject to judicial interpretation. Moreover, the assistant secretary's certainty that the Colorado Basin study recommendations "would not be prohibited" did not appear in the document. Without waiting for Blood to reply, he sent it on to the President a few days later. In a covering letter Burlew vividly described the area and claimed that it was lacking in economic resources. This was the very thing which the Utahns insisted must be determined by further investigation—a study which could not be made once the monument was established. Finally, when the federal official sent a copy of the proclamation to Senator King, he badly mistook intention for reality when he claimed that the governor supported it. Thus, [p.121] the error of misrepresenting Blood's views as in February 1936 was repeated.¹⁶



Monument Valley one of the few significant scenic attractions of southeastern Utah which was not included in the Escalante National Monument. Utah State Historical Society

Henry Blood did not intend to have Utah's position on the issue distorted by the Interior Department. Asking Burlew for further time to study the proclamation, he had State Engineer Humpherys and the state attorney general prepare a full critique. A month later his letter to Secretary Ickes was directly based upon their arguments. Reiterating the facts of existing economic activities and the potential water and mineral development which other federal agencies acknowledged, he nevertheless recognized the Interior Department's overwhelming desire to have the national monument. The only alternative to further study, then, was the placing of specific safeguards into the proclamation itself. These, Blood insisted, should grant ingress and egress to range and water users and to [p.122] landowners whose property would be surrounded by the reserve. Future construction of roads, reservoirs, and erosion control projects by other federal agencies should also be permitted. To reinforce these demands Senator King went to the Interior Department and added the argument that the growth of civil unrest in Mexico made the rights of the Colorado River Basin States even more important.¹⁷

Utah's opposition to the proclamation came to a head during a time that was particularly adverse for Ickes. The secretary's favorite scheme of reorganizing the jurisdiction of many bureaus under a Department of Conservation was for a second time frustrated in Congress, in part because many westerners did not want him to administer the Forest Service. In addition the grand plan for an enlarged national park system had aroused the loud protests of economic interests and political leaders in the West. Perhaps because of the necessity of fighting these larger battles, the Interior Department did not want to alienate still another state. Consequently, Burlew and Cammerer informed Blood that they would not ask for the proclamation of Escalante National Monument until the Utah authorities could suggest a specific program for utilization of the resources in the area. In the meantime, however, they intended to continue field studies and public relations for the monument. As the influential Salt Lake Tribune noted, this decision was a victory for the governor and a testimonial to the effectiveness of the Utahns' protests.¹⁸

As far as the public could observe, there were signs that the controversy was cooling down. The state and the Bureau

of Reclamation contributed equally to finance a study of Colorado River water and power potential, an investigation which was to be finished by December of 1941. Newly elected Democratic Congressman Abe Murdock gave his personal attention to this project and brought it to the notice of President Roosevelt.¹⁹ Behind the scenes, however, men of the Blood administration found further reason to disagree with the Park Service. In October 1939, T. H. Humpherys complained to Governor Blood that Superintendent Patraw [p.123] of Zion National Park was stifling a project to measure stream flow. After first granting permission, Patraw demanded that the findings be presented to his office so that, Humpherys believed, the data would not be used by the state to plan reservoirs within Zion National Park. It is not likely that such construction would have been allowed, but the state engineer was thinking of the way in which three potential sites in Echo Park had been ignored when that area was added to Dinosaur. Unwilling to trust the Park Service, he regarded the current visit of Department of the Interior officials to the Escalante National Monument tract as boding no good for the development of water resources there.²⁰

During these same months, the views of Blood and his advisors were again confirmed by support from other western spokesmen. When the National Reclamation Association met in Denver in November, many delegates made common cause against the Interior Department's plans for greater jurisdiction in their states. The general resolution adopted at Reno the year before was now strengthened by the specification that no further parks or monuments in any of the 17 participating states should be created or enlarged without formal approval of the people and the governor of the state. When Colorado River Basin representatives met in the same city a few days later, Nusbaum of the Park Service sought to forestall another such declaration by defending the Interior Department's plans. The recreational assets of the Escalante tract, he maintained, could become "a significant factor in the economic development of the Basin. It may be possible that the water control and recreational factors can be developed coincidentally . . . [but] the relative importance of each should be determined. The exploitation and impairment of great, publicly owned resources for the sole purpose of reducing the cost of a water control project is questionable public policy," he advised the western delegates. "If important recreational resources are involved . . . the additional expenditures required for the protection and development of those resources should be considered as a legitimate expenditure." This argument did not alter the contention of Blood and his followers that the Escalante Monument would compound the difficulties involved in any use of the Colorado River.²¹

The Utahns might well have been warned by Nusbaum's speech that the men of the Park Service had by no means abandoned their initial hope. [p.124] During that winter of 1939, they drafted a bill which would amend the Antiquities Act of 1906 whereby the President had been empowered to create national monuments by executive proclamation. This measure was a part of Secretary Ickes' program to enlarge the scope and use of federal reservations, and depended upon the West's long-standing desire to have Congress determine the establishment of such areas. The bill would exchange executive jurisdiction over national monuments for the power to create a new type of reserve, the national recreational area. While in Washington, D.C., in February 1940, Blood learned of the proposal and joined the state's Congressional delegation in a personal protest to Director Cammerer. The latter's explanation of the measure was apparently so tactful that the governor left the office confused on a very important point: he later reported that Burlew had promised that the recreation areas would "require legislative action by the Congress." Whether or not he had been misled by the assistant secretary is less important than the fact that he soon became convinced that the Interior Department was playing its own game. L. C. Montgomery, president of the Utah Cattle and Horse Growers Association, expressed what many other Utahns were concluding when he wrote that the recreation bill was nothing but "the same old ghost covered by a different sheet."²²

In view of the growing mistrust shared by Utahns at home, the Park Service's bill was ill-timed. It now appeared that Burlew had violated his promise that nothing would be done on the matter without prior approval of the state leaders. By way of confirmation, the district forest supervisor at Ogden—reflecting in part his bureau's resentment toward the Department of the Interior's empire building—confided to Humpherys that the administration of the recreation area at Boulder Dam had not been satisfactory to California and Nevada. As a member of the Planning Board and secretary to the Utah State Water Commission, Humpherys' impression of Park Service methods quickly reached the governor's office. Instead of the proposed bill, he suggested a substitute which would require local approval for all executive proclamations of national monuments. Both the creation of Arches National Monument and the addition to Dinosaur National Monument, he claimed, had become effective without notice to state officials or residents. "I just cannot trust the Park officials," he told Blood. "We have too many examples in this state of double dealing by them."²³

[p.125]



Columns of sandstone in Cedar Mesa are typical of the fantastic formations found in Canyonlands. Utah Tourist & Publicity Council (Parker Hamilton)

The response of Utah's Congressional delegation completed the almost solid front of protest. In the Senate, King swore that "if it is the purpose of the Department of the Interior to go forward with the original plan, I shall promptly indicate my opposition and do what I can to prevent the plan from being adopted." Senator Elbert D. Thomas was no less opposed, but tried to mollify both sides by suggesting a bill which would give the Interior Department jurisdiction over specific sites in order to carry out conservation operations. This hardly pleased Humpherys. For him, such an alternative was "about as vicious as the Escalante Recreational Area" and, by introducing it, Thomas was acting as the errand boy of the Park Service. In the House of Representatives, it was Robinson who effectively blocked consideration of the bill. By custom it was his right to introduce the bill affecting his district. Ickes, perhaps accepting Burlew's assumption that Utah officials approved the bill, asked Robinson to do so, but the congressman immediately declined. Instead, he announced that he would offer an amendment to the bill which would specifically grant access rights to [p.126] local users of the canyon lands, and confirm the applicability of water and power legislation to the river courses included in the monuments or recreation areas. After Ickes turned to Alvin DeRouen, chairman of the House Lands Committee to introduce the Park Service bill, Robinson correctly predicted that it would not come to the floor during that session.²⁴

For a second time the federal officials arranged for a consultation with the Utahns, this time to secure their approval of the amendment to the Antiquities Act. In May 1940, the regional office of the Natural Resources Planning Board at Berkeley, California, was instructed to draw up materials for presentation to the Blood administration. The governor was unofficially informed that a meeting would soon be called and, so the planners claimed, he approved of the idea. In fact, he privately expressed his doubts about the purpose of the meeting and asked William R. Wallace, chairman of the Utah State Water Commission, to call an emergency session of his group. On May 21, these men drew up and unanimously passed a resolution repeating their belief that the Escalante area was rich in potential power development, condemning the Park Service for its duplicity, and recommending the defeat of its bill. Although Blood still hoped for an amended version of the legislation, he approved of the resolution and sent copies to Utah's senators and representatives. When the state executives met with representatives of the Natural Resources Planning Board in Salt Lake City on June 3, they did not mention the resolution nor allude to their action. Also present were Nusbaum of the Park Service; Peterson, Humpherys, and Margetts (who held the governor's proxy since he was out of the state); delegates from Idaho and Wyoming; and at least 50 Utah stockmen. Disgusted with what seemed a prearranged agenda, and perhaps feeling smug about the secret resolution, Humpherys listened to the federal officials' talks but had no comments to make in reply. Ironically, they in turn assumed that his reticence and that of the other state officials present indicated general approval of the Park Service policy and that it marked the end to the Utahns' "aggressive campaign."²⁵

Such hope was immediately shattered. Two days after the meeting, T. H. Humpherys made a radio broadcast to the people of Utah in which he denounced the session as deceptive, detrimental, and futile. Wallace [p.127] followed up this attack with a letter to Roosevelt himself. Why, he complained, could not this "running fight" between state and federal administrations be replaced by cooperation: "Surely state officials, good Americans, are just as anxious to put the natural resources of our country to the highest possible use as our federal officials. Why should federal officials seemingly ignore the necessities of the State of Utah in their anxieties to create a monument or recreational area named 'Escalante' which would forever prevent this region from producing the greatest benefit to Utah and the nation." Wallace urged the President to join

Governor Blood in appointing a special committee representing all interests which could analyze the controversial issue and bring about a solution to the impasse. The letter may also have served to delay further action by the Park Service; a few days after it was sent, Blood wrote to all of the Utahns in Congress to find out if anything was being done surreptitiously. "Some morning we may wake up and find that . . . the Escalante Monument has been created by Presidential proclamation, and then it will be too late to forestall what we in Utah think would be a calamity." Robinson hastened to assure him that, even if the President issued such an order, Congress could nullify it. Senator Key Pittman of Nevada, however, had "received much discouragement from high sources" for supporting Robinson's amendment to the recreation area bill. To find out what was going on in the Interior Department, King and Murdock called on Burlew and Demaray and were assured that no withdrawal would be made at that time. The two federal officials again promised that the monument would not interfere with power, mining, or irrigation development or with the jurisdiction of the state. Surprisingly, they also claimed that Blood and two of Utah's congressmen supported the recreation area bill. These assurances convinced neither visitor, however, and they quickly wrote to the governor urging him to bring the matter directly to Ickes and Roosevelt.²⁶ Before Blood could write to either official, the White House replied. Perhaps acting without his governor's knowledge, Senator Thomas had sent a copy of the May 21 resolution to the President in July in order to register his approval of that protest. When this letter and its enclosure was forwarded to the Interior Department, Burlew learned of the stiff opinions of the Utah Water Commissioners for the first time. Branding the resolution as "confused and antagonistic," he drew up draft replies to both [p.128] Wallace and Thomas which he sent to the President's aide, Edwin Watson. The state officials, he asserted, meant to have "their desires gratified above all else," even to the extent of denying that they had been consulted or had approved of the recreation area suggestion. Sent out over the President's signature, the letters firmly stated that the Interior Department was attempting to strike a true balance between state and federal planning for the utilization of the Colorado River Basin, while recognizing the existing rights and anticipated advantages of the people of Utah as well as the general public. Therefore, there was no need for a special committee as Wallace had suggested.²⁷



Pictographs, petroglyphs, and Indian ruins are found in numerous places throughout the proposed Escalante National Monument. Utah Tourist & Publicity Council

Burlew sent copies of the entire correspondence between the Utahns and the federal executives to Thomas, who forwarded them to the [p.129] governor, but Blood was not awed by the copies of the letters from the White House. Calling upon Humpherys for assistance, he prepared a reply in the form of a letter to Senator King. In it, he turned the charge of falsehood back upon the Interior Department and the Park Service which had been "entirely incorrect" in their interpretation of opinion in Utah. Recapitulating the long history of misrepresentations and broken promises, he recalled that Cammerer had seemed to agree to their demands for access rights during the consultation in February. In view of the Park Service's reputation in Utah and other states, however, the vagueness of the proposed proclamation and the new bill was hardly reassuring. Putting his finger directly on Utah's principal worry, he wrote: "Perhaps the most important concern in the present situation is connected with the power possibilities. . . . It is entirely probable that if the control of this area is turned over to the Park Service, the three year delay recently experienced by Denver in connection with the Big Thompson project [adjacent to Rocky Mountain National Park] would be repeated. . . ." Finally, Blood promised that Utahns would continue to take "active and vigorous opposition" to any proposal seeking to place the Colorado River tract under control of the Park Service unless the whole issue were thoroughly discussed by the state legislature and by Congress.²⁸

When Senator King sent a copy of the letter to Ickes, the secretary answered the threat with one of his own. In a reply to King, he pointed out that the Interior Department had tried several times to carry out the consultation desired by both the state and the federal government. For its trouble it had been met with reticence and discourtesy on the part of Commissioner Humpherys. In addition, Congressman Robinson had first promised to support the Antiquities Act amendment, had then made an about-face, and was now opposing its passage. "I am left," Ickes announced in his exasperation, "with the alternative of asking that a monument be set up in this area or of abandoning the area entirely. . . ." These words merely served to revive the ghost of an executive coup to create Escalante Monument. A few weeks later, in August, the Salt Lake Tribune published an account by its Washington, D.C., correspondent, Republican Harry J. Brown, that the secretary was holding a threat over the heads of the Utah delegation in order to secure their support for the House bill. The governor

immediately telephoned Thomas, but the senator discounted the story and promised to talk to Ickes and Burlew again. Blood remarked that both Humpherys and the director of the Grazing Service [p.130] thought the controversy could be adjusted amicably, and Thomas agreed. At the same time Robinson went over to the Interior Department and had "quite a warm session" with the secretary. Confident that Congress could block a coup proclamation and encouraged by Blood that "if we have to go to the President we will," the legislator found Ickes "not in the mood to make any definite promises." The latter felt that he had already yielded to the demands of the Utahns in every particular—even agreeing to let Robinson attach his amendments to the bill. He could only interpret the continuing hostility as evidence that the state leaders really opposed the Escalante Monument itself. Robinson reported to the governor that the secretary had again ominously warned that "it might be his duty to adopt any methods within his power to accomplish what he feels is his duty." In the meantime, however, Demaray at the Park Service told the Utahn that no proclamation was being prepared and that no action would be taken for some months.²⁹

Blood recognized the fact that the issue was still in his own hands, and he meant to keep it there as long as the air was filled with speculation, distrust, and threats. After consulting with his advisors and with local federal officials, he wrote to the secretary of the interior to offer a means of straightening out the tangled knot of Escalante Monument. The state fully recognized the value of the national park system, he began, but because its own resources were limited, any future withdrawals perforce must permit utilization of the affected area and not restrict access to these resources. Because such arrangements were not usually permitted by existing regulations, the pending bill was not an acceptable guarantee. If Ickes would prepare a new one, he suggested, the Utah delegation would discuss it and submit it to both houses of Congress. Anticipating acceptance of this idea, Blood then had his Water Commission draw up a list of objections to the pending measure which could be used in shaping a new one. The latter, he decided, should make it clear that recreational use was subordinate to economic use, should recognize the state's jurisdiction over water sources included in the area, and should limit Park Service activities to proper care and management only.³⁰

It was not very likely that the Interior Department would have accepted such demanding modifications of Park Service policy anywhere, [p.131] not to mention Utah, even if they had acted upon Blood's suggestion. Ickes continued to say that he would welcome an open hearing on the pending bill, but Robinson was opposed to its passage at all. In the aftermath of the elections that November, disappointed Republican journalist Brown again claimed that the secretary was preparing a proclamation, reasoning that the public would eventually come to realize what he was striving to do for them. Senator-elect Murdock was momentarily frightened by Brown's articles and wired the President to make a public statement that no such action would be taken without further conferences between state and federal officials. A week later Roosevelt's secretary pointedly replied that the White House had discontinued such personal messages because of the unusually heavy volume of business during the defense program. If Ickes had forced the issue there is little likelihood that he could have effectively [p. 132] overcome the feelings that had built up during the preceding four years. Indeed, it was the secretary himself who was at the heart of the distrust many Utahns had for the Interior Department and the Park Service. As a businessman of Moab wrote to Blood: "You are well acquainted with the type of individual Ickes is . . . once he makes up his mind he will not stop at anything regardless of the effect his action will have upon others. I believe that [he] is the worst type of an individual to have in public office . . ." The federal officials must have viewed the adamant opposition of the Utahns in the same spirit.³¹



Lake Powell, created by the Glen Canyon Dam on the Colorado, offers recreation, but has covered many scenic, historic, and archeological sites which the Escalante National Monument was designed to protect. Utah Tourist & Publicity Council (Hal Rumel)

Governor Blood was not a candidate for re-election in 1940, but he greatly feared that the Escalante Monument controversy would aid the enemies of his party in that contest. As he told Thomas, he wanted to make somebody in the Roosevelt administration realize that a sudden proclamation might bring serious political repercussions. After a series of confidential conferences, perhaps between Thomas and Ickes, and several telephone calls from Robinson to the secretary, the Interior Department promised to do nothing until after the election. Then, if there were no further obstacles, Secretary Ickes would have a bill drafted which would include Robinson's mandatory access provisions. As it happened, the decisive

obstacle to that solution was the outcome of the gubernatorial election in November. Succeeding Blood was Herbert B. Maw, Democrat, a man whose primary interest in resource policy was the development of mineral, power, and reservoir sites in the Colorado River Basin. Because the growing national defense program enhanced the need for such development, the matter of Escalante could no longer be considered. In 1942 even Secretary Ickes indicated his willingness to endorse the development of power sites at several points along the Green and Colorado rivers.³² It was exactly 20 years after this that the Department of the Interior reopened the subject of a recreational area when it submitted a proposal for a Canyonlands National Park.^{**} Consisting of a tract of 480 square miles—less than a fourth the area of the proposed Escalante National Monument—at the junction of the two rivers, it would be established on the basis of multiple-use, a concept that was still in the experimental stage in the 1930's. That [p.133] intention and the fact that two decades of water and power development have gone forward in the region could provide the basis for greater mutual satisfaction between state and federal interests.³³

In proposing such an enormous tract for the Escalante Monument, the federal officials let their enthusiasm for the general national park program overreach considerations of real need. But aside from the question of practical planning, the controversy with Utah was unnecessary as well as unfortunate. The officers and many residents of the state were initially receptive to federal development of recreation in the area, but they were equally hopeful of further economic enterprise, especially mineral exploration and water power. While other bureaus of the federal government confirmed the potential of the Colorado River Basin, the National Park Service discounted it. In their consultations with Utahns and in their preparation of a proclamation, the Interior Department officials did not exercise the necessary political skill. Each group acted upon mistaken assumptions about the motives of the other; neither of them cleared up these misunderstandings; and personal antipathies transformed every move into seeming duplicity. Perhaps both sides were equally guilty of assuming that the virtue of their desire was self-evident.

Endnotes

*Dr. Richardson is assistant professor of history at Washington State University, and for the current year is visiting professor of history at the University of Washington. He is the author of *The Politics of Conservation: Crusades and Controversies, 1897-1913*, and several articles on resource policies in the West.

1R. L. Wilbur to W. King, June 28, 1932, H. Albright to G. Dem, December 10, 28, 1932; Dem to G. O. Larson (copy), March 30, 1932; P. P. Patraw to H. Blood, February 2, 1933, State of Utah, Governors' Papers (George H. Dem [1925-1933] and Henry H. Blood [1933-1940]), Park Commission File and P. P. Patraw File. The manuscript material cited as Governors' Papers and the files of the Independent Commissions are located in the Utah State Archives, Salt Lake City.

2E. Watson to F. D. Roosevelt (memo.), January 16, 1941; H. Blood to Roosevelt (telegram), November 17, 1933; Roosevelt to Blood, October 23, 1936, Franklin D. Roosevelt Papers, Henry Blood Folder 3806, Personal Political File (Franklin D. Roosevelt Library, Hyde Park, New York). Blood to W. K. Granger, May 22, 1935; L. M. Jones to J. M. McFarlane, July 30, 1935, Governors' Papers (Blood), Park Commission File. Kolob Canyon was designated Zion National Monument in 1937 and in 1956 was added to the Park itself. John Ise, *Our National Park Policy* (Baltimore, 1961), 409.

3H. Blood to W. King, et al. (telegram), March 5, 1934; "Statement of . . . Blood . . . on Benefits of C.C.C. . . ." [1934]; L. C. Christiansen to Blood, October 9, 1936; Blood to W. Persons, August 17, 1937, Governors' Papers (Blood), Civilian Conservation Corps File; Moab Times-Independent, February 6, 1936. During the 1930's there were between 10 and 30 annual camps in Utah, most of them working on projects under the supervision of the U.S. Bureau of Reclamation and the Grazing Division of the U.S. Department of the Interior.

4"Radio Talk to be Delivered by I. W. Trimbel . . .", "A State Plan for Utah: Progress Report, April 15, 1935" (mimeograph copy), 159-74 and Fig. 32, Independent Commissions, Utah State Planning Board (1931-1940), Administration File. A. Cammerer to E. Gammeter, December 7, 1933 (memo., description of proposed Wayne County National Park); E. Thomas to H. Blood, February 3, 1934; A. Demaray to W. King, February 9, 1934, Governors' Papers (Blood), Park Commission File. Suggestions for a Four Corners and a Navajo National Monument were never acted upon. At this time (1935) there were already seven national monuments in southeastern Utah. S. R. DeBoer, "A Preliminary State Plan for the Development of Scenic and Recreational Resources in Utah" (mimeograph copy), April 15, 1936, State Planning Board, Administration File.

5Edger B. Nixon, comp. and ed., *Franklin D. Roosevelt and Conservation* (Hyde Park 1957), I, 386-87 and fn.

6A. Cammerer to R. West, April 14, 1936; West to J. W. Robinson, April 9, 1936; West to H. Blood, May 1, 1936; West to A. Demaray, April 8, 1936, State Planning Board (1935-1941), Parks and Recreation, Reports, Escalante National Monument File.

7A. Cammerer to H. Blood, March 21, 1938, Governors' Papers (Blood), Escalante National Monument File. "Proposed Escalante National Monument, April 1936" (typescript), State Planning Board (1935-1941), Parks and Recreation, Reports, Proposed Escalante National Monument File.

8H. Blood to W. King, July 18, 1940, Governors' Papers (Blood), Escalante National Monument File. Call for a meeting in Price, Utah, by J. Q. Peterson, May 21, 1936; W. Wallace to Peterson, July 20, 1936; Peterson to State Planning Board, June 22, 1936; resolutions adopted at Price, June 9, 1936 (copy). C. P. Seeley to S. Margetts, December 15, 1937, and minutes of Price meeting, enclosure, State Planning Board (1935-1941), Parks and Recreation, Reports, Escalante National Monument File.

9Minutes of the Price meeting, enclosure in C. P. Seeley to S. Margetts, December 15, 1937, State Planning Board (1935-1941), Parks and Recreation, Reports, Escalante National Monument File.

10C. P. Seeley to F. Carpenter, December 10, 1937, State Planning Board (1935-1941), Parks and Recreation, Reports, Escalante National Monument File.

11J. Q. Peterson to H. Blood, ca. July 1936, A. Cammerer to W. King (copy), February 11, 1938, State Planning Board (1935-1941), Parks and Recreation, Reports, Escalante National Monument File. In 1937 Capitol Reef National Monument

was created in the northwest corner of the larger proposed tract, doubtlessly pleasing Utahns who had long-supported a Wayne County national park.

12H. Blood to A. Cammerer (copy), January 13, 1938, W. King to Blood, February 17 1938; S. Margetts to Blood, April 29, 1938; Blood to Margetts, February 17, April 29, 1938; Blood to M. Melich, February 28, 1938, State Planning Board (1935-1941), Parks and Recreation, Reports, Escalante National Monument File.

13"Proposal to Create the Escalante National Monument, April 29, 1938" (typescript with map), State Planning Board (1935-1941), Parks and Recreation, Reports, Escalante National Monument File.

14J. W. Robinson to H. Blood, February 11, 1938; T. H. Humpherys to Blood (memo. and enclosure), August 22, 1938; E. Halls to Blood, September 15, 1938; M. Taylor to Blood, November 3, 1938; D. E. Beck to W. King (copy), December 12, 1938, Governors' Papers (Blood), Escalante National Monument File.

15E. Burlew to H. Blood (telegram) and Blood to T. H. Humpherys, October 14, 1938; Burlew to Blood, October 17, 1938, Governors' Papers (Blood), Escalante National Monument File. Ise, National Park Policy, 476-77.

16E. Burlew to H. Blood, received October 17, 1938, to F. D. Roosevelt, received October 19, 1938; W. King to Blood, October 22, 1938, Franklin D. Roosevelt Papers, 6-P File.

17G. A. Giles to H. Blood, November 5, 1938; Blood to H. Ickes, November 15, 1938; Blood to Thomas, November 16, 1938; W. King to Blood, December 10, 23, 1938, Governors' Papers (Blood), Escalante National Monument File. Salt Lake Tribune, November 23, 1938.

18A. Demaray to H. Ickes (memo.), July 10, 1938, United States National Park Service, Social-Economic Branch, Escalante File (National Archives, Washington, D.C.). A. Cammerer to W. King (copy), December 20, 1938; O. Chapman to H. Blood, December 10, 1938, Governors' Papers (Blood), Escalante National Monument File. Salt Lake Tribune, November 18, 30, 1938.

19C. Eliot to R. Forester, July 12, 1939; A. Murdock to F. D. Roosevelt, June 27, 1939; Roosevelt to Murdock, July 13, 1939, Franklin D. Roosevelt Papers, 482-A File. In 1941 the Bureau of Reclamation's study was used by the Park Service in its investigation of recreational possibilities of the Colorado River Basin as part of a comprehensive plan for the full utilization of water resources in the region. This plan was delayed by World War II and was not issued until 1946.

20T. H. Humpherys to H. Blood (memo.), October 11, 1939, Governors' Papers (Blood), Escalante National Monument File.

21Resolutions adopted by the 8th Annual Meeting and Convention of the National Reclamation Association (Denver, 1939), 9. A. Cammerer to H. Blood, February 1, 1940, Blood to Cammerer, February 8, 1930, Governors' Papers (Blood), Escalante National Monument File.

22H. Blood to L. C. Montgomery, February 24, 1940; Montgomery to Blood, February 21 1940, Governors' Papers (Blood), Escalante National Monument File.

23L. Montgomery to H. Blood, February 21, 1940; T. H. Humpherys to W. Hinckley, August 8, 1940, and to Blood, May 24, 1940, Governors' Papers (Blood), Escalante National Monument File.

24W. King to H. Blood, June 6, 1940; T. H. Humpherys to Blood, June 24, 1940; J. W. Robinson to Blood, May 30, 1940, Governors' Papers (Blood), Escalante National Monument File. Salt Lake Tribune, August 11, 1940.

25T. H. Humpherys to H. Blood, May 24, 1940, and (memo.), July 11, 1940; B. Woods to J. Nusbaum (copy), July 11, 1940, Governors' Papers (Blood), Escalante National Monument File. E. Burlew to E. Watson, July 9, 1940, Franklin D. Roosevelt Papers, 6-P File.

26E. Burlew to E. Thomas, July 13, 1940; Burlew to E. Watson, July 13, 1940; F. D. Roosevelt to Thomas, July 15, 1940, Franklin D. Roosevelt Papers, 6-P File. W. King to W. Wallace June 24, 1940; King to Blood, July 2, 1940; J. W. Robinson to Blood, July 5, 1940; T. H. Humpherys to Blood (memo.), July 11, 1940; "Resume of correspondence . . .," Governors' Papers (Blood), Escalante National Monument File.

27E. Burlew to E. Watson, July 9, 1940; Roosevelt to W. Wallace, July 10, 1940, Franklin D. Roosevelt Papers, 6-P File. Roosevelt to E. Thomas (copy), July 15, 1940, Governors' Papers (Blood), Escalante National Monument File.

28H. Blood to W. King, July 18, 1940, Governors' Papers (Blood), Escalante National Monument File.

29H. Ickes to W. King (copy), July 24, 1940; H. Blood to A. Murdock, July 25, 1940; J. W. Robinson to H. Blood, August 14, 1940, Governors' Papers (Blood), Escalante National Monument File. Salt Lake Tribune, August 17, 1940.

30H. Blood to H. Ickes, August 16, 1940; E. J. Skeen to Blood (memo.), September 16, 1940; Blood to J. W. Robinson (telegram), September 11, 1940; Robinson to Blood (telegram) September 12, 1940; Blood to W. Wirtz, September 13, 1940; and corrected printed copy of bill, Governors' Papers (Blood), Escalante National Monument File.

31A. Murdock to F. D. Roosevelt (telegram), November 25, 1940; S. Early to Murdock, December 3, 1940, Franklin D. Roosevelt Papers, 928 File. Salt Lake Tribune, November 26, 1940. M. Melich to H. Blood, August 21, 1940, Governors' Papers (Blood), Escalante National Monument File.

32Memo. of telephone conversation, J. W. Robinson and H. Blood, 2 P.M., August 12, 1940; unidentified, undated manuscript notes, partially in shorthand, partially illegible, ca. September, 1940, Governors' Papers (Blood), Escalante National Monument File. H. Ickes to H. Maw, March 6, 1942, Governors' Papers (Herbert B. Maw [1941-1948]), Abe Murdock File.

**Ed. Note: Canyonlands National Park, comprising 515 square miles, was signed into law by President L. B. Johnson on September 12, 1964.

33Report of the Committee on a Proposed Canyon Lands National Park in San Juan, Wayne and Garfield Counties, Utah, March, 1962 ([Salt Lake City, 1962]).

Charles A. Povlovich, Jr., Editor, "Will Dewey in Utah," pp. 134-140

From Controversy to Compromise to Cooperation: ***The Administrative History of Canyonlands National Park***

Samuel J. Schmieding, Ph.D



From Controversy to
Compromise to Cooperation
The Department of Health
and Human Services

**From Controversy to
Compromise to Cooperation**

1933, Toll and Wayne Wonderland booster E. P. Pectol followed Clarence Dutton's lead by climbing Boulder Mountain to survey the region. Suitably impressed, Toll related his impressions of the area to new NPS Director Arno Cammerer, describing a "vast panorama" with many "spectacular canyons and scenic areas" that included the Waterpocket Fold, Henry Mountains, San Rafael Reef and the Colorado River Canyons. He speculated that the region had enormous potential for parks and monuments, but stated that it was "seldom visited and little known" and suggested that NPS photographer George Grant visit the region.³⁹

Toll received support for his recommendation from geologist Harry Aurand in a 1934 letter extolling the attributes of canyon country. Having explored the region for many years when he worked for the oil industry, Aurand represented the minority opinion in geology, similar to Lee and Gould, which saw more than mere dollar signs in the rocks. He lauded the Park Service for establishing parks and monuments with "exceptional educational and recreational possibilities" that reflected values unappreciated by a society that saw "such projects as wastes of money, and needless withdrawal of the public domain." Aurand believed Muffin Butte, the Goosenecks of the San Juan River, the East Anticline by Mexican Hat, Dark Canyon, Wooden-shoe Canyon, Monument Valley and the Kaiparowits Plateau were all worthy of monument status.⁴⁰ Although Aurand's suggestions fell short of the regional park concept he had envisioned from Boulder Mountain, Toll forwarded the letter to Cammerer, adding that "I am inclined to believe the area of Southeastern Utah, including the Colorado from Green River to the state line and territory on both sides of the river, comprises one of the most scenic areas in the United States not now contained in a national park." Toll then recommended that the Park Service prepare to withdraw lands from the Colorado River Exclusion zone although he had only seen the region from afar.⁴¹



Figure 18: "Lower Colorado River Exclusion," 1935. Governor Henry Blood Papers, Utah State Archives.

Grand Canyon National Park Superintendent Minor Tillotson oversaw NPS surveys of the Colorado River Exclusion zone that were to assess boundaries, plan for development and use, and identify natural and cultural resources. Leading three inspection trips by air, auto and horse in the summer of 1935, Tillotson visited Glen Canyon, Navajo Mountain, Rainbow Bridge, the lower San Juan River, the Waterpocket Fold, Kaiparowits Plateau, the Escalante River Canyon, Cataract Canyon and the Canyonlands basin.⁴² Tillotson was so impressed by the region that he introduced the most ambitious proposal in agency history. "There is no single section of the entire southwest which offers a greater variety or a more interesting array of spectacularly scenic effects than does the area under consideration," he wrote of this "land of deep canyons, narrow gorges, terraced plateaus, cliff-bound mesas, tortuous entrenched stream meanderings, huge buttes and temples, weirdly-eroded formations, wind-swept desert-like slopes, standing rocks, high escarpments, natural bridges and colorings

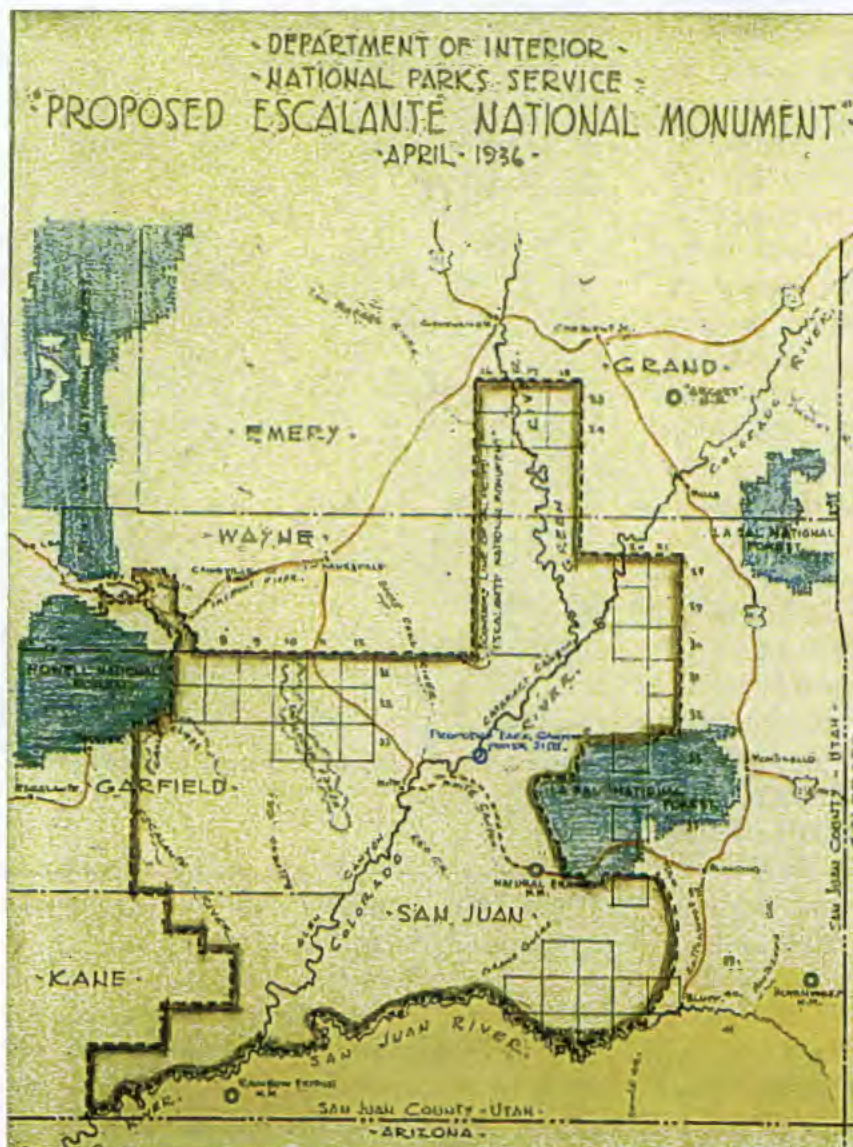


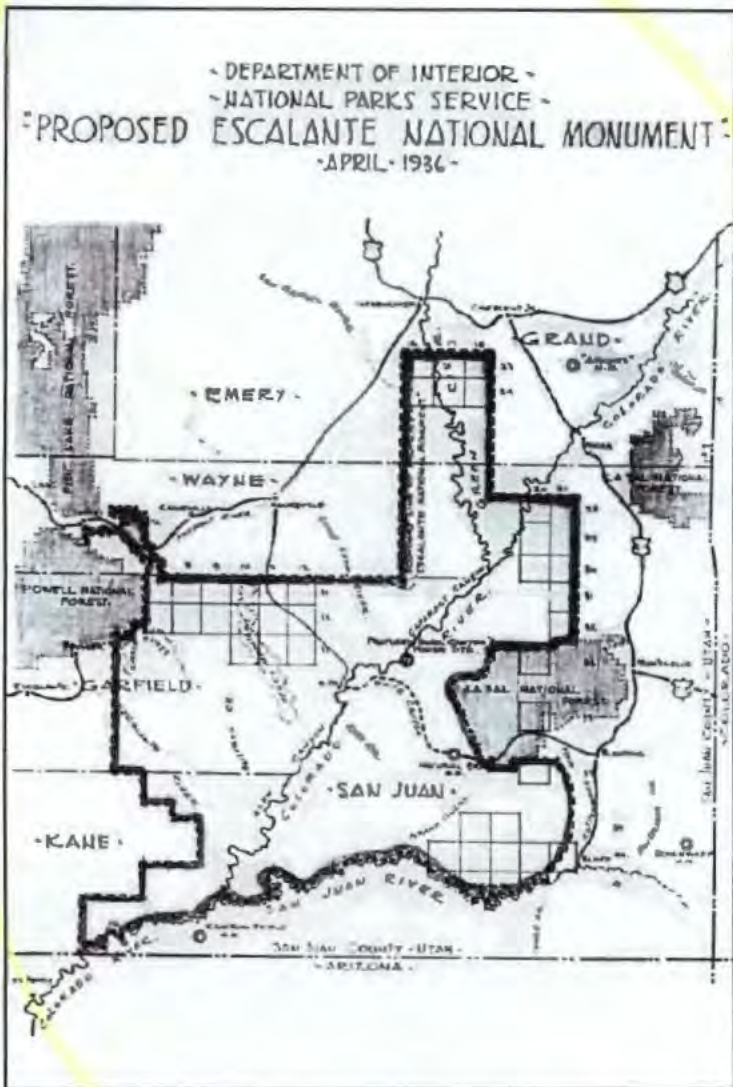
Figure 19: "Proposed Escalante National Monument," 1936. Governor Henry Blood Papers, Utah State Archives. The proposed monument was slightly larger than the "Lower Colorado River Exclusion." Most lands added were west of the Colorado River by the Waterpocket Fold.

so gorgeous as at times to seem almost gaudy and on a scale as to be difficult of comprehension."⁴³ Covering parts of six Utah counties from the Paria Plateau to the Book Cliffs, the withdrawal he proposed encompassed 167 townships, more than 6,000 square miles or 4.84 million acres in a swath of varying width surrounding the river corridors, and included Glen Canyon and the San Juan River Canyon north of the Navajo Reservation, the Kaiparowits Plateau, the Escalante River Canyons, the

Waterpocket Fold, Arch Canyon, Woodenshoe Canyon, Dark Canyon, Cataract Canyon and the Canyonlands basin.⁴⁴

Toll enthusiastically forwarded Tillotson's report to Cammerer on what he called one of the nation's "great wilderness areas and most important" of the six areas under NPS consideration. Toll claimed the area he named "Escalante" was not excessive in size, could be reduced in size twenty-five percent, but that "further reductions would omit valuable areas."⁴⁵ Recommending wilderness classification with minimal development, he suggested continuing the present grazing permits with the eventual goal of reduction or elimination, and to honor existing mining claims while allowing no new entries. Understanding the politics surrounding Colorado River Basin development under the 1922 Colorado River Compact and 1928 Boulder Canyon Project Act, Toll said the area should remain open to

water projects, that power generation was its "primary societal value" and that recreational, scenic, and scientific resources were secondary, with grazing and mining third.⁴⁶ The Escalante idea thus carried an asterisk, the main canyons to be sacrificed for dams and reservoirs, a point often ignored by recent "green" interpretations of history. During Tillotson's survey, Toll told Bureau of Reclamation Commissioner Elwood Mead of NPS plans and requested a list of "probable reservoir sites" in the region, the



no protective designations existed for Greater Canyonlands when Bates Wilson arrived to work as Superintendent of Arches National Monument in 1949.

Wilson first took his pack horses into the backcountry of Canyonlands in 1951 (Wilson, 1967); he became the most dynamic proponent for creation of a park here, leading numerous jeep tours into the area for government officials, including Interior Secretary Udall in the sixties. Bates Wilson eventually earned the title, "Father of Canyonlands," and remained a passionate advocate for the region until his death in 1983.

Stewart Udall had his own vision for the park while flying over the area in 1961 (Udall, 2006). After a visit to Glen Canyon Dam and Rainbow Bridge with Bureau of Reclamation Chief Floyd Dominy, the dam-builder offered Udall a ride back to Denver in his plane. Dominy wanted to show Udall the site of his next big reservoir project just below the confluence of the Green and Colorado Rivers. Little did Dominy know that Secretary Udall saw quite another possibility when he looked down at Greater Canyonlands. Stewart Udall, Secretary of the Interior, native of the Colorado Plateau, looked out the window of Floyd Dominy's plane and said to himself, "Goodness sake, that's a national park!" (Udall, 2006).

Udall returned to Washington D.C. and asked his staff to begin working on a Canyonlands National Park plan. Negotiations followed. Utah's Republican Governor George Clyde and, especially, Senator Wallace Bennett (the single Republican member of the congressional delegation) led the charge to oppose any park boundaries that would "lock up" potential mineral resources—conflating the park proposal with discussion of the Wilderness Act also before Congress. Bennett used language familiar today to decry the "land-grab" that would lead to a "Udall-created wasteland" (Baker, 2008).

Secretary Udall countered that the stable economic future of the state lay with tourism. Two years later, the final boundary of Canyonlands National Park was a political accommodation negotiated by Governor Clyde and Senator Frank Moss (D-UT)—and far removed from Udall's original vision to protect one million acres and an uncompromised watershed within the entire Canyonlands Basin. But in that debate lay pioneering discussions of just what should be protected by a national park—adding ecosystem protection to the traditional concept of "scenery" for the first time (Baker, 2008; see also Williams, 2012).

When President Lyndon B. Johnson signed the 1964 public law creating Canyonlands National Park it contained 257,400 acres, a little over one quarter of its original proposed size. In 1971, with the addition of the Maze district, also with compromised boundaries, the park increased in size to its current 337,540 acres.

Statements on S.884:

- Sylvia Baca, Deputy Assistant Secretary of the Land and Minerals Management, accompanied by Mat Millenbach, the Utah State Director for the BLM
 - Baca: "While we have serious concerns about the bill as currently written, the Department stands ready to assist, if the bill sponsors see fit, in trying to resolve the serious issues we will present today. Mr. Chairman, the Department of the Interior strongly opposes the legislation and Secretary Babbitt would recommend a Presidential veto if it is passes in its present for..."
 - "The Department of the Interior's concerns regarding the bill's provisions include the 'hard release' language, insufficient acreage protection, mandated unequal exchanges, automatic approvals of new developments in wilderness, the use and construction of roads in wilderness areas, failure to protect archaeological and paleontological resources, and several other issues."

- Robert Bennett, US Senator from Utah
 - "The BLM came with 1.9 [million acres]. We are joint staffed with the Governor and came up with 1.8. Somewhere around that number, I think, is the number that the subcommittee should come up with, understanding that the BLM is capable of managing the lands around these 'Crown Jewels' in such a way as to not degrade the wilderness experience."

- John Hansen, US Representative from Utah- Sponsor
 - "What S.884 attempts to do is balance the protection of what I refer to as the "Crown Jewels" of Utah's BLM land, the Grand Gulch, the Desolation Canyon...to name only a few, with economic, social, and cultural interests of rural Utah. I am solidly behind the language of this bill that will protect existing water rights, allow grazing to continue in designated areas, release non-designated lands for other uses, and provide an exchange of School Trust Lands captured by wilderness designation."

- Enid Waldholtz, US Representative from Utah
 - "I support this bill and am an original co-sponsor. I believe, however, that there are additional lands that should also be included as wilderness areas to make this bill complete. They are: Turtle Canyon, Desolation Canyon, Book Cliffs (Expansion), Sids Mountain (Expansion), Paria-Hackberry (Expansion), Fish and Owl Creek Canyon, Road Creek Canyon, Grand Gulch Complex (Expansion). Each of these areas was recommended for wilderness designation by the BLM in its statewide wilderness final Environmental Impact Statement..."

Related:
S.884 Utah Public Lands Management Act
Introduced: 6/6/1995
Sponsor: Sen. Orrin Hatch (R-UT)
Cosponsor: Sen. Robert Bennett (R-UT)
Committee: SENR

Reported to Senate amended (12/19/1995)

Utah Public Lands Management Act of 1995 - Designates specified lands in Utah as components of the National Wilderness Preservation System. Directs the Secretary of the Interior to prepare plans to manage the areas designated as wilderness (wilderness areas) within five years.

Provides for continuation of existing grazing on such lands. Specifies that wilderness shall not be used as a suitability criteria for managing any grazing allotment.

Provides that nothing in this Act shall be construed to affect Utah's jurisdiction of fish and wildlife management, including water development for fish and wildlife purposes and predator control.

States that the Congress does not intend these wilderness designations to lead to creation of buffer zones.

Provides that the Oil Shale Reserve Number Two, within Desolation Canyon Wilderness, shall not be reserved for oil shale purposes after the date of enactment of this Act.

Prescribes footages for use of roads and rights-of-way as wilderness boundaries and prohibits closure of roads except in specified circumstances. Provides for reasonable access, including the use of motorized equipment where necessary or customarily or historically employed, on routes within the wilderness areas in existence as of this Act's enactment date for the exercise of valid existing rights. Permits existing routes as of such date to be maintained and repaired as necessary to maintain their customary or historic uses.

Authorizes: (1) the Secretary to acquire, by exchange, donation, or purchase from willing sellers, from non-governmental entities, lands within or adjacent to wilderness areas; and (2) the use of motorboats, subject to certain restrictions.

Specifies that nothing in this Act shall be construed as establishing a precedent regarding any future wilderness designation.

(Sec. 4) Authorizes the United States to acquire and exercise such water rights as it deems necessary to carry out its responsibilities on any lands designated as wilderness by this Act pursuant to the substantive and procedural requirements of the State of Utah.

States that nothing in this Act shall: (1) be construed to authorize the use of eminent domain by the United States to acquire water rights from such lands or to constitute Federal reservation of water or water rights for any purpose arising from designation of the areas as wilderness, to limit the exercise of water rights as provided under Utah law, or to limit or be a consideration in Federal approvals or denials for access to or use of the Federal lands outside wilderness areas for development and operation of water resource projects; (2) affect the capacity, operation, maintenance, repair, modification, or replacement of municipal, agricultural, livestock, or wildlife water facilities in existence as of the enactment date within the boundaries of wilderness areas; or (3) create a right of access through a wilderness area for the purposes of water resource projects.

(Sec. 5) Makes the Secretary responsible for the protection and interpretation of cultural, archaeological, and paleological resources located within wilderness areas.

(Sec. 6) Requires the Secretary to assure nonexclusive access to Native American sites for traditional cultural and religious purposes, including wood gathering and plant collecting.

(Sec. 7) States that nothing in this Act, the Wilderness Act, or other land management laws generally applicable to the new areas of the Wilderness Preservation System designated by this Act, shall: (1) restrict flights of military aircraft over such areas; (2) restrict or preclude the designation of new units of special use airspace or the use or establishment of military flight training rules over such areas; and (3) be construed to require the removal of existing communication or electronic tracking systems from wilderness areas, prohibit the maintenance of existing communications or electronic tracking systems within such areas, or prevent the installation of portable electronic communication or tracking systems in support of military operations as long as installation.

SEC. 2. DESIGNATION OF WILDERNESS.

(a) Designation.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), the following lands in the State of Utah are hereby designated as wilderness and therefore as components of the National Wilderness Preservation System:

(36) Certain lands in the Grand Gulch Wilderness Study Area comprised of approximately 51,110 acres, as generally depicted on a map entitled "Grand Gulch Proposed Wilderness" and dated October 3, 1995, and which shall be known as the Grand Gulch Wilderness.

(b) Map and Description.—As soon as practicable after the date of enactment of this Act, the Secretary of the Interior (hereafter in this Act referred to as the "Secretary") shall file a map and a legal description of each area designated as wilderness by subsection (a) with the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate. Each such map and description shall have the same force and effect as if included in this Act, except that corrections of clerical and typographical errors in each such map and legal description may be made. Each such map and legal description shall be on file and available for public inspection in the office of the Director of the Bureau of Land Management, and the office of the State Director of the Bureau of Land Management in the State of Utah, Department of the Interior.

12/19/1995 Committee on Energy and Natural Resources. Reported to Senate by Senator Murkowski with an amendment in the nature of a substitute. With written report No. 104-192. Minority views filed.

07/13/1995 Subcommittee on Forests and Public Lands. Hearings held.
Action By: Senate Energy and Natural Resources Subcommittee on Public Lands, Forests, and Mining

maintenance, and removal of such systems does not require construction of temporary or permanent roads.

(Sec. 8) States that the Congress does not intend these wilderness designations to lead to reclassification of any airshed to a more stringent Prevention of Significant Deterioration (PSD) air quality classification.

(Sec. 9) Finds that all public lands in Utah administered by the Bureau of Land Management have been adequately studied for wilderness designation under provisions of the Federal Land Policy and Management Act of 1976. Directs that such lands be managed for the full range of nonwilderness multiple uses including Areas of Critical Environmental Concern, Outstanding Natural Areas, National Landmarks, Research Natural Areas, Primitive Areas, Visual Resource Management Class I areas, and the full range of administrative management designations provided under such Act, with specified exceptions.








(Sec. 10) Provides for the exchange for other Federal lands of school and institutional trust lands granted to Utah which are within or adjacent to wilderness areas.

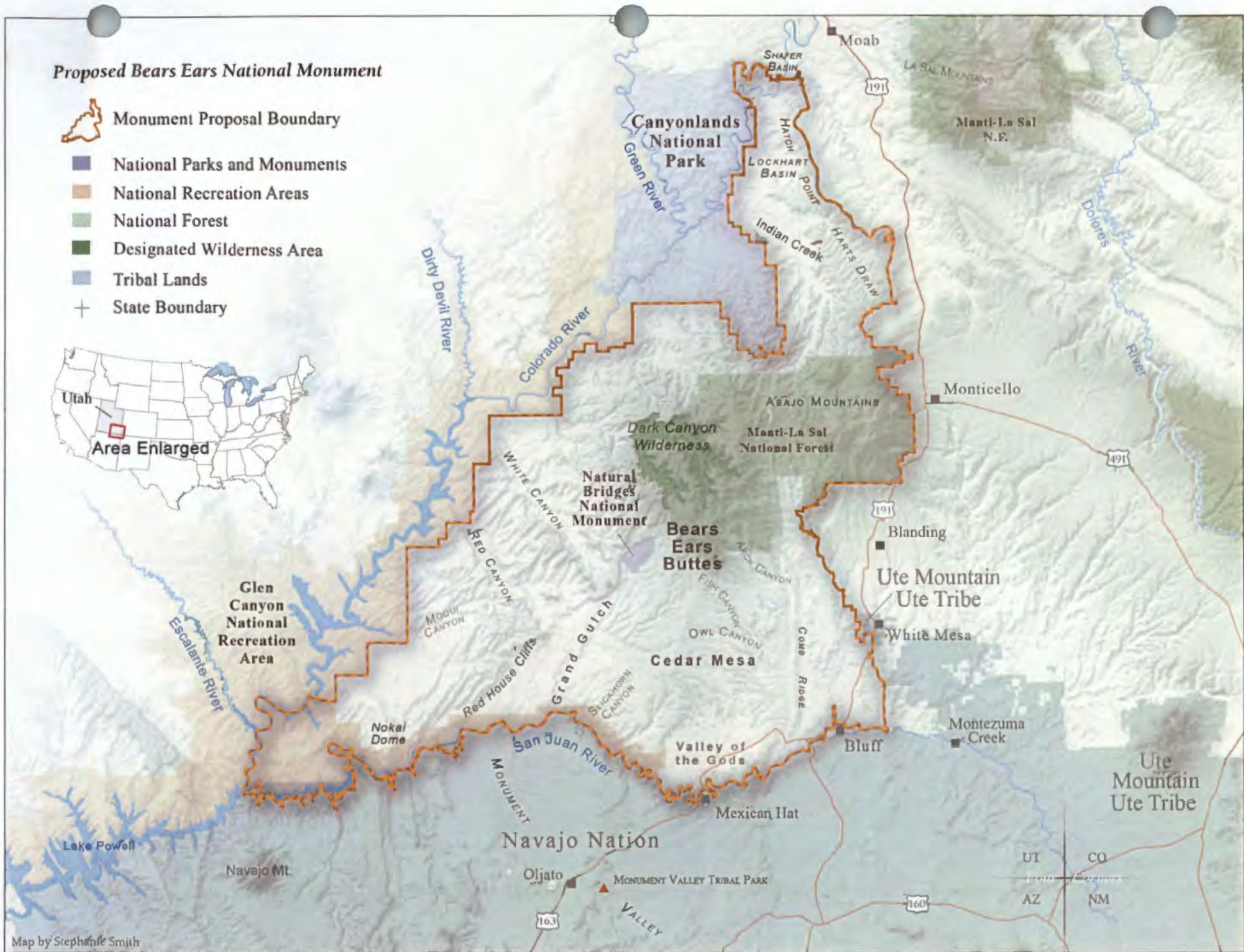
Sets forth provisions regarding: (1) exchange requirements (e.g., the exchange of lands shall be subject to valid existing rights, including the right of the State of Utah to receive, and distribute pursuant to State law, 50 percent of the revenue, less a reasonable administrative fee, from the production of minerals that are leased or would have been subject to leasing under the Mineral Leasing Act); (2) exchanges for equal value and appraisal standards; (3) deadlines and dispute resolution; (4) duties of the parties and other provisions relating to the exchange (e.g., regarding inspection of hazardous materials); (5) proceeds from the lease and production of minerals and sales and harvests of timber; and (6) administration of lands acquired by the United States.

(Sec. 11) Requires lands acquired pursuant to this Act to be appraised without regard to the presence of a species listed as threatened or endangered pursuant to the Endangered Species Act of 1973.

Directs the Secretary, if within 18 months the Water Conservancy District of Washington County, Utah, offers to transfer to the United States the Bulloch Site (specified lands located in Kane County, Utah, adjacent to Zion National Park), to transfer to such District the Sand Hollow Site, the Quail Creek Pipeline, and the Quail Creek Reservoir, subject to specified requirements. Exempts such exchange of lands from provisions of the National Environmental Policy Act of 1969.

Proposed Bears Ears National Monument

-  Monument Proposal Boundary
-  National Parks and Monuments
-  National Recreation Areas
-  National Forest
-  Designated Wilderness Area
-  Tribal Lands
-  State Boundary



1995 Hearing 32

H.R. 1500 -
America's Red Rock
Wilderness Act of 1995

1 the Wilderness Act (16 U.S.C. 1131 et seq.), the following
2 lands in the State of Utah are hereby designated as wilder-
3 ness and therefore as components of the National Wilder-
4 ness Preservation System:

Name of Wilderness Area and Unit	Approximate Acreage
Dirty Devil Wilderness:	
Dirty Devil-French Springs	175,300
Fiddler Butte	88,200

5 **SEC. 107. CEDAR MESA WILDERNESS AREAS.**

6 (a) **FINDINGS.**—The Congress finds that over a thou-
7 sand years ago, the Anasazi Indian culture flourished in
8 the slickrock canyons and on the pinyon-covered mesas of
9 southeastern Utah. Evidence of their ancient presence per-
10 vades the Cedar Mesa area where haunting cliff dwellings,
11 rock art, and ceremonial kivas embellish sandstone over-
12 hangs and isolated benchlands. This area cries out for pro-
13 tection from the vandalism and theft of these unique cul-
14 tural resources. These wilderness areas are drawn to pro-
15 tect both the Nation's archaeological heritage and extraor-
16 dinary wilderness scenic and ecological values.

17 (b) **DESIGNATION.**—In order to protect and manage
18 so as to preserve the Cedar Mesa wilderness areas and
19 in furtherance of the purposes of the Wilderness Act (16
20 U.S.C. 1131 et seq.), the following lands in the State of
21 Utah are hereby designated as wilderness and therefore
22 as components of the National Wilderness Preservation
23 System:

Name of Wilderness Area and Unit	Approximate Acreage
White Canyon Wilderness:	
Gravel and Long Canyon	35,000
Cheesebox Canyon	28,500
Harmony Flat	9,100
Fortknocker Canyon	12,400
San Juan-Anasazi Wilderness:	
Arch and Mule Canyon	15,300
Comb Ridge	15,000
Fish and Owl Creek	59,000
Grand Gulch	139,800
Nokai dome	93,400
Road Canyon	60,100
San Juan River	13,200
Squaw and Cross Canyons Wilderness:	
Squaw and Papoose Canyons	6,580
Cross Canyon	1,000
Dark Canyon Wilderness:	
Dark Canyon	128,500
Sheep Canyon	3,700
Glen Canyon Wilderness:	
Mancos Mesa	108,700
Little Rockies	60,000

1 **SEC. 106. CANYONLANDS WILDERNESS AREAS.**

2 (a) **FINDINGS.**—The Congress finds that Arches and
3 Canyonlands National Parks safeguard only a small por-
4 tion of the extraordinary red-hued, cliff-walled canyonland
5 region of the Colorado Plateau. Canyons with rushing pe-
6 rennial streams, natural arches, bridges, and towers, and
7 the gorges of the Green, Colorado, and Dolores Rivers lie
8 on adjacent wildlands managed by the Secretary through
9 the Bureau of Land Management. Designation of this wil-
10 derness achieves a wholeness of protection for this
11 erosional masterpiece of nature and the rich pockets of
12 wildlife found within its expanded boundaries.

13 (b) **DESIGNATION.**—In order to protect and manage
14 so as to preserve the canyonland wilderness areas near

UTAH WILDERNESS

HEARINGS

BEFORE THE

SUBCOMMITTEE ON NATIONAL PARKS, FORESTS
AND LANDS

OF THE

COMMITTEE ON
RESOURCES

HOUSE OF REPRESENTATIVES

ONE HUNDRED FOURTH CONGRESS

FIRST SESSION

ON

H.R. 1500

A Bill To designate certain Federal lands in the State of Utah
as wilderness, and for other purposes.

H.R. 1745

A Bill To designate certain public lands in the State of Utah
as wilderness, and for other purposes.

JUNE 23, 1995—CEDAR CITY, UT
JUNE 24, 1995—SALT LAKE CITY, UT
JUNE 29, 1995—WASHINGTON, DC

Serial No. 104-24

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1995

Testimony that
mentions how
grand gulch
should be protected

For our children's children and their children, please protect all of the land within the Utah citizens' proposal to protect 5.7 million acres of Utah wilderness. This land belongs to all Americans and all future Americans.

Thank you.

[Applause.]

Mr. HANSEN. George Nickas.

**STATEMENT OF GEORGE NICKAS, UTAH WILDERNESS
ASSOCIATION**

Mr. NICKAS. Mr. Chairman, members of the Subcommittee, I appreciate the chance to testify today.

Mr. HANSEN. George, could you get that mic a little closer to you, please?

Mr. NICKAS. My name is George Nickas, and I am the Assistant Coordinator of the Utah Wilderness Association, a statewide environmental organization. I am also a native Utahn and have been involved in BLM wilderness issues for 17 years.

The Utah Wilderness Association was born with the BLM wilderness review. We organized and filed the first major BLM wilderness appeal before the Interior Board of Land Appeals, which increased the amount of wilderness study areas in Utah from 2.6 to 3.2 million acres.

Our efforts have always been to seek meaningful, ecologically based solutions, recognizing the diverse social, political system in which we live. Thus, we have developed in the context of this legislative effort a three million acre critical list consisting of 34 large intact wilderness recommendations. We are obviously proud that Utah's largest newspaper, the Salt Lake Tribune, has strongly editorialized supporting this proposal. We feel this is an indication of the proposal's broad-based value and appeal.

We are troubled that we must pass on to you our profound disappointment and opposition to H.R. 1745 as it has been written. The combination of special language, including release language, and omissions of numerous undeniable wilderness areas leaves this legislation empty. Let me highlight a few of our concerns.

Notably missing from this legislation are Fish Creek Canyon and Road Canyon on the Grand Gulch Plateau. Like the world renowned Grand Gulch, these two areas are unsurpassed in archeological value and dominated by wild, deep canyons providing some of the most beautiful canyon country on the Colorado Plateau. There are no identified resource conflicts, according to BLM's final environmental impact statement.

The Grand Gulch has been severely fragmented by the canyons-only boundary proposed in the bill. Between these canyons are unusually dense pinyon pine and juniper forests where the soils are blanketed by a rich but fragile cryptobiotic crust that literally holds the soil in place.

The mesas are rich in Anasazi ruins and their inclusion in the wilderness will buffer the treasures in the canyons from easy access by vandals and thieves.

The Desolation Canyon/Book Cliffs ecological complex is Utah's largest BLM wilderness region. Notably missing in the legislation are significant parts of the complex; for example, Turtle Canyon

and the Bighorn Benches. Turtle Canyon, with elevations ranging from 5000 feet to over 9000 feet, is home to Rocky Mountain bighorn sheep, cougar, elk and black bear. The minor coal conflict, if it exists at all, that has kept this area out of the legislation, can be dealt with, with exceptionally minor boundary adjustments.

Immediately adjacent to Turtle Canyon lies the Bighorn Benches, the centerpiece of BLM's recently established Gray Canyon Wildland Management Area, which was established because of the area's special value to wildlife. Instead of protecting a robust and rich wilderness that begins above 9000 feet on the Tavaputs Plateau and descends nearly a dozen life zones before reaching the Green River 15 miles to the east and nearly one mile below, this legislation protects a ribbon of wilderness that in many places is less than half a mile wide.

There are similar problems in the Kaiparowits, Mojave Desert, Henry Mountains, San Rafael Swell and other regions which are addressed in our written comments.

We are equally troubled by the special language that dictates the management of non-wilderness lands and in many cases assures that even the designated wildernesses will not truly be managed as wilderness.

Section 10, Wilderness Release, is an example of presupposing and precluding professional land management. Having gone through this with the 1984 Wilderness Act only to see it come back now is a frustrating and sad statement. We believe these released lands should be returned to the normal BLM planning process as defined in Section 202 of the Federal Land Policy Management Act. If they harbor wilderness values or values associated with biodiversity, endangered species or non-wilderness development options, the BLM, in the context of its public planning process, should proffer a management decision, not Congress 3000 miles away and with no comprehensive or specific knowledge of the land allocation issues.

Section 3 provisions, declaring that cherry-stemmed roads and boundary roads must remain open irrespective of potential resource concerns flies in the face of professional land management.

Provisions dealing with access, cultural and paleontological resources, military overflights, communications sites and facilities and the use of water craft take a giant departure from 30 years of history with respect to non-conforming uses and structures within designated wilderness. The test for these kinds of activities has always been one of need or necessity, and the appropriate place for those decisions is the wilderness management planning process. By relying on historical and customary access, the legislation suggests almost any kind of access would be allowed within designated wilderness without any rational test to determine what should or should not be allowed.

The disclaimers in Section 9 literally strip wilderness protection from several areas designated by the bill. Approval is given for wilderness destroying dams, pipelines, roads, communication towers and other facilities not allowed by the Wilderness Act. If the projects described in Section 9(1) are approved, then it is a mockery to designate those areas as wilderness.

By not protecting waterflows, the legislation assures the Utah wildernesses will never achieve the objective of preserving wilderness and its related biological, ecological and recreational values. UWA believes that a quantity of water sufficient to protect wilderness values should be provided for in the legislation, subject to existing rights and the state appropriation process.

In short, we would suggest that all of the special language be omitted and replaced by the provisions of the Wilderness Act or the Utah Wilderness Act of 1984, of which Congressman Hansen was an author and co-sponsor. That language has served Utah and our wildernesses well.

Thank you.

[Applause.]

[The statement of Mr. Nickas may be found at end of hearing.]

Mr. HANSEN. Thank you, I appreciate your comments.

Terry Tempest Williams, the floor is yours for five minutes.

STATEMENT OF TERRY TEMPEST WILLIAMS, AUTHOR

Ms. WILLIAMS. Good afternoon, Representative Hansen, Representatives Hinchey, Vento, Faleomavaega. I appreciate the opportunity to testify before you today as a Utah native, and a citizen of this country, regarding the preservation of wilderness.

Mr. HANSEN. Can you folks hear her?

VOICE. No.

Mr. HANSEN. They cannot hear you. Can you get a little closer, we would like to hear your testimony.

Ms. WILLIAMS. OK. I do not take this privilege for granted, and honor the time you have committed to hearing us. I also want to thank you, Chairman Hansen and Mr. Freemyer, for scheduling comments on H.R. 1500 alongside H.R. 1745.

I bring you the collective statements of hundreds of citizens whose voices ask to be included in the Congressional Record regarding H.R. 1745 and H.R. 1500. Last night a citizens' hearing was held on the two bills before us. From 7:30 p.m. until the early hours of this morning, informed, impassioned and concerned individuals spoke on behalf of wildness. Hundreds of citizens sat respectfully in the audience of the Indian Walk-In Center in Salt Lake City supporting them and thousands of other citizens in the State of Utah and around this country joining them—us—in solidarity.

It was a gathering of citizens who believe in the value and vision of wilderness.

It was a gathering of citizens who believe in the value and vision of democracy, that these public lands under wilderness consideration belong literally to all Americans.

It was a gathering of citizens who understand the correspondence between wilderness and economy, that the health of one ensures the health of the other.

Virginia Hoyt from Washington State presented 1500 signatures from Lewis County, a county that is suffering from the demise of their natural resources. It is a timber community that has been overcut. At one time, 80 percent of the county was forest.

"We should be rich," she said. "Now we are poor. No nation is able to survive the collapse of their natural resources."



Utah Wilderness Association

455 East 400 South #205 / Salt Lake City, Utah 84111 / (801)359-1337

Statement prepared by Dick Carter, Coordinator and George Nickas, Assistant Coordinator, Utah Wilderness Association, before the National Parks, Forests and Lands Subcommittee of the House of Representatives on the Utah Public Lands Management Act of 1995, H.R. 1745, June 23-24, 1995.

"Introduction"

We are troubled that we must pass on to you our profound disappointment and opposition to H.R. 1745, "Utah Public Lands Management Act of 1995", as it has been written. The combination of "special language," including release language, which effectively suppresses professional land management and stymies open, broad and meaningful public participation in BLM public policy decision making, and significant omissions of numerous undeniable wilderness proposals leaves this legislation empty.

The Utah Wilderness Association was born with the Federal Land Management Policy Act and thus the BLM Wilderness Review in 1976. We testified at the first BLM wilderness oversight hearings and have participated vigorously in every step of the BLM Wilderness Review process. This has included efforts as diverse as organizing, filing and "winning" the first major BLM wilderness appeal before the Interior Board of Land Appeals, to working with Emery County in an effort, which unfortunately failed despite the good faith of both parties, to build a consensus based wilderness proposal in eastern Utah.

Our efforts have always been to seek meaningful community and ecologically-based solutions not simply positional based proposals. Thus we have developed in the context of this legislative effort a 3 million-acre "critical list" consisting of 34 large, intact wilderness recommendations. We have provided the Chairman of the National Parks, Forests and Lands Subcommittee with the detailed 60 page proposal and have enclosed for your review a summary and statewide map of that "critical list" recommendation. We are obviously proud that Utah's largest daily newspaper, The Salt Lake Tribune, has vigorously editorialized supporting this proposal. This is an indication of the broad based value and appeal of this proposal.

Statement of Utah Wilderness Association: June 23-24, 1995

While we commend the 1.8 million acres of wilderness recommendations and, in particular, the proposals on the Fish Springs, Fifty Mile Mountain, Little Rockies, Butler Wash, Dark Canyon and Dirty Devil River, the proposed legislation fails to carry forward the meaningful effort exhibited on these areas to other crucial regions within the state. It fades in the light of protecting large ecologically based intact areas/regions. It allows activities to occur within these areas that in essence re-designates them as a different kind of Utah wilderness, often stripping them of their literal wildness, and then precludes professional land managers to do their job on areas released and surrounding these areas. It is the worst of micro-management and restricting future options.

"Significant Wilderness Lands Ignored in H.R. 1745"

Notably missing from the legislation are the world recognized canyons of Cedar Mesa (also known as the Grand Gulch Plateau). **Fish Creek Canyon and Road Canyon** units were completely left out of the bill. Like the Grand Gulch, these two areas are unmatched in archaeological value and dominated by wild, deep canyons, alcoves, arches and pinnacles providing some of the wildest and most beautiful canyon country on the Colorado Plateau. Even before BLM implemented a recreation permit system in the Grand Gulch, a move that is shifting more use toward Fish Creek and Road canyons, both areas were popular backpacking destinations. Fish Creek Canyon is typified by canyon walls towering 800 feet above the canyon bottoms. Between the canyons are unusually dense pinyon pine and juniper forests, where the soils are blanketed by a fragile, but rich, cryptobiotic (living) soil crust that literally holds the soil in place.

Road Canyon is separated from Fish Creek Canyon by a single dirt road. It shares in the wealth of archaeological, vegetative and recreation values, and also contains the Valley of the Gods, an internationally known scenic area. With traditional Native American uses protected, there are virtually no conflicts with wilderness designation. It is simply not understandable how Fish Creek and Road Canyons can be left out of the wilderness bill.

The Grand Gulch has been severely fragmented by the canyons-only boundary proposed in the bill. Omitting the mesa top separating Johns Canyon from Slickhorn Canyon, and Slickhorn Canyon from the Grand Gulch is not unlike designating a mountain wilderness but omitting the forested ridges and peaks. The mesas provide travel routes between canyons for both people and wildlife. They are rich in prehistoric Anasazi ruins and their protection as wilderness will buffer the treasures in the canyons from easy access by vandals and thieves. Grand Flat and Steer Gulch lie west of the proposed boundary and should be added to complete an integral wilderness unit.

Statement of Utah Wilderness Association: June 23-24, 1995

The boundaries drawn for the Grand Gulch have ignored the fact the entire region harbors more than 500 recorded and important cultural sites.

The combination of wilderness recreation and archaeological values found on the Grand Gulch Plateau are unparalleled anywhere in the United States. This international treasure is recognized by UWA's proposed quarter-million acres of wilderness and BLM's recommendation for more than 200,000 acres, but it has gone unnoticed in the legislation's paltry 51,110 acre proposal.

Notably missing from the legislation is Turtle Canyon and the Bighorn Benches, part of the Desolation Canyon/Book Cliffs ecological complex which is Utah's largest BLM wilderness region. Simply one of the most rugged areas in Utah, Turtle Canyon, with elevations ranging from 5,000 feet to over 9,000 feet, harbors some of the most important interior temperate forests and mountain brush communities in this ecoregion. It is home to Rocky Mountain bighorn sheep, elk and black bear. The minor coal conflict, if it exists at all, can be dealt with exceptionally minor boundary adjustments. BLM's final EIS notes that only the 2,700 western-most acres overlie recoverable coal, but judged the potential for recovery to pale in light of the area's high wilderness values. The Bighorn Benches are the centerpiece of BLM's recently established Gray Canyon Wildland Management Area, which was established because of the area's special value to wildlife. It has been closed for many years to livestock grazing.

East of the Green River the wilderness boundary needs to extend south to include the Book Cliffs escarpment. The proposed boundary is essentially undefineable on the ground, and is less wilderness than recommended by Grand County! The legislation leaves out most of the critical winter range for elk and deer as well as much of the range for black bear and cougar. A significant part of many canyons such as Right and Left Hand Tusher, Floy, Thompson, Sagers, Antone, Sulphur and Westwater canyons are left out of the legislation. By omitting virtually all the lower to mid-elevation terrain, the legislation fails to capitalize on a rare opportunity to protect the entire seasonal ranges of ungulates and large predators. The boundary is designed to limit wilderness acreage rather than protect wilderness values.

Notably missing is the massive and wild Wahweap, part of the Kaiparowits ecoregion. It is one of the 6 largest undeveloped wild landscapes on BLM lands in Utah! It is characterized by broad canyons and isolated benches and mesas. This isolation has made it one of the richest floristic units in Utah with numerous rare and unique plant communities recognized by BLM and numerous scientists. Wahweap contains about 6% of the Kaiparowits potential coal resource making it unimportant as a coal or other mineral depository.

So thank you very much for your consideration.

Mr. HANSEN. Thank you.

[Applause.]

Mr. HANSEN. Congresswoman Enid Waldholtz.

**STATEMENT OF HON. ENID G. WALDHOLTZ, A U.S.
REPRESENTATIVE FROM UTAH**

Ms. WALDHOLTZ. Thank you, Mr. Chairman, for the opportunity to testify, and I want to thank the other members of the Subcommittee for taking the time to travel here to listen to the concerns of people here in the state. We appreciate your willingness to spend the time necessary to come and talk with us face-to-face. Mr. Chairman, I would request the Committee's consent to submit a written statement along with two maps for the record, the maps I will refer to in just a moment.

Mr. HANSEN. Without objection, so ordered.

Ms. WALDHOLTZ. As you will hear today, Utahns have a deep respect and a concern about how we ought to manage our natural heritage. That concern and respect does not always culminate in agreement on the best way to appropriately protect and manage these resources. That is why this has been such a divisive issue within our community.

Since 1964 with the passage of the Wilderness Act, our state has struggled to come up with the appropriate approach that complies with the requirements of the Wilderness Act, that recognizes the need to protect some of these magnificent pieces of land and at the same time acknowledges the reality and the importance of the state's economic well-being. It is time, I believe, to make a decision on this issue and the bill that you have in front of you, H.R. 1745, is the culmination of a decades-long process of trying to grapple with this issue.

I am a recent addition to the delegation, as you know I have only been in office six months, but this is an issue on which my staff and I have spent a great deal of time trying to review each of these wilderness study areas to look over all that has come before as a part of this process over the last several decades, and we have participated fully in the process that has already been described to you that has gone on in the last six months.

During this process, there were two basic principles I think reaffirmed to me that I just want to share with you this morning. First, that wilderness is an appropriate and a critical component of our Federal land management policies necessary to protect certain irreplaceable lands that remain in their pristine condition and that need protection. Second, the Wilderness Act neither requires nor allows us to sacrifice our rural communities in the pursuit of protecting those areas. There is room for us to be able to accommodate the various interests and the Wilderness Act itself recognized that and provided for it in the way we defined what was wilderness and what was not. Most of the argument will continue to focus on how many acres should be designated.

But before I address that, I think it is important that we also recognize there are other critical issues that have got to be discussed and resolved. And we tried to do that in the appropriate way through this bill. Issues dealing with water rights, with buffer

zones, with management of cultural and paleontological resources, critical resources that have got to be appropriately managed. And we needed to deal with Native American cultural and religious uses on this land before there ever was a United States government and we needed to deal with the rights and interests of Utah's school children. The trust lands that are scattered throughout these wilderness study areas were given to the school children of the State of Utah to help us with very critical funding problems in this state and we need to deal with making certain that the rights and the interests of Utah's school children, who own that property, are dealt with appropriately as we designate some of these areas for wilderness protection.

Let me also make it clear that as a delegation, we recognized that this Congress has no authority to bind the deliberations of future Congresses, and we did not make an attempt to do that in this bill. We recognize that every Congress that comes in every two years has every right to re-examine the Federal land management policies, not just of Utah BLM land, but of all the land throughout the United States, and we are not trying to bind the hands of future Congresses—indeed we cannot. And we did not try to do that.

Let me just echo what has already been said by Senator Bennett and by Congressman Orton, and that is that the 1964 Wilderness Act was never intended to become a catch-all designation for public land. Wilderness is one way to designate and protect certain lands that meet certain requirements established in the 1964 Act. It was intended to protect those lands, but we also have a range of other designations, whether it is primitive, semi-primitive areas, wild and scenic rivers, conservation areas, parks, recreation areas. We have a whole range of opportunities to figure out ways to protect land consistent with its nature and its character and what we think is the wisest way to deal with that particular piece of land.

So the issue here today is not all or nothing. It is not wilderness or throwing land open to any sort of development that the people who have some interest in developing it may find appropriate. I believe that there are going to be other areas of land in the state that were considered as part of this process, that are not candidates under the definition of the 1964 Wilderness Act for wilderness, that nevertheless should receive some form of protection. But I think it is critical that we settle first on those lands that meet that most restrictive designation of wilderness and then continue to pursue other designations for other areas of land that may not meet that most restrictive designation, but still have unique properties that require some sort of management beyond simply throwing it into the multiple use inventory of the Bureau of Land Management.

And so I think that this is a first step in a process that does not end when we decide what is wilderness, but that cannot really begin until we decide what is wilderness, what areas are not wilderness and we can start to begin to figure out other ways to appropriately manage those areas that were not designated as wilderness.

I believe that H.R. 1745 represents a substantial and credible effort toward making that first designation and recognizing what meets the criteria of the 1964 Act, but it is not the end of the discussion on how public land should be managed in the State of

Utah. It is, however, something that has to be decided before we can move on in determining the best way to manage and protect the resources in those areas that are not wilderness. I support the bill and I am an original co-sponsor of the bill.

I do have to say, however, I believe there are additional lands that should be included in wilderness designation to make the bill complete. The map that we have set up at the end of the table here will show you—and I am going to go over and point to these areas if you will excuse me.

The areas in the green hatch marks here match the map behind you. Those are the areas that are recommended currently in the delegation proposal. I propose adding acreage in eight different areas for a variety of reasons, most of which are that each of the areas that I am going to show you were recommended for wilderness designation by the Bureau of Land Management in its statewide wilderness final environmental impact statement with the exception of two areas, in Book Cliffs and Desolation Canyon. The Book Cliffs expansion was recommended for inclusion as wilderness by the Grant County Commission. And at the time of the BLM inventory, the area that I am going to show you in Desolation Canyon was the subject of oil and gas leases which have since been abandoned and the road reclaimed. So at the time the BLM made its recommendation, there were clearly conflicts in the area, but those conflicts no longer exist.

The eight areas that I would propose begin with Turtle Canyon, which is off to the side here at the Desolation area; an expansion around the Desolation Canyon area. Two reasons for this. First, these areas contain unique lands that do fall, I believe, under the wilderness designation and here we are attempting for management purposes to eliminate this very narrow neck of land which we believe would make management of the land very difficult, and expand the boundary out to make this one large contiguous area that could be managed and that provides more of an ecosystem than the current proposal with that narrow neck of land.

[Applause.]

Ms. WALDHOLTZ. The next item is an expansion in the Book Cliffs and I apologize for the fact that this is a little bit difficult to see. But as I said, the Book Cliffs expansion was recommended by the Grand County Commission as part of their recommendation of what should be designated as wilderness.

Next is an expansion on the southern end of Sids Mountain. As you heard, there are concerns in the community for Sids Mountain because of a power plant that is located very closely in proximity. I believe, however, if we can appropriately address the buffer zone issue, that the inclusion of this southern area would not only be appropriate, but again, would give you a larger contiguous area for wilderness management.

Next is an expansion of the Paria-Hackberry area in Kane County. The Paria-Hackberry area would include areas west of the Paria River. They were recommended by the BLM. These areas have a very high scenic value and by adding them you would include the Paria River itself on both sides in the wilderness area.

Next, Fish and Owl Creek Canyons, which are adjacent to the proposed Grand Gulch expansion area. These were all rec-

ommended by the BLM as wilderness. They have many, many archeological treasures. They were included in the national conservation proposal submitted by San Juan County. So there is great recognition that this is a unique area that needs protection and it is really a question of how.

[Applause.]

Ms. WALDHOLTZ. Next would be Road Creek Canyon immediately south of the areas just described to you. They have those same properties.

Next, would be Grand Gulch Complex expansion. The Grand Gulch Complex, as you know, has been the subject of a great deal of interest and it is because of the unique geographical area that it is, because of the archeological treasures and in our review, we have concluded that appropriate management and protection of this area would require expansion of that area. They were originally recommended for inclusion by the Bureau of Land Management and it again helps to establish a larger contiguous wilderness area.

The total additional acreage that I am recommending is approximately 363,000 acres. Let me make it clear again that I support what the delegation has done. I believe we have dealt in an appropriate way with a host of difficult issues. But I also would submit to you that in order to really meet the criteria of the Wilderness Act, to provide areas that have large areas that help us manage those areas, that provide wilderness habitat, that accomplishes what the Wilderness Act was intended to accomplish, I think these areas are prime areas that should be included in that wilderness designation.

Let me just say also that I believe that the process that we went through was a good one. We did not set out in this process to come up with a preconceived number of acres. We tried to take the wilderness bill and apply its provisions and we came out with a proposal that while there are differences, there are areas that I think should be added, there are other areas where other members may feel that we did not do exactly the right thing, we nevertheless worked through this process, area by area and tried to come up with a proposal that we felt best complied with the Wilderness Act.

Let me just add one other thing before I conclude. I know there are being a great number of polls bandied about and there are various claims going to be made on how many people support how many acres. That is what the focus of the disagreement has come to center on. So that I could have some benchmark myself, I commissioned a poll that was done by Dan Jones & Associates on April 26, 1995, with a survey sample size of 600 people located solely within my Congressional District, the Second Congressional District, that you are now in. The results of that survey I want to share with you—23 percent supported approximately 5.7 million acres of wilderness; 36 percent supported approximately 1.2 million acres of wilderness identified as an earlier proposal from Representative Hansen; and 24 percent supported approximately two million acres of wilderness constant with the BLM's proposal. Now I am not offering this information as definitive on this issue. I am offering it to demonstrate the wide range of survey data available on this issue. I think that you can only pull a few conclusions from

**STATEMENT OF KEN SLEIGHT, PACK CREEK RANCH, MOAB,
UTAH**

Mr. SLEIGHT. Chairman Hansen, members of the Committee—

Mr. HANSEN. Hold on just a minute, they tell us it is dark or nothing. What would be your choice?

VOICES. Light.

Mr. HANSEN. OK, we will go ahead. Mr. Sleight, I am sorry.

Mr. SLEIGHT. There has been a lot of expert testimony here today and I need to take just a few moments to strive to establish myself as an expert witness. I have been fortunate that I have had the opportunity to enjoy the wilderness lands of the canyon country for much of my life. My guiding profession has taken me down rivers, the Green and the Colorado, many times, San Juan; it has taken me hiking, and by horseback, into the various canyons, and many of the canyon areas now under study I have been to, I have taken groups in there from all over America.

I hold or have held permits and concessions in Canyonlands, Dinosaur, Arches, Grand Canyon and in Glen Canyon. I also hold permits on lands administered by the Forest Service and the BLM. I have led trips into many areas of the San Rafael, the High Uintas, Zion, Dark Canyon, Cedar Mesa, Beef Basin, the LaSal Mountains, the Blue Mountains, Elk Ridge, the Hole-in-the-Rock trail, the Escalante country and a host of others. And we continue to hold a concession permit in Glen Canyon under the name of Lake Powell Tours. I have held permits there since before the construction of the dam.

At present, my wife and I own and operate Pack Creek Ranch, a guest ranch and country inn on the LaSal Mountain drainage. We also hold permits from the BLM and the Forest Service at that point.

In addition, I have spent my life in agricultural pursuits and businesses, the planting of pastures, harvesting of crops, tending to livestock. I have run livestock on the public ranges, snaked the logs out of the forest lands and hauled coal from the mines.

I have held positions on numerous committees having to do with resource subjects, natural resource subjects.

But I say with that introduction, it is extremely important that we now have wilderness designation in those areas that are of a wilderness character. Exciting and destructive as it was, the period of manifest destiny is over. Changing conditions dictate that national policy shift from the need for development toward the need for preservation.

[Applause.]

Mr. SLEIGHT. I support H.R. 1500 as introduced by Mr. Hinchey, and I also compliment former Congressman Wayne Owens for spearheading a drive for preservation of the wilderness areas, and also compliment Congresswoman Karen Shepherd for her work.

I find many problems with this bill before you, Chairman Hansen, that you have introduced, and the others. In the main, these flaws negate the true wilderness provisions which are called for in the Wilderness Act. Many areas of a wilderness area and qualified for designation have purposely been left out to accommodate special interests. I oppose these bills in their entirety. I also oppose Congressman Orton's bill, proposed bill, draft bill.

I agree wholeheartedly with the Southern Utah Wilderness Alliance and the Utah Wilderness Coalition regarding their positions on water rights, off-road vehicles, dams, roads, gas and oil development, state lands and the release language.

Here in Utah, we are blessed with an abundance of the most unique and priceless lands in all the world. Places such as Dark Canyon and the Grand Gulch and Cedar Mesa and Escalante Canyon. There is nothing like these lands anywhere. The value to us as they are keeps rising. To preserve them is by far the wise choice. Utah has developed a large tourist industry. With that comes responsibilities. We must not destroy the very things that our visitors come here to see.

We had once beautiful lands—we had Music Temple, we had Cathedral in the Desert, Gregory Natural Bridge. Now these forms are all under water. A great wilderness area was taken away from us, buried under hundreds of feet of water. Along with it went a lot of Indian ruins—mass destruction.

We have very few real wilderness lands left, they are priceless to us. I ask you—and I send a word from Mark Merryboy, Commissioner of San Juan County, his feelings in regard to wilderness. He has asked that the wilderness process as constituted here be slowed down, we need more time. So I ask you, likewise, we need more time to show the real values of this land. This is a hurry-up job and we need to have much more study.

I thank you.

[Applause.]

Mr. HANSEN. Thank you.

Mr. Wilson.

[The statement of Mr. Sleight may be found at end of hearing.]

STATEMENT OF TED WILSON, HINCKLEY INSTITUTE OF PUBLIC POLICY

Mr. WILSON. Mr. Chairman and members of the Committee, thanks for the wonderful opportunity to be here today. My name is Ted Wilson, I am from the Hinckley Institute of Politics at the University of Utah, but I do not speak for the Institute today, we do not take public policy positions; nor do I speak for the University of Utah, which I think anybody knows that I do not do that.

But the issue of wilderness in Utah is one that affects us all deeply. I appear as a private citizen who moderated a citizens hearing on Thursday night where 350 citizens, mostly from Utah—we had a couple from out of state but mostly from Utah—sembled at the Indian Walk-In Center, 75 people spoke between 7:30 in the evening and about 1:00 in the morning, and everyone had pretty much unlimited time, though I as one of the moderators tried to limit it to three minutes. Nobody obeyed that. But we were up late and it was an excellent hearing.

I really think today I would discourage my friends behind me from demonstrating so vociferously. I do think it gets in the way of testimony. But I must say, Mr. Chairman, that this demonstration is based upon an incredible frustration with this process. These people feel left out. And whether they have been or not, I guess is a matter of like wilderness, a matter of perception, but it is something that needs to be corrected or explained. And I think

Testimony of Dr. Diane W. Davidson, Committee for Biological Commentary on Utah Wilderness Issues, on June 29, 1995, before the House Subcommittee on National Parks, Forests and Lands.

Chairman Hansen, and Distinguished Sub-committee Members:

I am Diane Davidson, a Professor of Biology at the University of Utah. I represent the views not of the University, but of a group of Utah biologists who came together from throughout the State in March, 1995, out of concern that public debate on wilderness designation was being conducted strictly in the political arena, and without reference to widely accepted scientific criteria for the protection of biological diversity.

Although the term "biodiversity", defined as living things and the processes that sustain them, was not coined until the mid 1980's, the 1964 Wilderness Act clearly enunciates a role for wilderness in the protection of biodiversity. It does so by expressing the need to preserve and protect lands in their "natural condition", recognizing wilderness as a place where the "community of life" is "untrammeled by man", and mandating the protection of "scientific", "educational" and "conservation" uses. As biologists, we believe that wilderness is vital to conserving Utah's more than 3000 plants, 580 vertebrates, and uncounted insect and other invertebrate species.

Our Committee's deliberations culminated in 11 recommendations for an approach to wilderness designation using established scientific criteria for the preservation of biodiversity. Although we did not specify particular sites or acreages, BYU zoologists later gave Congressman Orton detailed information on site-by-site concerns for vertebrates (copy to be submitted at hearing), and we are in the process of preparing more comprehensive and site-specific recommendations.

Our recommendations were delivered to Governor Leavitt and to each member of Utah's Congressional delegation. In this and follow-up letters (sample appended), we volunteered our time and expertise. These efforts elicited two form letters (from Leavitt and Waldholz, appended), and no response from any other member of the delegation.

The Utah Delegation's bill (H.R. 1745) has ignored virtually all of the established scientific criteria for designing systems of protected areas. It is seriously flawed and will do little to preserve Utah's biological heritage.

First, the bill fails to protect the large, contiguous roadless areas required to ensure long-term population viability of wildlife, especially of wide-ranging and secretive species such as big horn sheep, river otter and golden eagle. Area requirements are likely to be especially large in arid and relatively unproductive BLM lands. Without substantial enlargement, isolated wilderness allotments like those designated by H.R. 1745 in the Cedar Mesa area are too small to contain biotic communities representative of all stages in the disturbance cycle, or to provide long-term protection for resident species. (This problem would be solved only partly by Rep. Waldholz's amendments, which would award wilderness status to areas like Fish and Owl Canyons, Road Creek Canyon, and the whole Grand Gulch complex. Addition of the more remote White Canyon complex, which adjoins Natural Bridges National Monument and is year-round habitat for bighorn sheep, would assure the future of wildlife in this region.)

H.R. 1745 also does a poor job of adjoining and augmenting existing protected areas, such as national parks and Forest Service wilderness areas, and of providing migratory corridors among such areas. These omissions increase the likelihood of species extinction within

Greater Canyonlands National Monument: An Opportunity, A Legacy

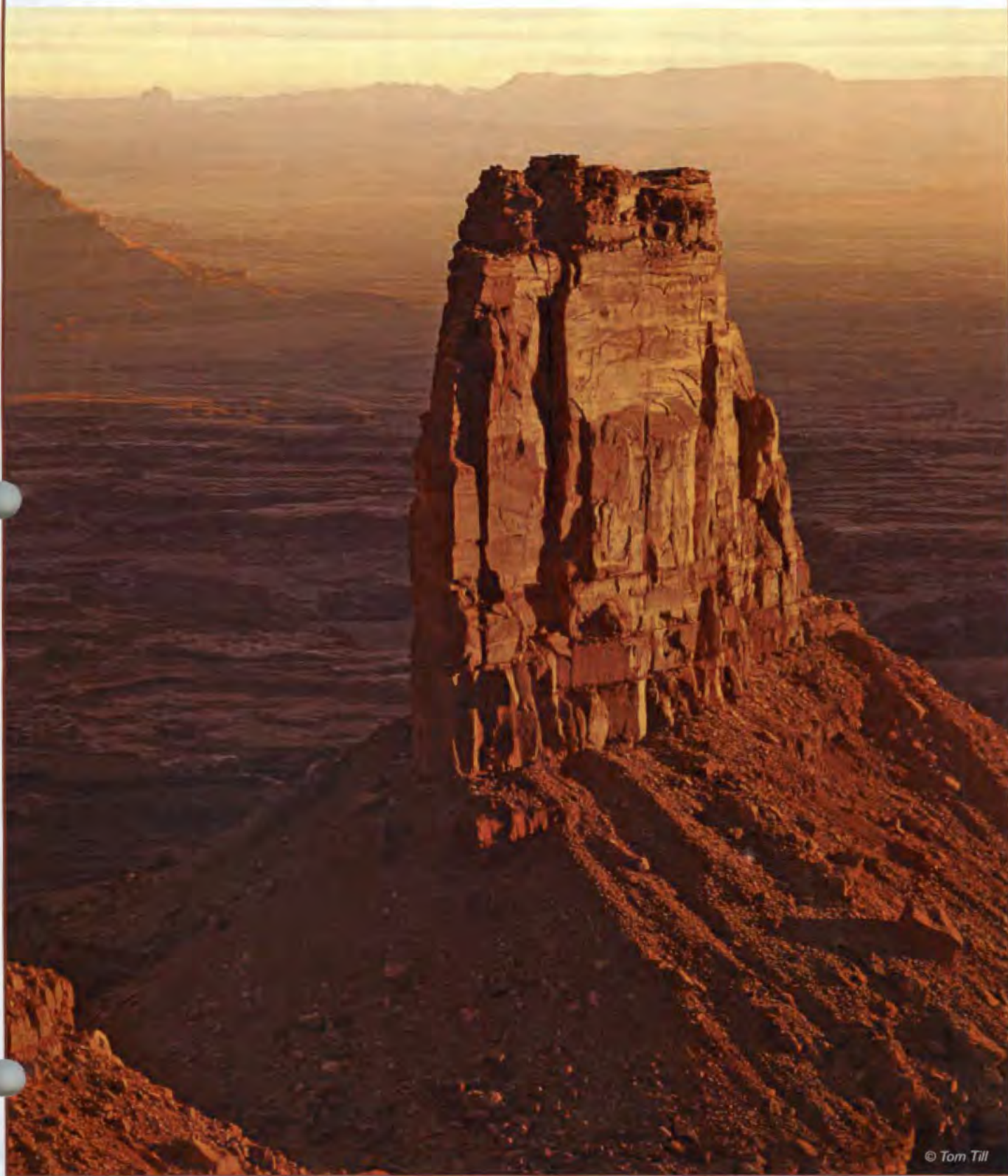


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EXECUTIVE SUMMARY

GREATER CANYONLANDS SWEEPS ACROSS A VAST NETWORK OF CANYONS AND MESAS filled with scientific, cultural, and historic treasures—one of the last intact large landscapes in Utah's redrock wildlands. Surrounding the focal point at the confluence of the Green and Colorado rivers in Canyonlands National Park, Greater Canyonlands embraces nearly 1.8 million acres of the Colorado Plateau—with virtually no roads to fragment the region's intact and dynamic ecosystems. In the shadow of the 11,360-foot-high Abajo Mountains, stunningly diverse geologic formations shelter a largely untapped library of 12,000 years of human history—from Ice Age mammoth hunters to Ancestral Puebloans to mid-twentieth-century uranium prospectors—an unparalleled story of this southwestern frontier.

Canyonlands National Park, Natural Bridges National Monument, and the northern reaches of Glen Canyon National Recreation Area are embedded within the matrix of Greater Canyonlands. Remoteness has preserved historic and scientific resources beyond the national parklands, providing unmatched opportunities for research, solitude, and renewal. Greater Canyonlands also secures critical watersheds along the Colorado and Green as well as the Dirty Devil and San Rafael rivers. By protecting the full basin and the great drainages that reach back toward enclosing uplands, we knit together these "crown jewels" in a complementary and comprehensive system of land management. This protection would conserve the most threatened natural resources, permit native plants and animals to migrate in response to climate and environmental change, and ease conflicts among recreationists.

This complex of canyons, mesas, mountains, and basins, of natural bridges, arches, and spires, rivals the Grand Canyon in importance and scale. Within Greater Canyonlands lies the fundamental geological story of the central Colorado Plateau. Beginning with the Paradox Basin's salt deposits from the Pennsylvanian Period, Greater Canyonlands offers crucial clues to a sequence of continentally important geological puzzles.

Canyonlands National Park preserves only a small portion of this landscape. Greater Canyonlands completes a conservation vision that dates to the 1930s and offers remarkable opportunities for research on salt anticlines, upwarps and monoclines, laccolithic mountains, and canyon-cutting by rivers, creeks, and seasonal flash floods. This descent through time allows scientists to decipher the erosional mechanisms of the Colorado Plateau.

TENS OF THOUSANDS OF ARCHEOLOGICAL SITES PROVE THAT GREATER CANYONLANDS ONCE TEEMED WITH DENSE HUMAN POPULATIONS. Here, people farmed corn, beans, and squash and decorated cliffs with striking and mysterious artworks. The lightly vegetated landscape and dry climate preserve traces of the past lost in most other places. The result is a rich archaeological record visible, well-preserved, and unrivaled in North America. This cultural and artistic treasure holds valuable knowledge about the past and keys to understanding the future.

Thousands of dry caves and alcoves in Greater Canyonlands reveal dramatic adaptation of human populations over 10,000 years. The well-preserved stratified deposits of these dry desert caves (notably Cowboy Cave in Horseshoe Canyon) yield artifacts (including a 9,000-year old coiled basket, the oldest known in the Americas) and clues to the human ability to respond to changing climates. The remote and hidden alcoves and overhangs of Greater Canyonlands hold the fragile, vulnerable archaeological evidence of these remarkable ancient cultures.

On any hike or drive, visitors can encounter traces of the ancients. Rich archaeological resources blanket the area: cliff dwellings contemporary with those of Mesa Verde; great houses, great kivas, and Chaco roads related to Chaco Canyon; world-renowned Fremont rock art; and thousands of pithouses, pueblos, and specialty sites. If we can stop the ongoing depredations of vandals who destroy archaeological de-

posits for personal gain, Greater Canyonlands has tremendous research potential for future archaeologists.

As suddenly as the Ancestral Puebloan and Fremont cultures appeared in the region, even more abruptly their ways of life and archaeological presence disappeared. In the late 13th Century, burgeoning populations encountered drier, hotter conditions, resulting in inconsistent crop yields, hunger, social strife, general chaos, and rapid abandonment of the farming lifeway—and abandonment of much of the region.

Similar shifts occurred throughout North America at the same time, resulting in broad and deep changes to the Native cultural landscape just prior to the entry of Europeans. Deciphering the details of this great tragedy in the remote Canyonlands may shed light on how this widespread catastrophe devastated the farming cultures of North America and perhaps yield insight into how modern populations might react to and deal with climate change.

The inheritors of Ancestral Puebloan culture—the modern Pueblo people—live far to the south in Arizona and New Mexico villages but maintain ceremonial connections to this prehistoric homeland. The Diné, the Navajo people, live nearby in today's Navajo Nation. Ute and Paiute reservation communities flank Greater Canyonlands. All these native peoples retain a keen interest in seeing these wild resources and ancestral sites preserved.

EUROPEANS ENTERED THIS NATIVE LANDSCAPE IN THE LATE 1700S, when Spanish explorer-priests rode north from New Mexico. The two branches of the Old Spanish Trail skirted Greater Canyonlands just to the north and south, defining and acknowledging the region's ruggedness and remoteness by avoiding it.

The remote and undeveloped nature of Greater Canyonlands protects historical sites that span the full history of this boom-and-bust West—beginning with mountain man Denis Julien's first Anglo-American inscriptions along the Green and Colorado rivers in 1836 and John Wesley Powell's epic journeys in 1869 and 1872. Pioneer wagon roads, sawmills, and ranch structures tell the stories of isolated family ranches and early homesteaders. As the nineteenth century turned to the twentieth, Butch Cassidy and the Wild Bunch used Robbers Roost and nearby canyons along the Dirty Devil as hideouts, a key stop along The Outlaw Trail.

The scientific value of historic and prehistoric sites and artifacts lies in relationships—with each other and within the larger context. Individual sites connect to community and to regional patterns of settlement. To understand this context within Greater Canyonlands requires preservation of large areas to maintain the objects and their interactions. Thus, protection of the full reach of Greater Canyonlands is necessary for proper care of the region's historic and prehistoric treasures—both discovered and undiscovered.

GREATER CANYONLANDS POSSESSES GREATER PLANT DIVERSITY THAN NEARLY ANY OTHER REGION IN UTAH, supporting fully 57 percent of all plants known on the Colorado Plateau. Nine hundred and sixty species of plants grow in Greater Canyonlands. A 6500-foot elevation range coupled with diverse rock formations—each eroding to unique geography and soil types—defines the Canyonlands Floristic Province, where ecotypes run from salt desert shrub to lush grassland, from piñon-juniper to alpine coniferous forest.

Climate, limited plant migratory routes, and distinctive geologic history lead to small and isolated populations and a high concentration of endemic species adapted to this arid and rigorous home. Fragile biological soil crusts also play a critical role throughout Greater Canyonlands, stabilizing and enriching desert soils. Canyonlands plants often have low reproductive potential, restricted geographic ranges, and vary substantially in population size. Many species are so rare that off-road-vehicles and non-native species can easily imperil small populations. Seven endangered or threatened species find refuge here. This wealth of endemic plants and their pollinators presents extraordinary opportunities to study speciation and community dynamics independent of climatic variables.

These diverse plant communities nourish rich wildlife communities. Hundreds of species of birds,

mammals, fish and reptiles—including nearly three dozen animals on federal and state threatened and sensitive species lists—make their homes in Greater Canyonlands. While most of the region remains unsurveyed, biological hot spots include the Abajo Mountains and 750 miles of the river canyons and their tributaries.

Riparian ecosystems make up less than 1 percent of Utah public lands but support 70–80 percent of Utah's plants and wildlife species. These wetlands provide refuges and stopovers for Neotropical migrant birds and landscape-scale migration corridors within otherwise inhospitable habitat for larger species like deer, mountain lions, and bears. Nearly 300 perennial springs bubble up in the dry Greater Canyonlands landscape, dependable water sources critical to the survival of native plants and wildlife. Some of the rarest species in Utah and the most spectacular biotic assemblages survive only at springs and seeps.

Greater Canyonlands boasts a pristine night sky and natural quiet. Only wind and wildlife interrupt the silence. The brilliant stars and dark skies led to the designation of Natural Bridges National Monument as the world's first International Dark Sky Park. With isolation and good air quality, with no towns or highways crossing the region, Greater Canyonlands is one of the few places to still offer a view of stars at their clearest against an absolutely black night sky.

THE NATIONAL PARK SERVICE FIRST PROPOSED A NATIONAL MONUMENT PROTECTING GREATER CANYONLANDS and the surrounding canyons of the Colorado River in 1935. The following year, the first proposal for a 6,000-square-mile Escalante National Monument recognized the need to preserve the extraordinary character of southern Utah's redrock wilderness—including Greater Canyonlands. Pro-development advocates attacked this visionary idea, but President Franklin Roosevelt's Interior Secretary Harold Ickes continued to push for a 4.5 million-acre Escalante National Monument through 1940. World War II diverted our attention, but Bates Wilson, Superintendent of Arches National Monument, worked tirelessly to introduce decision makers to this remarkable place in the 1950s.

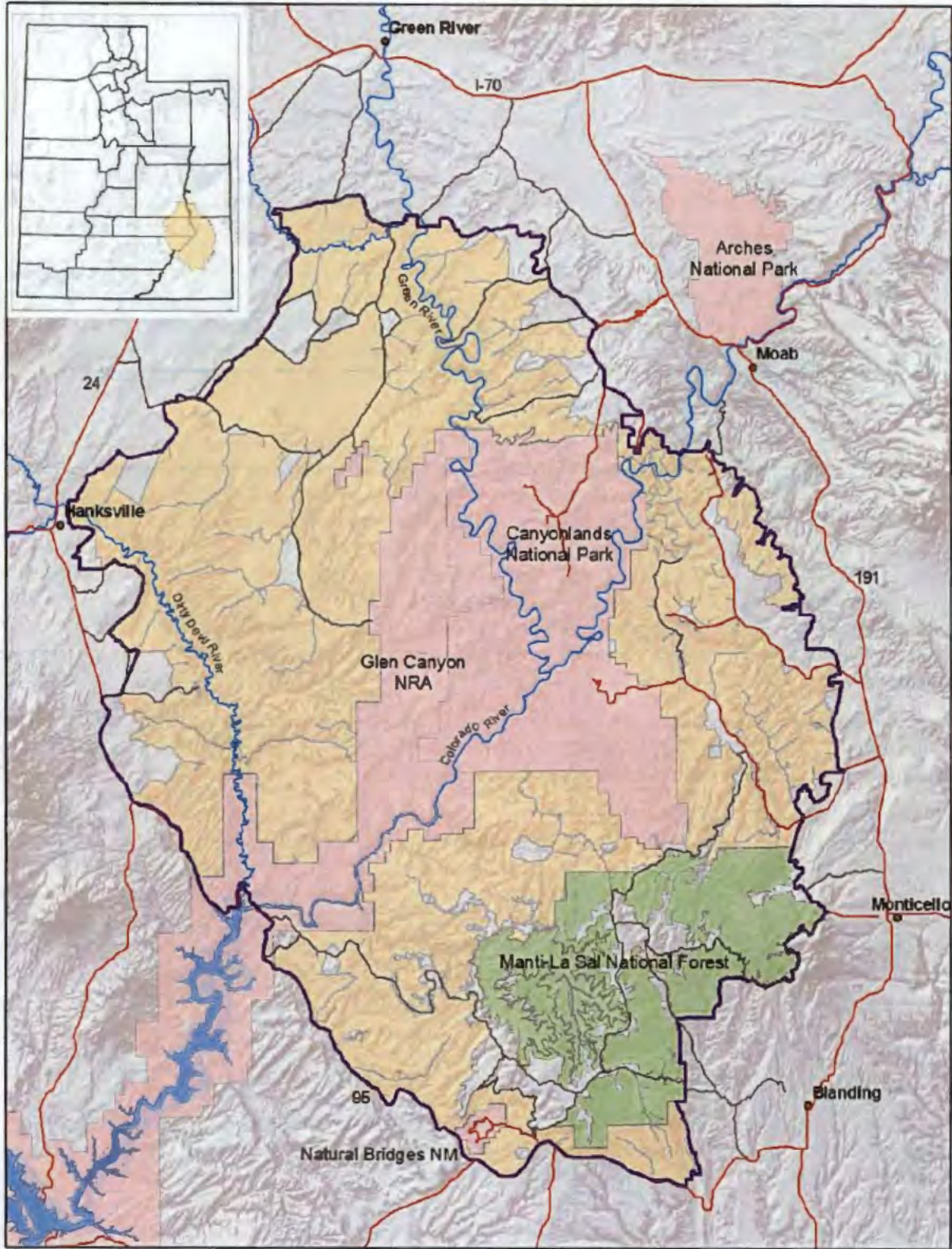
After the election of President John F. Kennedy, Wilson found an ally in Interior Secretary Stewart Udall, who flew over the Canyonlands landscape in 1961, looked down, and murmured, "Goodness sake, that's a national park!"

After that plane flight, Udall directed the Interior Department to begin planning a Canyonlands National Park. When President Lyndon B. Johnson signed the public law creating Canyonlands National Park in 1971, he preserved 257,400 acres, a little over one quarter of Udall's original conception—with boundaries that divided the watershed and left most of Greater Canyonlands without an adequate shield against development.

Ever since the park was created, conservationists have dreamed of "completing" Canyonlands to embrace the uncompromised watershed. The scientific value of many of the historical and archaeological objects within Greater Canyonlands requires preservation of large areas to maintain both the objects and their interactions. Only through such protection can scientists consider the relationships of prehistoric sites in the larger context of community patterns, settlement patterns, and regional populations.

Conservation biology also argues for landscape-scale protection for migration corridors, habitat protection, and research opportunities. Protecting Greater Canyonlands at the scale of 1.8 million acres truly is "the smallest area compatible with the proper care and management of the objects to be protected," as required by the Antiquities Act.

Fifty years after Stewart Udall's vision of a Canyonlands National Park, Greater Canyonlands remains one of the last untouched frontiers of the West, one of the largest areas in the lower 48 United States wild enough to offer a once-in-a-generation opportunity to proclaim an environmental legacy and to protect this beloved landscape.



GREATER CANYONLANDS NATIONAL MONUMENT: AN OPPORTUNITY, A LEGACY

INTRODUCTION

Greater Canyonlands remains one of the last untouched frontiers of the West, one of the largest areas in the lower 48 states wild enough to offer a once-in-a-generation opportunity for the President of the United States to embrace a true environmental legacy and protect this beloved landscape as a national monument.

The boundaries of the Greater Canyonlands region include nearly 1.8 million acres, an astonishing landscape of high plateaus; the essential sky-island watershed of the Abajo Mountains; stunning geologic formations; 12,000-year-old sites left by mammoth hunters; an incomparable archaeological record of Ancestral Puebloan life; and unmatched natural beauty. Preserving Greater Canyonlands makes sense now, as it did to Secretaries of the Interior Harold Ickes and Stewart Udall when each first imagined preserving millions of acres of the area's redrock country decades ago.

Today, Greater Canyonlands faces unprecedented threats. Energy development can have huge impacts, but exploding off-road vehicle (ORV) use poses problems no less serious (Gregory, 2008). National monument designation would not exclude ORV use but instead would direct riders away from the most fragile areas, protecting both diverse recreation uses and an irreplaceable ecosystem. Proclaiming a Greater Canyonlands National Monument would knit together the interlocking land management designations in a complementary system to protect the most threatened resources (rare plants, Puebloan ruins, and rock art, especially); permit native plants and wildlife to migrate freely in response to climate and environmental changes; ameliorate conflicts among ORV users and other recreationists; create a vital buffer for Canyonlands National Park; and facilitate a more comprehensive management approach based on watersheds and water conservation.

Greater Canyonlands is a coherent—but startlingly vulnerable—expanse filled with scientific, cultural, and recreational riches, one of the last intact large landscapes in southern Utah's redrock wilderness; a landscape worthy of decision makers' attention and visionary action.

Greater Canyonlands is comprised of a matrix of public lands. First is Canyonlands National Park, a crucial preserve established in 1964 that encloses the core of canyons and mesas at the confluence of the Green and Colorado Rivers. Glen Canyon National Recreation Area, Natural Bridges National Monument, and Manti-La Sal National Forest add layers of protection to significant reaches of this canyon country. Unfortunately, illogical hard-to-manage straight-line boundaries define each of these preserves and create conflict with surrounding Bureau of Land Management (BLM) public lands, reflecting compromises forged among diverse stakeholders: government, conservationists, and resource developers over the last seventy years.

THE COLORADO PLATEAU AND GREATER CANYONLANDS LANDSCAPE

The Colorado Plateau, host to the Greater Canyonlands, has the geographical weight of the better known Rocky Mountains or the Appalachians, the Sierra Nevada or the Great Lakes. A few Canyon Country icons—Grand Canyon, Zion, Monument Valley, Delicate Arch—are considered common culture, pillars of the continental landscape we call the Colorado Plateau. Beyond these icons, Greater Canyonlands boasts even more spectacular landmarks: Labyrinth Canyon, Lockhart Basin, the Six Shooter Peaks, White Canyon, Fiddler Butte, Robber's Roost, and the Dirty Devil River.

Geologist John Wesley Powell first explored these canyons between the Rockies and the deserts when he dared to run the Green and Colorado rivers in 1869 and 1871. He found an arid unmapped multi-tiered Sachertorte of flat-lying rocks dissected by the Colorado River and its tributaries. And so he named this re-

drock country for the river and its landforms (Powell, 1875; Stegner, 1954).

From the mouth of the Colorado River at the sea, the Southwest rises northward in steps—from desert basin, to desert mountain, to the Colorado Plateau, and finally, to the Rockies themselves. Keystone to this diverse landscape is the Colorado Plateau, ringed by dry mountains, standing as an island above the deserts. Its rocks are old, its canyons still new, and its geology laid bare to even the least observant eye.

Rocks define the Colorado Plateau as both a physical and an ecological landscape. Despite its aridity, ecologists have not traditionally included the Plateau within the North American Deserts. However, with increasing impacts of climate change, their maps may change as increasing aridity accelerates desertification (Schwinning et al., 2008.). While many Plateau species have connections to the Rocky Mountains or the Great Basin Desert, the Greater Canyonlands is a biologically distinct place. With its rivers confined in deep canyons, isolated springs provide a unique resource. The Plateau has developed unique and diverse communities of endemic (and threatened) animals and plants uniquely adapted to its terrain.



In the heart of the plateau, Greater Canyonlands protects critical watersheds along the Colorado and Green rivers, as well as the Dirty Devil and San Rafael rivers. This place of cliff, canyon, and valley, of spire and castle, of lush and improbable hanging gardens, of echoing alcoves and amphitheatres, harbors pockets of life and refuges for rare species. The mosaic of physical and chemical environments created by two-dozen distinct rock layers nourishes nearly a thousand species of desert flora and a rich array of wildlife, from black bears on Elk Ridge, to mountain lions and desert bighorn sheep at Hatch Point, to peregrine falcons in Labyrinth Canyon.

The central veins of the Green and Colorado rivers flow southward—defining Greater Canyonlands' network of drainages. The Green loops for 50 miles through the sinuous bowknot curves of Labyrinth Canyon—recommended to Congress by the BLM as worthy of Wild and Scenic designation (BLM, 2010). Significant tributaries—the San Rafael River, oasis-like Tenmile Creek, and Barrier (Horseshoe) Creek—cut deep gashes in the surrounding benchlands before joining the Green in this reach.

The Colorado runs across Greater Canyonlands from northeast to southwest—from near Moab southward into the Canyonlands basin surrounding Canyonlands National Park and on to the confluence with the Green and the whitewater of Cataract Canyon (McKnight, 1940; Baker, 1948). Indian Creek, Salt Creek, and Dark Canyon join the Colorado from headwaters on the flanks of Elk Ridge and the Abajo Mountains (Gregory, 1938; Witkind, 1964). Greater Canyonlands ends near Hite, Utah, where the Colorado meets the Dirty Devil River (flowing through one of the most rugged and remote landscapes in the American West) and White Canyon (after its descent from Natural Bridges National Monument) (Thaden et al., 1964).

Geology

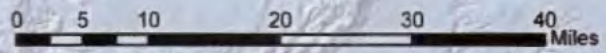
This complex of canyons, mesas, mountains, and basins, of natural bridges, arches, rincons, and spires, rivals the Grand Canyon in importance and scale. Within Greater Canyonlands lies the geological story of

Canyonlands Region Rivers, Streams, and Springs


Green River

LEGEND

-  Springs
-  Rivers and streams
-  Park Service Lands
-  Canyonlands Region



Produced by the
Wild Utah Project
Jim Catlin
Emanuel Vásquez
February 2011



the central Colorado Plateau. Beginning with the Paradox Basin's salt deposits from the Pennsylvanian Period, Greater Canyonlands offers compelling clues to a sequence of continentally important geological stories. Rocks from the Permian Period add thousands of feet of cliffs and canyons eroded from the Cutler Formation, including the Cedar Mesa Sandstone's needles and fins that give the region much of its character (Condon, 1997).

Mesozoic rocks contain rich paleontological resources—though Greater Canyonlands remains largely unexplored by paleontologists (James Kirkland, Utah state paleontologist, personal communication, 2012). The wall of Jurassic sandstone (Wingate Sandstone cliffs and Navajo Sandstone domes) that rims the Canyonlands Basin and Dirty Devil canyons creates one of the most dramatic landscapes in the world. (Fillmore, 2011)

Canyonlands National Park preserves only a small portion of the core of this landscape. A Greater Canyonlands National Monument would complete a conservation vision that dates from the 1930s and offers remarkable geological and geomorphological research opportunities. Mesa by mesa, the land steps downward to the rivers, from the Island in the Sky and the Abajo Mountains, from the San Rafael Desert and Hatch Point. This descent through time contains evidence critical to understanding the erosional mechanisms of the Colorado Plateau.

THE ANTIQUITIES ACT AND CONSERVATION IN SOUTHERN UTAH

Canyonlands National Park

The National Park Service first surveyed southern Utah in 1935 and looked broadly at the Canyonlands Basin, Glen Canyon, the Waterpocket Fold, Cataract Canyon and the canyons of the San Juan River. The first Escalante National Monument proposal in the next year recognized the extraordinary character of this immense, unimpaired landscape. The proposed monument contained 6,000 square miles and included the entire Greater Canyonlands region.

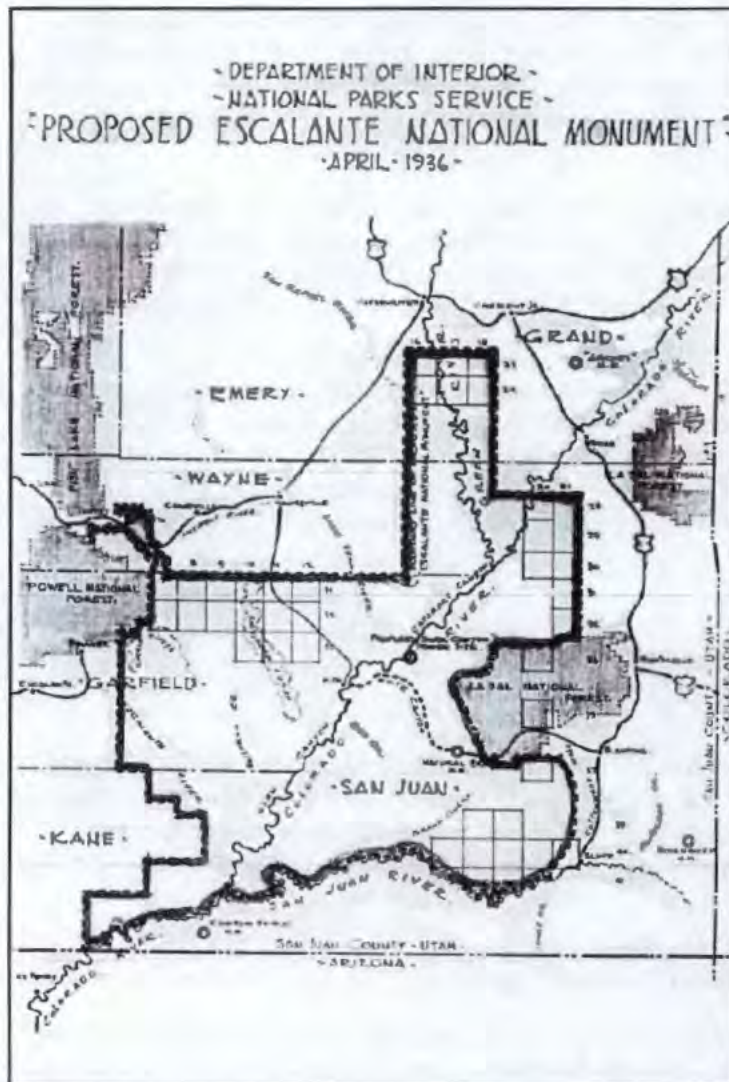
This description by M. R. Tillotson, NPS regional director in Santa Fe, in a report on the 1935 proposal (Newell, 1977), applies just as accurately today to Greater Canyonlands:

There is probably no single section of the entire scenic southwest which offers a greater variety and a more interesting array of spectacularly scenic effects than does the area under consideration. It is a land of deep canyons, narrow gorges, terraced plateaus, cliff-bound mesas, tortuous entrenched stream meanderings, large-scale buttes and temples, weirdly eroded formations, wind-swept desert-like slopes, standing rocks, high escarpments, natural bridges and colorings so gorgeous as at times to seem almost gaudy. All this on so gigantic a scale as to be difficult of comprehension. Distances are vast. Accessibility is extremely difficult—in many places practically out of the question. Canyons, virtually impassable, are everywhere . . . It would be impossible, even in a much more extensive report than this adequately to describe the country.

Utah citizens initially supported the new conservation proposal. In April 1936, the Utah Planning Board declared that "an extension of authority, especially of the National Park Service, would be beneficial to the people of Utah." (Richardson, 1965) At the time, no more than 100 people lived in those 6,000 square miles—in Fruita and Hite. Nearly all the acreage was grazed, a livelihood for 463 families and their 26,290 cattle, 2,618 horses, 144,298 sheep and 534 goats. (West, 1936)

Despite the Planning Board's recommendation, grazing and mining interests shot down this visionary concept. Two more modest Escalante proposals of 4.5 million acres followed, one promoted in 1940 by Interior Secretary Harold Ickes. But none became law.

The grandeur of these proposals matched the scale of this "standing up country," (Crampton, 1965) yet



no protective designations existed for Greater Canyonlands when Bates Wilson arrived to work as Superintendent of Arches National Monument in 1949.

Wilson first took his pack horses into the backcountry of Canyonlands in 1951 (Wilson, 1967); he became the most dynamic proponent for creation of a park here, leading numerous jeep tours into the area for government officials, including Interior Secretary Udall in the sixties. Bates Wilson eventually earned the title, "Father of Canyonlands," and remained a passionate advocate for the region until his death in 1983.

Stewart Udall had his own vision for the park while flying over the area in 1961 (Udall, 2006). After a visit to Glen Canyon Dam and Rainbow Bridge with Bureau of Reclamation Chief Floyd Dominy, the dam-builder offered Udall a ride back to Denver in his plane. Dominy wanted to show Udall the site of his next big reservoir project just below the confluence of the Green and Colorado Rivers. Little did Dominy know that Secretary Udall saw quite another possibility when he looked down at Greater Canyonlands. Stewart Udall, Secretary of the Interior, native of the Colorado Plateau, looked out the window of Floyd Dominy's plane and said to himself, "Goodness sake, that's a national park!" (Udall, 2006).

Udall returned to Washington D.C. and asked his staff to begin working on a Canyonlands National Park plan. Negotiations followed. Utah's Republican Governor George Clyde and, especially, Senator Wallace Bennett (the single Republican member of the congressional delegation) led the charge to oppose any park boundaries that would "lock up" potential mineral resources—conflating the park proposal with discussion of the Wilderness Act also before Congress. Bennett used language familiar today to decry the "land-grab" that would lead to a "Udall-created wasteland" (Baker, 2008).

Secretary Udall countered that the stable economic future of the state lay with tourism. Two years later, the final boundary of Canyonlands National Park was a political accommodation negotiated by Governor Clyde and Senator Frank Moss (D-UT)—and far removed from Udall's original vision to protect one million acres and an uncompromised watershed within the entire Canyonlands Basin. But in that debate lay pioneering discussions of just what should be protected by a national park—adding ecosystem protection to the traditional concept of "scenery" for the first time (Baker, 2008; see also Williams, 2012).

When President Lyndon B. Johnson signed the 1964 public law creating Canyonlands National Park it contained 257,400 acres, a little over one quarter of its original proposed size. In 1971, with the addition of the Maze district, also with compromised boundaries, the park increased in size to its current 337,540 acres.

In the 1980s, the National Parks Conservation Association, working with then-Congressman Wayne Owens (D-UT), proposed legislation adding up to 750,000 acres to Canyonlands, which would have created a park similar to that originally conceived decades before. The Department of Energy's proposal to construct a nuclear waste repository in Lavender and Davis canyons just outside Canyonlands gave their work urgency. Six years of hard lobbying by NPS and others killed the ill-conceived nuclear waste dump, but the park expansion bill failed too, lacking Utah delegation support.

Resolution of the fundamental core of the problem—an artificial and unenforceable boundary—may require the action of the president.

In the late 1990s, Canyonlands Superintendent Walt Dabney introduced the Canyonlands Completion plan that would add 515,000 acres to the park. Dabney used watershed boundaries to embrace the entire Canyonlands basin, including side canyons and more of the Green River. Once again, the realities of Utah politics crushed this vision.

A University of Utah Honors College class looked at "Canyonlands completion" in 2009, interviewing citizens in Grand and San Juan counties. In their summary document, the students recommended expansion of the park along the Dabney boundaries as a "Canyonlands National Park and Preserve," to address "the fundamental core of the problem— an artificial and unenforceable boundary—while creating a management scheme to resolve concerns regarding future changes on the affected BLM lands." (Ballif et al., 2009) Greater Canyonlands National Monument could address and resolve these concerns so deeply held by the students.

A Case for the Antiquities Act

Appropriate for our cause, the history of conservation on the Colorado Plateau begins with President Theodore Roosevelt. After all, it was President Roosevelt who signed the Antiquities Act into law in 1906, granting the President of the United States the authority to protect public lands for the public good. The Antiquities Act resulted from concerns about protecting mostly prehistoric Indian ruins and artifacts, collectively termed "antiquities," on federal lands in the West, such as at Chaco Canyon, New Mexico. Removal of artifacts from these lands by private collectors, called "pot hunters" in the language of the time, had become a serious problem by the end of the 19th century. In 1902, Iowa Congressman John F. Lacey, who chaired the U.S. House of Representatives Committee on the Public Lands, traveled to the Southwest to see for himself the extent of the pot hunters' impact. His findings, supported by an exhaustive report to Congress detailing the archaeological resources of the region, provided the necessary impetus for the passage of the legislation.

The Act was intended to allow the President to set aside certain valuable public natural areas as park and conservation land. The 1906 act stated that it was intended for: "... the protection of objects of historic and scientific interest." These areas are given the title of "National Monuments." It also allows the President to reserve or accept private lands for that purpose. The aim is to protect all historic and prehistoric sites on United States federal lands and to prohibit excavation or destruction of these antiquities. With this act, such action can be done quickly, allowing bold action in light of a potentially immobile Congress. The Act states that areas of the monuments are to be confined to the smallest area compatible with the proper care and management of the objects to be protected. As with the Grand Canyon, some areas designated as national monuments have later been converted into national parks, or incorporated into existing national parks.

Before development interests dominated landscape conservation efforts in southern Utah, both Democratic and Republican presidents added preserves to the Colorado Plateau continuously for thirty years. In fact, Roosevelt used the Antiquities Act to proclaim Grand Canyon and Petrified Forest as national monuments. Mesa Verde became the first Plateau national park (designated by Congress) in that same year. At the request of local citizens, Roosevelt also set aside the forest reserves that would become Manti-La Sal National Forest.

Every Colorado Plateau national park or monument in Utah (except for Canyonlands) started as a national monument proclaimed by visionary presidents under the authority of the Antiquities Act:

- ❖ **Natural Bridges** (Theodore Roosevelt: 1908)
- ❖ **Mukuntuweap** (William Howard Taft: 1909)
- ❖ **Rainbow Bridge** (William Howard Taft: 1910)
- ❖ **Dinosaur** (Woodrow Wilson: 1915)
- ❖ **Zion** (*incorporating the earlier Mukuntuweap NM*) (Woodrow Wilson: (1918)
(*became a national park in 1919*)
- ❖ **Hovenweep** (Warren G. Harding: 1923)
- ❖ **Bryce Canyon** (Warren G. Harding: 1923)
(*became a national park in 1928*)
- ❖ **Arches** (Herbert Hoover: 1929)
(*became a national park in 1971*)
- ❖ **Cedar Breaks** (Franklin D. Roosevelt: 1933)
- ❖ **Zion** (the Kolob canyons) (Franklin D. Roosevelt: 1937)
(*later added to Zion National Park*)
- ❖ **Capitol Reef** (Franklin D. Roosevelt: 1937)
(*became a national park in 1971*)

Roosevelt's Secretary of the Interior Harold Ickes proposed a huge Escalante National Monument in the Greater Canyonlands/Glen Canyon region, and the monument just might have come to be if World War II hadn't intervened (Richardson, 1965). President Clinton referred to this unrequited dream in his speech at the Grand Canyon when he proclaimed Grand Staircase-Escalante National Monument in 1996:

If you'll permit me a personal note, another one, it was 63 years ago that a great Democrat first proposed that we create a national monument in Utah's Canyonlands. His name was Harold Ickes. He was Franklin Roosevelt's Interior Secretary. And I'm sorry he never got a chance to see that his dream would become a reality, but I'm very glad that his son and name-sake is my Deputy Chief of Staff and is here today.

And it was 30 years before that, 93 years ago, that a great Republican President, Theodore Roosevelt, said we should make the Grand Canyon a national monument. (Clinton, 1996)

In the fall of 1996, with election season politics fully underway, President Clinton, against the breathtaking backdrop of the Grand Canyon designated 1.7 million acres of southern Utah's redrock cliffs as the Grand Staircase-Escalante National Monument under the Antiquities Act. Local Utah authorities scoffed at the designation, claiming it would stunt the local economy; angry ranchers demanded a repeal of the designation and catalyzed a lawsuit about "federal interference" (later struck down in the 10th Circuit Court); rumors raged that objectors burned Clinton in effigy.

Luckily, Clinton was not deterred by oppositional billboards and the outrage of a few. Instead, he recognized a long-term benefit to the entire community. What Grand Staircase-Escalante did for the local economy and environment was a boon. Not only has the protection of nearly two million acres of public land safeguarded some of our nation's most spectacular cliffs and canyons, but it also maintained responsible access for hunting, fishing, grazing, and more.

Presidents used the Antiquities Act without substantial opposition until 1943, when Roosevelt proclaimed Jackson Hole National Monument in Wyoming. Roosevelt did so to accept a donation of lands from John D. Rockefeller, Jr. for inclusion in Grand Teton National Park after Congress had refused to authorize the addition. Roosevelt's proclamation unleashed a storm of criticism about the use of presidential power to circumvent Congress and local authority. Congress finally incorporated most of Jackson Hole National Monument into Grand Teton National Park but prohibited any future use of Antiquities Act authority in Wyoming. Wyoming Governor Cliff Hansen led the charge against preservation in Jackson Hole, but by the

1960s reversed his position, stating "I'm glad I lost, because I now know I was wrong" (Wirth, 1980).

On the Colorado Plateau, great leaps forward have come only once in each generation. In 1964, the bill establishing Canyonlands National Park passed Congress. And in 1971, substantially enlarged versions of Capitol Reef and Arches moved to national park status. Glen Canyon National Recreation Area, established in 1972, protects the remaining wild canyons surrounding Lake Powell, the reservoir behind Glen Canyon Dam—and extends far north into Greater Canyonlands.

The Colorado Plateau deserves to be understood as part of our common heritage, to be preserved as a national legacy.

The same era also saw triumphs in the Grand Canyon. Citizen lobbying prevented two dams, at Marble Canyon and Bridge Canyon, deleted from the Central Arizona Project in 1968. And, in 1975, Congress enlarged the park to include the full course of the Colorado River through Greater Grand Canyon, absorbing Grand Canyon and Marble Canyon national monuments and, with additional adjacent lands, nearly doubling the park's size to more than 1.2 million acres—a model for Greater Canyonlands (Anderson, 2000).

The Colorado Plateau and the Canyons of the Colorado deserve to be permanently protected, integrated and understood as part of our common heritage, preserved as a national legacy. Greater Canyonlands forms the unprotected core, the central jewel of that landscape.

A 12,000 YEAR HUMAN RECORD IN GREATER CANYONLANDS

The deeply incised canyons and stark sandstone mesas of Greater Canyonlands have hosted human life—families, bands, clans, and tribes—for as long as people have inhabited the New World. One thousand years ago, Greater Canyonlands teemed with residents; the canyons and mesas saw a denser population than they have since. Tens of thousands of archeological sites reveal the lives of these Ancestral Puebloan people who farmed corn, beans, and squash and decorated the cliffs with striking and mysterious artworks.

Greater Canyonlands has an archaeological legacy both visible and robust—a record of prehistory unrivaled in North America. The spare landscape and the dry climate preserve and yield traces of the past long lost in most other places. Public lands in San Juan County average 24 archaeological sites per square mile (BLM, 2010). This treasure trove of scientific knowledge can help unlock the mysteries of human adaptations to the deserts of the West. In a report on the cultural resources of Greater Canyonlands, noted southwest archaeologist Jerry Spangler summarized these resources as "a largely untapped library of 12,000 years of human history." (Spangler, 2011)

Paleo-Indian era

The Clovis complex founds Greater Canyonlands' history. Paleo-Indian people lived in Greater Canyonlands in relatively small numbers. Post-Pleistocene erosion has obliterated much of the evidence of their presence, characterized by distinctive projectile points often associated with the remains of now-extinct mammoth and other prey animals.

Two of the earliest Paleo-Indian sites in North America lie along the Green River within Greater Canyonlands. The Montgomery Site yielded Ice Age tools left by a concentration of families (Davis, 1985). A large, dense Paleo-Indian lithic scatter at the nearby Dawson Site indicated the presence of a camp near an ancient spring and playa (Byers et al., 2008). Dozens of other sites suggest that human groups moved freely throughout this canyon country.

As the Ice Age gave way to warmer climates, the Green River corridor and nearby springs remained a lush refuge for Late Pleistocene mammals—mammoths, mastodons, camels and sloths, and the massive short-faced bear and saber-toothed tigers that preyed on them. Such concentrations made easy prey for Ice Age hunters.

With the disappearance of large Pleistocene fauna during the Archaic period, humans in the Canyonlands became efficient harvesters of plants and seeds and hunters of small mammals like rabbits and deer. Technology evolved, documented by manos and metates to grind wild seeds as well as snares and throwing sticks called atlatls that amplified the power and range of spears. As the massive ice sheets melted away, the raging Green and Colorado rivers emerged as formidable barriers to social and economic exchange.

An 8,000-year interval separates the demise of the Pleistocene megafauna and their Paleo-Indian hunters and the arrival of agriculture and the flowering of farming cultures. This Archaic Period was a time of great diversity, as hunting and gathering people refined and perfected adaptations to the harsh desert environment of the Canyonlands region.

Thousands of dry caves and alcoves in Greater Canyonlands preserve evidence of dramatic adaptation of human populations to changing climates over 10,000 years—beginning with the Archaic Barrier Canyon

Some of the most scientifically important cultural resources in North America lie in Greater Canyonlands, each with evidence that could help unravel secrets into our collective human past.

people. Their living sites and spectacular rock art contribute unique records to North American archaeology (including a dry cave that yielded a 9,000-year old coiled basket, the oldest known in the Americas; Geib and Jolie, 2008).

Nowhere is the layer cake of scientific evidence more complete than at Cowboy Cave in Horseshoe Canyon, where families returned each summer to the predictable harvest of wild plants, leaving behind remnants of their tool kits, fantastic baskets

and mats, animal figurines (perhaps for hunting magic), and mysterious and striking ghost-like red images painted on the canyon walls. The stratigraphy of Cowboy Cave deposits starts 15,000 years ago, with dung left by mammoth, bison, horse, camel, and sloth, and runs through ten millennia of human occupation (BLM, 1991). Excavations at the cave yielded an incised pebble from an 8,700-year-old level, the oldest rock art in Utah with a known date, and unfired clay artifacts dated to 7,400–5000 B.C., the earliest clay artifacts on the Colorado Plateau (Jennings, 1980).

A great explosion of humanity and cultural richness occurred in the region about 2,000 years ago. The introduction of agriculture, ceramics, and the bow and arrow from the south enabled people to more successfully adapt to life in the arid canyons. Early Southwestern farmers built subterranean pithouses and wove exceptionally fine textiles. Populations grew rapidly, as the Anasazi and Fremont cultures became established and dominated the region. This period produced an unparalleled concentration of archaeological sites in Greater Canyonlands, “some of the most scientifically important cultural resources in North America, each with evidence that could help unravel secrets into our collective human past” according to Spangler (2011).

Ancestral Puebloan populations

At about 900 A.D., the Colorado River suddenly ceased to be a barrier. A massive migration of Ancestral Puebloan farmers swarmed into Utah, penetrating hundreds of miles from their ancestral homelands. Most of the archaeological evidence in the Canyonlands comes from this interval between A.D. 900 to 1300: scores of cliff dwellings along the Colorado River corridor; “forts” along the Green River—defensive outposts or early warning stations; and diverse rock art styles that signify distinct cultural identities. (Spangler, 2011)

Fremont and Anasazi/Ancestral Puebloan populations blended here in a unique hybrid. Greater Canyonlands lies at the heart of this unprecedented change, and sites found along the Green and Colorado rivers and their tributaries hold secrets that explain the rise and ultimate collapse of this network of ancient farming communities that cultivated corn where no corn can be grown today.

As suddenly as the Anasazi and Fremont cultures appeared in the region, even more abruptly their ways of life and their archaeological presence disappeared. In the late 13th century, burgeoning popula-



"Farmhouse Ruin" in the Greater Canyonlands region. © Scott Brader/SUWA.

tions encountered drier, hotter conditions, resulting in inconsistent crop yields, hunger, social strife, general chaos, and rapid shifts from farming lifeways—and even abandonment of much of the region. Greater Canyonlands holds the key to understanding these centuries when Ancestral Puebloan and Fremont cultures met, mingled, and collapsed.

Similar shifts occurred throughout North America at the same time, resulting in broad and deep changes to the Native cultural landscape just prior to the entry of Europeans. Deciphering the details of this great tragedy in the remote Canyonlands may shed light on how this widespread catastrophe devastated farming cultures across the continent, and perhaps yield insight into how modern populations might react to and deal with climate change.

The inheritors of Ancestral Puebloan culture—the modern Pueblo people—live far to the south in Arizona and New Mexico villages. The Diné, the Navajo people, live nearby in today's Navajo Nation. Ute and Paiute reservation communities flank Greater Canyonlands. All these native peoples retain a keen interest in seeing their wild resources and ancestral sites preserved.

The Hopi have rich oral traditions that tell of Hopi clan migrations throughout the Southwest, including southern Utah (Schroeder, 1985). Archaeological evidence places Hopi ancestors originally within the San Juan region of the Southwest. Sometime during the end of the 1200s, a prolonged drought forced these people to move away from the area towards the north, west, south, and east. The Hopi believe they have cultural affiliations with the occupants of these living and rock art sites and maintain ceremonial connections to this prehistoric homeland.

Prior to 1500, Utes left cultural markers in the San Juan region. Utes place religious and traditional importance on many land features throughout southeastern Utah.

The earliest known Navajo site in San Juan County is a hogan in White Canyon, west of Bear's Ears, dating to 1620. The Navajo identify the Colorado River watershed, including the Green River, as a place of religious and traditional importance based on creation stories (Molenaar, 2003). Navajos mention three important mountains in Utah in their ceremonies and myths—two of which lie in Greater Canyonlands: DziłDiloi (the Abajo Peaks) and Shashjaa (the Bear's Ears) (Gilpin, 2001; Pachak et al., 1992).

Navajo connections to Greater Canyonlands remain strong. Utah Navajos have been mapping and recording these connections in the Dine Bikeyah project (Maryboy et al., 2012).

European influx

Europeans entered this landscape in the late 1700s, when Spanish explorer-priests rode north from New Mexico. The two branches of the Old Spanish Trail skirted Greater Canyonlands just to the north and south, defining and acknowledging the region's ruggedness and remoteness by avoiding it. Mountain man Denis Julien left the first Anglo-American inscriptions along Canyonlands rivers in 1836.

In the 1850s, the Mormon Church sent the first group of pioneers to this corner of southern Utah—the Elk Mountain Mission to the Moab Valley. The 1880 Hole in the Rock expedition brought the San Juan Mission of Mormon settlers to the nearby towns of Bluff and Blanding, just east and south of Greater Canyonlands. Prospectors, trappers, and cowboys followed.

John Wesley Powell passed through in 1869 and 1872 on his epic journeys down the Green and Colorado rivers through Greater Canyonlands and beyond. Powell and his men bestowed on this landscape some of the most lyrical and evocative names found anywhere in the West: Buttes of the Cross, Labyrinth Canyon, the Dirty Devil River. (Powell, 1875)

The remote and undeveloped nature of Greater Canyonlands protects historical sites that span the full history of this boom-and-bust West. As the nineteenth century turned to the twentieth, Butch Cassidy and the Wild Bunch used Robber's Roost and nearby canyons along the Dirty Devil as hideouts, a key stop along The Outlaw Trail (Warner, 1940; Baker, 1989). Old mining sites record the mostly busted dreams of prospectors from the late 19th century through the post-World War II uranium boom.

Vulnerable Resources

On any hike or drive through Greater Canyonlands, visitors can encounter traces of ancient cultures. Rich archaeological resources blanket the area: ingeniously built cliff dwellings contemporary with those of Mesa Verde still cling to canyon walls. Great houses, great kivas, and Chaco roads connect to Chaco Canyon, 150 miles away in New Mexico. Turkey pens and granaries that held their last stores of corn a millennium ago perch on inaccessible ledges. World-renowned rock art panels depict hunting scenes and village life—along with symbols whose meanings remain indecipherable.

The remote and hidden alcoves and overhangs of Greater Canyonlands offer tremendous research potential for future archaeologists. These resources remain vulnerable, as the fragile baskets and other perishable artifacts draw looters who destroy archaeological deposits for personal gain—though remoteness and lack of vehicle access have prevented serious vandalism. Protection of the full reach of Greater Canyonlands is necessary for proper care of the region's historic and prehistoric treasures—both discovered and undiscovered.

Archaeologist Winston Hurst says of Greater Canyonlands, "It just is unacceptable to me to have a powerful archaeological record out there that's being devoured by all kinds of destructive elements without trying to learn what it is capable of telling us about the human experience over time" (Hurst, 2008).

GREATER CANYONLANDS ECOLOGY

Greater Canyonlands encompasses high biodiversity, outstanding wildlife habitat, and rich ecological assemblages. The huge variety of geology and soil types coupled with elevations that range from 3,790 feet to 11,368 feet have resulted in a high diversity of ecotypes, from salt desert shrub to lush grasslands to alpine conifer forests (ArcGIS elevation analysis, USGS 2009).

Vegetation and soil crust

Greater Canyonlands supports 960 species of plants—57 percent of all plants known to the Colorado Plateau Ecoregion (Albee et al., 1988). Indeed, the Canyonlands Floristic Province possesses greater plant diversity than any other floristic region in Utah (Cronquist et al., 1972; Davidson et al., 1996). Climate, position along plant migratory routes, and distinctive geologic history explain the high local rates of endemism (Welsh, 1978).

Rigorous conditions limit the number of plants capable of establishment and reproduction in any given area (Davidson et al., 1996). This results in small populations of unique plants that have evolved in relative isolation. Many of these species are so rare that they are easily imperiled by human actions such as uncontrolled off-road vehicle use and invading non-native species. And so, 21 federally listed Endangered and Threatened plant species survive here, including the dwarf bearclaw poppy, clay phacelia, and clay reed mustard (UDWR NHP, 2001). These species often have low reproductive potential, restricted geographic ranges, or substantial variation in population size, all of which makes them highly vulnerable to human disturbance.

Greater Canyonlands possesses another unusual ecological characteristic: numerous steep-walled and virtually inaccessible mesa tops that remain unimpaired by human activities, including livestock grazing (a near ubiquitous impact on plant communities elsewhere in the West). This isolation has resulted in multiple refugia with relict vegetation, where natural processes have continued unaltered by humans since the Pleistocene.

As witnesses to the past, these relict areas (Bowknot Bend in Labyrinth Canyon, for example, whose 1,080 mesa-top acres have been designated an Area of Critical Environmental Concern by the BLM; BLM, 1988) establish a baseline against which to measure human impacts on species composition, community dynamics, and biogeochemical cycles. Experiments already conducted in these special places include studies on grassland cover and species composition (e.g. Jeffries, 1987; Ambos et al., 2000). The Block, near Fiddler Butte, and Bridger Jack Mesa, above Indian Creek, present prime opportunities for new research.

Fragile biological soil crusts play a critical role throughout Greater Canyonlands. These crusts increase the stability of otherwise easily erodible soils, increase water infiltration in a region that receives limited precipitation, and increase fertility of xeric soils often limited in essential nutrients such as nitrogen and carbon (Johansen, 1993; Belnap et al., 1994).

In Greater Canyonlands, natural processes have continued unaltered by humans since the Pleistocene.

Destruction of crusts increases wind and water erosion of surface soils (Allison Jones, personal communication with Howard Wilshire, 2012) and triggers rapid loss of the underlying topsoil (Webb, 1983). This destruction of cryptobiotic soils can reduce nitrogen fixation by cyanobacteria, and set back the nitrogen economy of these nitrogen-limited arid ecosystems by decades (Belnap and Sharpe, 1995; Miller et al., 2001; Barger et al., 2005; Goldstein et al., 2009). A severe loss of nitrates threatens plants in nitrogen-poor arid environments and may eventually lead to desertification (Belnap, 1995).

Once crusts are destroyed, native ecosystem structure can deteriorate further when bare ground becomes available for colonization by exotic weeds (Belsky and Gelbard, 2000). Breaking up the physical and microbiotic soil crusts increases surface roughness, which favors cheatgrass germination (Tisdale and Hironaka, 1981). Intact cryptobiotic crusts reduce or prohibit weed establishment by preventing germination by weed seeds (Eckert et al., 1986; Mack, 1989). Even small reductions in crusts can lead to diminished productivity and health of the associated plant community, with cascading effects on plant consumers (Davidson et al., 1996).

The premier soil crust scientist, U. S. Geological Survey ecologist Jayne Belnap, conducted much of her research in Greater Canyonlands. Belnap says, "No matter what thread we pulled— soil fertility or soil sta-

bility or biodiversity—there was always a huge link between that ecosystem process and the soil crust. That's when I became convinced that the crusts were the key to many processes that we consider important in deserts" (Belnap, 2009). Belnap notes that damage from a bootprint, a bicycle track, or a vehicle tire can be irreversible: "The black lichens come back in 20 years, 30 years. But those colored lichens on soil crusts? They just don't come back" (Belnap, 2009).

Disturbance of soil crusts in Greater Canyonlands increases wind-deposited dust on snowpack in the Colorado Rockies. The dark-colored dust on the snow surface absorbs heat, which melts the underlying snowpack up to a month earlier than normal (Painter et al., 2006). Reduction of water quantity, combined with sediment entering the system from upriver, will further decrease water quality in the entire Colorado River Basin downstream (Belnap and Campbell, 2011). The Colorado River system is the water source for 27 million people in seven western states and Mexico. It is used to irrigate 3.5 million agricultural acres in the desert Southwest and provides water for large private industries, military bases, cities and wildlife.

The list of communities that depend on the sacred Colorado River is long. In the Upper Colorado River Basin, Colorado, Wyoming, Utah and New Mexico rely upon water from the Colorado River. In Colorado, the cities of Denver, Colorado Springs and more than 40 surrounding communities tap the river for resources. The headwaters of the Green River, a major tributary of the Colorado River, are in Wyoming and support 30% of the Wyoming's income and 13% of its people including those living in Rock Springs and Cheyenne. In Utah, two-thirds of the people are or will be served by water from the Colorado River as the Central Utah Project brings resources to supplement Salt Lake City and communities in 12 counties. In Utah, five national parks have rivers that are part of the Colorado River System.

Disturbance of soil crusts in Greater Canyonlands increases wind-deposited dust on snowpack in the Colorado Rockies.

A faster melting rate, prompted by dust on snow, can also mean an increase in flooding and less opportunity to store water in downstream dams. Increased temperatures associated with climate change will indirectly lead to increased wind erosion and dust emission on the Colorado Plateau (Munson et al., 2011). When the peak snowmelt occurs earlier, there is about a 5% reduction in water availability, which is more than 250 billion gallons. This is enough to supply Los Angeles for a year and a half;

it is half of what Arizona takes down through its Central Arizona Project; and twice what the city of Denver uses annually for its water supply. Five percent is a huge amount of water lost to the Colorado River and those that depend upon it for life in the desert!

Wildlife

The highly diverse plant communities of Greater Canyonlands create habitat for rich wildlife communities. Many hundreds of species of birds, mammals, fish, and reptiles live here. This species list includes 27 animals on the State's Sensitive Species list, and seven species on the federal Threatened/Endangered/Candidate Species list, including the bald eagle, Mexican spotted owl, southwest willow flycatcher, yellow-billed cuckoo, Colorado pikeminnow, humpback chub, bonytail chub and razorback sucker (UDWR, 2005). Biological hot spots for both wildlife and plants include the river canyons of the San Rafael, Dirty Devil, Green, and Colorado rivers.

Most fish and wildlife species rely at some point in their life histories on healthy, free-flowing watercourses and riparian areas. Greater Canyonlands contains over 750 miles of perennial watercourses, most of which support riparian vegetation, including over 300 miles of the Colorado River (AGRC, 2005). While normally dry, the complex network of intermittent streams and washes leading to these rivers shelters oases with shallow groundwater and lush communities of cottonwood trees and their associated understory plant and animal life.

Stream-riparian ecosystems are among the most biologically diverse, productive, and threatened habitats in the American Southwest (Johnson, 1991; Stromberg, 1993; Minckley and Brown, 1994). Riparian habitats on the Colorado Plateau support diverse and unique assemblages composed of both distinctive species and of species more typical of surrounding uplands (Stacey, 1995; Naiman and Decamps, 1997; Sabo et al., 2005). Riparian ecosystems within Greater Canyonlands act as important migration corridors for larger species such as deer, mountain lions, and bears (Belnap, 1997). Riparian corridors connect to outlying wetland pockets that provide auxiliary nurseries for a variety of invertebrates, amphibians, and larval and immature native fish (Wolz and Shiozawa, 1995; Davidson et al., 1996).

Riparian ecosystems also offer refuges and stopovers for Neotropical migrant birds within otherwise dry and inhospitable habitat (Moore, 1990). Stream corridors attract recreational users, generating both knowledgeable conservation advocates and potential disturbance from motorized and non-motorized recreation, dams, and water diversions. Isolation from other riparian habitat hinders recovery, since recolonization across upland barriers is so difficult.

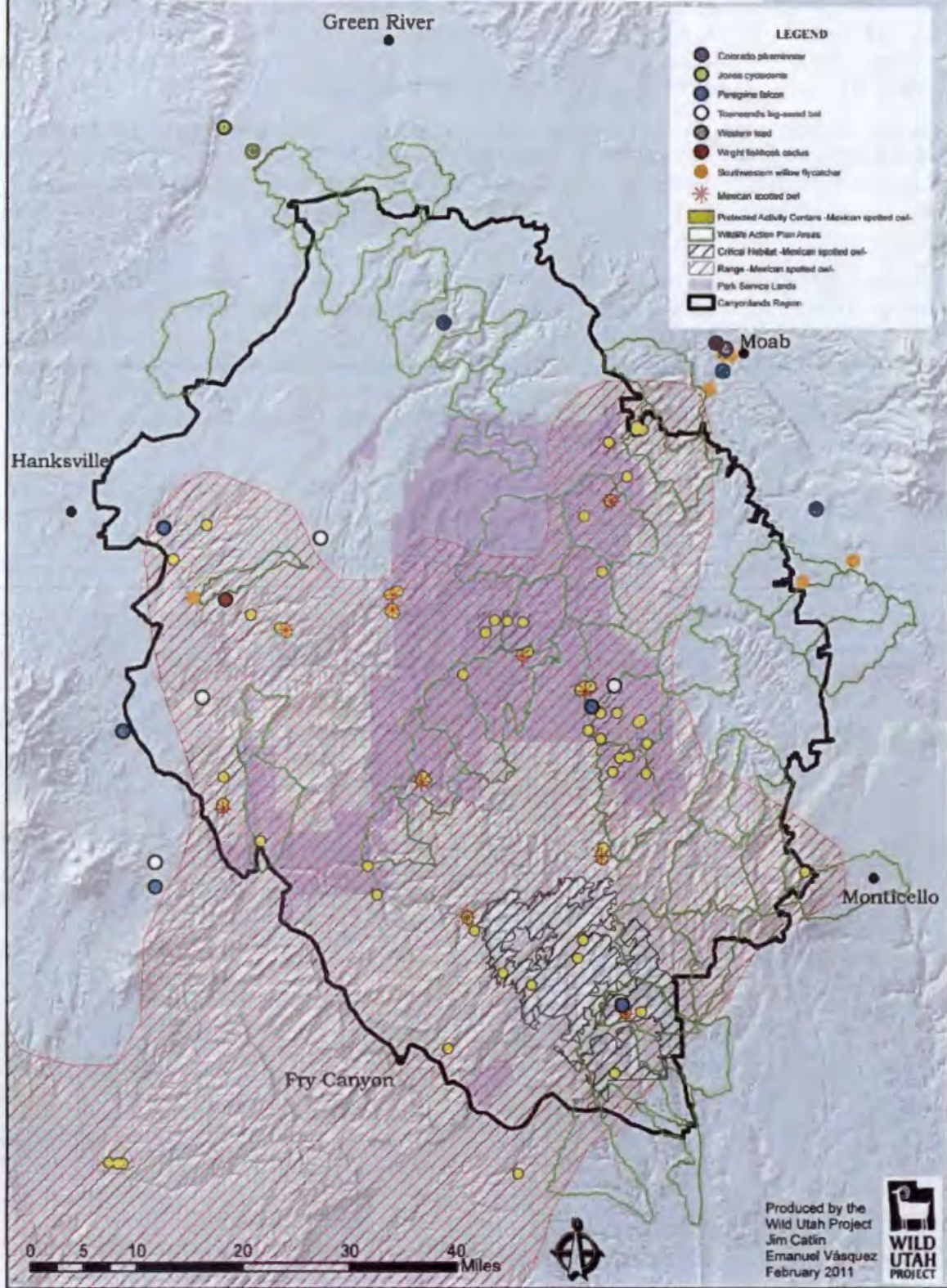
In Greater Canyonlands, nearly 300 perennial springs provide water that's vital in a landscape that averages as few as five inches of precipitation yearly (ArcGIS overlay and analysis of springs, AGRC, 2010; BLM, 2010). Some of the most spectacular biotic assemblages and the rarest species in Utah are associated with these springs and seeps (Rushforth et al., 1976; Johansen et al., 1983). Isolation makes recovery from disturbance difficult. Like riparian woods, these seeps, springs, and hanging gardens provide important layover habitat for Neotropical migrants and essential foraging and breeding habitat for resident vertebrates—especially amphibians.

The State of Utah's "Wildlife Action Plan" for Utah's sensitive wildlife recognizes the outstanding values of Greater Canyonlands and has delineated ten separate wildlife "Focus Areas" here (UDWR, 2005 and subsequent updated version). The Utah Division of Wildlife Resources chose these areas as high priority for protection because they harbor particularly high densities of state sensitive species, while at the same time



Beef Basin provides important elk and mule deer habitat in the Greater Canyonlands region. © Ray Bloxham/SUWA.

Canyonlands Region Wildlife Action Plan Areas and Threatened, Endangered, and Sensitive Species.



containing good mixtures of the top ten most important wildlife habitats identified by the Division, such as aspen stands, mountain shrub, grasslands, and riparian areas.

Several Wildlife Focus Areas within Greater Canyonlands stand out. The Abajo Mountains Focus Area contains 100 percent of all Yavapai mountain snails known to exist in Utah as well as healthy populations of northern goshawk. The Elk Ridge Focus Area provides critical habitat for Mexican spotted owl, three-toed woodpeckers, and four species of state-listed bats. Indeed, Greater Canyonlands encompasses most of the critical habitat for the Mexican spotted owl (USFWS Critical Habitat Mapper). The Hanksville Desert Focus Area contributes high percentages of intact grassland habitat, as well as significant habitat for flannelmouth sucker, which is a Conservation Agreement species—the target of multi-agency management cooperation to beef up population size (UDWR, 2012).

The 500-strong San Rafael Pronghorn Herd, one of the largest in the state, covers 589,000 acres, almost all of which lies east of Highway 24 in Greater Canyonlands. Pronghorn prefer habitat in low rolling wide-open expanses, exactly the character of the San Rafael Desert northeast of Hanksville (BLM, 1988).

Crucial mule deer habitat includes the mesas above Indian Creek east of Canyonlands National Park, Beef Basin, lands in White Canyon surrounding Natural Bridges National Monument, and areas east of Comb Ridge. Extremely low road densities in the southern part of Greater Canyonlands favor elk. Essential elk habitat can be found in parts of Beef Basin, near Bridger Jack Mesa, upper Dark Canyon, and Arches Canyon. Bighorn sheep rutting and lambing habitat includes Lockhart Basin, Dark Canyon, and White Canyon—some of the most important bighorn sheep habitat in the region. (BLM, 2010)

Conservation of large, unroaded tracts of habitat yields high rates of return in preserving biodiversity and sustaining critical ecological processes.

Greater Canyonlands contains prime raptor habitat, as well—nest sites, foraging areas, and roosting sites. Riparian habitat supports the greatest diversity and number of prey species, thus providing the greatest food supply for raptors. Raptors using the area include bald eagles (wintering habitat along the Green and San Rafael Rivers). Ferruginous hawks, a candidate species, often nest in Greater Canyonlands (on the ground) and favor open terrain in the San Rafael Desert. Swainson's hawks pass through seasonally as they migrate between northern nesting areas and wintering areas in South America. (BLM, 1988)

Most of the State's identified Focus Areas in the Wildlife Action Plan overlap with large tracts of roadless lands (ArcGIS overlay, WUP, 2008). In fact, the Utah Wilderness Coalition identified 16 Bureau of Land Management wilderness units that lie (entirely or partially) within the Greater Canyonlands ecoregion.

The science of conservation biology has conclusively shown through empirical research that conservation of large, unroaded tracts of habitat yields high rates of return in preserving biodiversity and sustaining critical ecological processes (Noss and Cooperrider, 1994; Trombulak and Frissell, 2000, and references therein). The potential large-landscape conservation of a Greater Canyonlands National Monument would protect rare and susceptible native plant associations and wildlife from the impacts of plant collectors, hunters, and poachers who access by road; noise that affects animal behavior; off-road vehicles that illegally degrade habitat by crossing pristine areas between roads; aggressive exotic weeds that tend to colonize undisturbed habitat along roads; and pollution and erosion caused by roads and affecting watersheds. Safeguarding the diverse and abundant animal and plant life of the Greater Canyonlands region protects an ecosystem unparalleled in the United States.

ECONOMICS: GATEWAYS TO GREATER CANYONLANDS

Research shows that local economies flourish following the creation of new national monuments. This has been true for every national monument of over 10,000 acres designated since 1982 (Rasker, 2011). In

2011, Headwaters Economics looked at the productivity and performance of communities adjacent to 17 national monuments in the West. In every instance, employment, real personal income, and real per capita income all grew after designation. In no case did creation of a national monument lead to an economic downturn in these gateway communities. For example, in the region of Grand Staircase-Escalante, Garfield and Kane counties, those closest to the monument saw a direct increase in personal income as well as a 38% growth in jobs since the 1996 designation (Rasker, 2011).

In the wake of public lands' protection, locals and visitors that enjoy Utah's spectacular sites fuel the state's economy. Research also demonstrates that the outdoor recreation economy contributes approximately \$5.8 billion annually to Utah's economy, supporting 65,000 jobs across the state (Outdoor Industry Foundation, 2006). Even broader, a 2012 report by the Outdoor Industry Association reveals that spending on outdoor recreation in the Western U.S., people who cash in on an opportunity to see beautiful vistas like those in Greater Canyonlands, generated \$15.41 billion in federal tax revenue, and \$15.38 billion in local and state tax receipts in 2011 (Outdoor Industry Association, 2012).

The gateway communities bordering Greater Canyonlands have chosen two distinct paths toward development/enhancement of their economies.

Just 31 miles off Interstate 70, Moab (Grand County) has capitalized on neighboring Canyonlands and Arches (designated national parks in 1964 and 1971, respectively). Moab now closely follows the national models of gateway communities and counties that benefit from protected landscapes. Most of the activities and resources that both tourists and residents love about Moab would not be possible without Arches and Canyonlands national parks. The outdoor recreation industry forms the foundation of the Moab economy, supporting additional growth in construction, health care, and other services as the area becomes increasingly attractive to second-home owners and retirees.

In contrast, Hanksville (Wayne County), Green River (Emery County), and Blanding and Monticello (San Juan County—the poorest county in Utah) all lie strategically close to protected landscapes and meet the minimum infrastructure requirements for gateway communities. But their community leadership has supported traditional resource-based industry to fuel their economies (Archie et al., 1989).

At a San Juan County hearing, Walt Dabney, former superintendent of Canyonlands National Park, noted that when it comes to designating federal lands, political forces too often dilute the original conservation vision. With Greater Canyonlands, said Dabney, we still have the chance to “do it right”—to increase protection for a significant ecological resource along geographical boundaries.

In the same way that Moab began to build its recreation economy as the uranium industry died out, Hanksville, Green River, Monticello, and Blanding can take advantage of the expanding outdoor recreation industry—and profit from their nearby protected federal lands.

In studies of “amenity-based” gateway communities, development has three phases (Howe et al., 1997):

- ❖ First, *natural resource-based development*—ranching, mining, or energy.
- ❖ Then, *tourism*—once “map presence” is established, a national focus like the designation of a new national monument attracts tourists.
- ❖ And finally, *lifestyle community*—innovative or entrepreneurial tourists decide that living next to a protected natural area meets the needs of their ideal lifestyle or financial bottom line. They move to a gateway community to live and/or work.

Rural communities adjacent to protected public lands are more economically successful than those that depend on large-scale energy development for their financial security. With the creation of a Greater Canyonlands National Monument, we provide neighboring communities an opportunity to thrive in a rural landscape and develop resilient local economies.

GATEWAY COMMUNITIES SURROUNDING GREATER CANYONLANDS

Moab (population: 5,100)

Moab has benefited from the protection of nearby Arches and Canyonlands national parks. The town—in an unusually open valley along the Colorado River, with slickrock wildlands in every direction—has become a major regional and international destination for travelers. The designation of a Greater Canyonlands National Monument will draw increased attention and visitation to the area.

One hundred and twenty small businesses in Moab depend on tourism. National monument designation will help protect the prime recreation areas that patrons of these businesses come to Utah to enjoy.

Green River (population: 950)

North of Canyonlands, east of the San Rafael Swell, and home to numerous commercial river guide companies permitted to run Desolation, Labyrinth, and Cataract Canyons, Green River lies less than three hours from Salt Lake City—a potential lure for travelers driving on Interstate 70 between California and Colorado.

Green River's current economy is made up of truck stops, motels, a few restaurants (including the usual franchises inside gas stations), commercial river company warehouses, the melon industry, and farms. Green River is the only town near Greater Canyonlands with daily Amtrak service.

A Greater Canyonlands National Monument would help Green River grow as a true gateway community. The John Wesley Powell River History Museum located here could expand to include broader interpretation of the natural and human history of the region.

Hanksville (population: 215)

Currently, Hanksville—the small town at the junction of Utah State Highways 24 and 95 just east of Hanksville—is a major “gateway” to Lake Powell and Glen Canyon National Recreation Area. This tourist stop consists of gas station/convenience stores, a restaurant, a burger shack, and a motel.

A visitor center in Hanksville could highlight and interpret Greater Canyonlands and provide education about the proper use of ATVs and OHVs around Factory Butte, just to the west. An intensively-used BLM-managed OHV area, Swing Arm City, lies between Hanksville and Caineville in the soft grey Mancos Shale badlands. With controversial impacts on viewsheds and on two species of *Pediocactus* (one threatened, one endangered), these badlands need more attention from our public lands managers.

Blanding (population: 3,400)

San Juan County's largest town, Blanding, lies at a crossroads: Utah Highway 95, which forms the proposed southern boundary to Greater Canyonlands, joins U.S. Highway 191 just south of town. In Blanding, Edge of the Cedars State Park features a massive ancient Puebloan site and houses the most significant artifact collection near Greater Canyonlands. And Blanding has a strong connection to the White Mesa Ute and Navajo Indian reservations just to the south.

Blanding made news in 2009 when federal agents conducted a sting operation to counter illegal trafficking in prehistoric artifacts. The town has a reputation for devotion to local control and self-determination. National monument designation would increase tourist traffic and open up Blanding to growth associated with outdoor recreation. Designation would bring more exposure (and possibly, financial support) to the Edge of the Cedars State Park, which has been in the crosshairs in recent legislative efforts in Utah to save money by closing state parks. The Edge of the Cedars museum could expand to include a Greater Canyonlands visitor center.

Monticello (population: 2,000)

Just 14 miles from the south entrance to Canyonlands National Park, Monticello (the San Juan County seat) has consciously chosen not to embrace tourism as an economic boon. Existing gas stations, restaurants, and motels cater to locals and truckers. U.S. Highway 191 leads south through Monticello into Arizona and New Mexico, while U.S. Highway 491 begins in Monticello and heads east into Colorado.

Though little exists now to encourage tourists to linger in Monticello, the Canyon Country Discovery Center planned by the Four Corners School of Outdoor Education on 48 acres north of town broke ground in 2011. With strong local partners, the Discovery Center will become a major interpretive center for Greater Canyonlands. And with monument designation, Monticello likely will become a full service gateway community.

Greater Canyonlands communities have more predictable futures with a national monument than without it. Designation brings opportunities for community partnerships and education, and potential resolution to historical land use conflicts. Designating a Greater Canyonlands National Monument may be the key to a vibrant and stable economic future for neighboring towns.

THREATS TO GREATER CANYONLANDS

Greater Canyonlands faces numerous regional threats that would permanently despoil its unique historic, environmental and cultural qualities.

Mining and Energy Exploration

Oil and gas drilling, tar sands exploration, and potash and uranium development in and around Greater Canyonlands pose a continued threat to the region's integrity, its cultural resources, and the recreational activities that form the stable basis of Southeastern Utah's economy.

Many of these proposed industrial developments would be visible from the rims of the inner Canyonlands basin and would carve up these wildlands, harming its air and water quality, fragmenting wildlife habitat, and degrading the region's spectacular scenery.

The monument area is surrounded by several million acres that have been identified for future development by extractive industries. Such developments are more appropriate outside of the culturally significant and recreationally important Greater Canyonlands region.

Roads

Previous resource management plans during the Bush Administration opened a sprawling network of dirt tracks in Greater Canyonlands to motorized use—2,500 miles on BLM lands alone. The BLM field offices often allow extensive ORV impacts. In a recent survey, nearly 80 percent of BLM managers said they could not sustainably manage their existing ORV areas (U.S. GAO, 2009). Some routes lead to park boundaries, encouraging illegal off-road vehicle use inside the national park. Thousands of jeeps, modified rock crawlers, ATVs, dune buggies, and dirt motorcycles descend on the canyons throughout the year. Organized events attract as many as 10,000 vehicles in a single week or weekend. Throughout Greater Canyonlands, ORVs have caused soil erosion, polluted water, displaced wildlife, eradicated native vegetation, spread weeds, and damaged archaeological sites.

Unfortunately, furthering the case for administrative protection of Greater Canyonlands, Utah Governor Gary Herbert has dramatically exacerbated road-related problems with unprecedented attacks on the state's public lands, including those in Greater Canyonlands. In May 2012, Herbert directed lawyers for the state of Utah to file 22 lawsuits against the U.S., asserting over 10,000 "road" claims. If successful, this litigation will prevent the National Park Service and BLM from controlling off-road vehicle use in the areas

traversed by these roads. Herbert also signed legislation demanding that the United States hand over 30 million acres of public land "on or before December 31, 2014."

Management

Greater Canyonlands hosts a quilt of management jurisdictions across the region—the U.S. Forest Service, the Bureau of Land Management, and the National Park Service. School trust lands and other state lands are also scattered within those jurisdictions. This mix results in a spiderweb of management priorities and decisions that can be inconsistent and often contradictory and incompatible. For example, four separate BLM field offices manage the public lands within Greater Canyonlands; each operates independently, with no overarching coordination. The attention and resource opportunities associated with a Greater Canyonlands National Monument would certainly help alleviate some of the challenges associated with mixed management in the region.

The federal government and independent scientists have identified Greater Canyonlands as one North American region most vulnerable to climate change (NPS, 2010); therefore mitigation of human disturbance in this region is increasingly important; a clear, unified management plan is essential.

CONCLUSION

The Obama Administration has the opportunity to create a lasting legacy on public lands through the protection of the Greater Canyonlands region under the authority of the Antiquities Act.

In an increasingly urbanized West, Greater Canyonlands serves as a key migration corridor for birds, mountain lions, pronghorn, and desert bighorn. The Canyonlands river system creates a riparian wonderland in a thirsty landscape. Not a single power line traverses this untamed expanse; few human constructions punctuate the horizons. Greater Canyonlands serves as a source of quiet renewal for backpackers, of pristine darkness for stargazers, of untold wonder and adventure for river runners, and of bold economic vitality for southern Utah. A perfect candidate for the Antiquities Act, Greater Canyonlands' ruins and rock art provide a glimpse of the cultures that came before.

The original 1962 National Park Service proposal for a grand Canyonlands National Park laid out a timeless argument for protection of this invaluable region:

The study area is the scenic heart of the Colorado Plateau Province. It contains a startling diversity of inspirational scenery, but is nevertheless a comprehensive whole. Although some of the individual features found within the area (arches, cliffs, canyons, colorful rock layers, semidesert flora and fauna) are also found in other units of the National Park System, many are not duplicated elsewhere and the total assemblage of features and their visual aspect is unique. Nowhere else is there a comparable opportunity to view a colorful, exciting, geologically significant wilderness from above, and then get down into its midst—and still not lose the atmosphere of remote wilderness.

Incomparable. As Stewart Udall said, "You can talk about the Grand Canyon, you can talk about Yellowstone, Yosemite. I'm biased. I'm not sure they compare with the Canyonlands."

Greater Canyonlands has come to us remarkably intact. With boldness and vision, a Greater Canyonlands National Monument will protect this landscape as a gift for this and future generations.

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Forest Service Special Agent). Mr. Gregory testified that: 1) "[i]rresponsible off-roading has become such a menace that it is now the single greatest threat to American landscapes." 2) the ORV problem is getting steadily worse, with no end in sight; 3) the ORV problem is not just 'a few bad apples' - we are suffering from a major breakdown in attitude from sadly, a high percentage of off-roaders;" and 4) "route designations without effective enforcement simply does not work and, when done poorly, significantly aggravates problems."

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Contributing Writers

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Stephen Trimble, *consultant and editor*

NAVAJO NATION JUDICIAL DISTRICTS WITH CONSTITUTED CHAPTERS**1 ALAMO/TÓ'HAIJILEE JUDICIAL DISTRICT**

Alamo
Tó'hajiilee

2 CHINLE JUDICIAL DISTRICT

Chinle
Lukachukai
Many Farms
Nazlini
Rock Point
Tsé Ch' Izhi -- Rough Rock
Round Rock
Tsaile- Wheatfields
Tselani-Cottonwood

3 CROWNPOINT JUDICIAL DISTRICT

Bááhááí (formerly Breadsprings)
Baca-Prewitt
Becenti
Casamero Lake
Chichiltah
Churchrock
Counselor
Coyote Canyon
Crownpoint
Huerfano (south of a horizontal line beginning just south of
Blanco Trading Post on U.S. Hwy 550 and running
westward through Milepost 79 on State Hwy 371)
Iyanbito
Lake Valley
Littlewater
Mariano Lake
Mexican Springs
Nageezi
Nahodishgish
Ojo Encino
Pinedale
Pueblo Pintado
RedRock
Smith Lake
Standing Rock
Thoreau
Tohatchi
Torreon
Twin Lakes
Whitehorse Lake
Whiterock

4 DILKON JUDICIAL DISTRICT

Birdsprings
Dilkon
Greasewood Springs
Indian Wells
Jeddito
Leupp
Teesto
Tolani Lake
Whitecone

5 KAYENTA JUDICIAL DISTRICT

Chilchinbeto
Dennehotso
Kayenta
Navajo Mountain
Oljato
Shonto
Tshah Bii Kin (formerly Inscription House)

6 ANETH JUDICIAL DISTRICT

Aneth
Mexican Water
Red Mesa
Sweetwater (Tolikan)
Teec Nos Pos (West of NM/AZ state line)

7 RAMAH JUDICIAL DISTRICT

Ramah

8 SHIPROCK JUDICIAL DISTRICT

Beclabito
Cove
Gadiiahi/To'koi
Naschitti
Nenahnezad
Newcomb
Red Valley
San Juan
Sanostee
Sheepsprings
Shiprock
Teec Nos Pos (East of NM/AZ state line)
T'iitsoh Sikaad (formerly Burnham)
Toadlena - Two Grey Hills
Tse'Daa'Kaan (formerly Hogback)
Upper Fruitland
Huerfano (north of a horizontal line beginning just south of
Blanco Trading Post on U.S. Hwy 550 and running
westward through Milepost 79 on State Hwy 371)

9 TUBA CITY JUDICIAL DISTRICT

Bodaway-Gap
Cameron
Coalmine Canyon
Coppermine
Kaibeto
Lechee
Toh Nanees Dizi
Tonalea

10 WINDOW ROCK JUDICIAL DISTRICT

Cornfields
Crystal
Fort Defiance
Ganado
Houck
Kinlichee
Klagetoh
Lupton
Manuelito
Nahata Dziil
Oak Springs
Red Lake
Rock Springs
Sawmill
St. Michaels
Steamboat
Tsayatoh
Wide Ruins

11 DZIL YIJIN JUDICIAL DISTRICT

Black Mesa (Kits'iili)
Forest Lake
Hardrock
Low Mountain
Pinon
Tachee-Blue Gap
Whippoowill

The below artistic map by Deborah Reade adapted and reprinted by permission of the School of American Research, Santa Fe ©2003 shows geographical terrain and demarcates our districts numerically for identification. It is not to be relied on for accuracy of boundaries:



Russel Begaye

Navajo Nation President- since May 12, 2015

Co-Chair for the Bears Ears Coalition- since (?)

- *Actively supports the October 15th Presidential Proclamation for the creation of the monument, also showing support from Navajo tribes:*
 - "All of our tribes have said we want to push the envelope," said Eric Descheenie, spokesman for Navajo Nation President Russell Begaye and co-chair of the Bears Ears Coalition with Hopi Vice Chairman Alfred Lomaquahu. "We're tired of consultation. We're tired of 'advisory.'"
 - Link: [Indian Country Today Media](#)
 - "This proposal originates from the heart of Indian Country," said Eric Descheenie, Co-Chair of the Bears Ears Inter-Tribal Coalition and advisor to Navajo Nation President Russell Begaye. "By protecting these sacred ancestral lands we can take a very important step towards healing."
 - Link: [Bears Ears Coalition Press Release](#)



**ZUNI TRIBAL COUNCIL
ZUNI, NEW MEXICO**

March 7, 2016

RESOLUTION NO. M70-2016-P014

Permanent Protection of Bears Ears Region through National Monument Designation

WHEREAS, the Zuni Tribal Council, consisting of the Governor, Lieutenant Governor, and six Tenientes is declared to be the legislative authority of the Pueblo of Zuni by Article V, Section 1, of the Constitution of the Zuni Tribe; and

WHEREAS, the Zuni Tribal Council, Pursuant to Article VI, Section 1(d) of the Constitution of the Zuni Tribe, to represent the tribe, and to act in all matters that concern the welfare of the tribe; and

WHEREAS, the Zuni Tribe, Also known as the Pueblo of Zuni, is a Federally Recognized Indian Tribe; and

WHEREAS, to protect the traditional cultural properties and sacred sites of ancestral Pueblo people is paramount to all and each Pueblo's cultural preservation now and in the future, and

WHEREAS, the Bears Ears region of Southeastern Utah is historically, culturally, and spiritually tied to Native American tribes, including but not limited to, the Navajo, Hopi, Ute, and Zuni people; and

WHEREAS, the Bears Ears region of Southeastern Utah holds immense importance for all the Pueblo people' identity and history, including and but not limited to, villages, shrines, burials, rock inscriptions, dwellings, and ancient transportation routes, as well as natural resources necessary for traditional and spiritual practice; and

WHEREAS, archaeological and cultural sites in the Bears Ears region face destruction, desecration, and violation from irresponsible motorized travel, energy development, mining, uneducated visitors, and looting of ancestral sites and burials; and

WHEREAS, to prevent harm and mitigate existing damage to the Bears Ears region the Pueblo of Zuni is seeking permanent protection; and

WHEREAS, the Antiquities Act of 1906 is an invaluable and essential tool in protecting Native American sacred and cultural sites in perpetuity; and

WHEREAS, the Pueblo of Zuni is a member of the Bears Ears Inter-Tribal Coalition, a partnership with Hopi, Navajo, Ute Mountain Ute, and Uintah & Ouray Ute which is supported by the National Congress of American Indians and a total of 26 tribes; and

WHEREAS, the Bears Ears Inter-Tribal Coalition is asking for a national monument designation using presidential authority for the Bears Ears region under the 1906 Antiquities Act; and

WHEREAS, the Pueblo of Zuni supports collaborative management of the Bears Ears region between tribes and the federal government, and the government to government relationship shall ensure proper protection, preservation and management of the sacred ancestral sites and regions for all Pueblo people and Native Americans as whole; and

THEREFORE NOW, BE IT RESOLVED, that the Pueblo of Zuni, along with the other nineteen Pueblos, as well as Ute Mountain, Uintah & Ouray Ute, Navajo, and Hopi Nations stand together as one unified Native American coalition dedicated to the permanent protection of the Bears Ears region and its cultural and natural resources through a national monument designation

ZUNI TRIBAL COUNCIL:

Absent-Cox
Val R. Panteah, Sr., Governor

Head Councilmember - VACANT

Carleton R. Bowekaty
Carleton R. Bowekaty, Councilman

Councilmember - VACANT

Birdena Sanchez
Birdena Sanchez, Lt. Governor

Virginia R. Chavez
Virginia R. Chavez, Councilwoman

Audrey A. Simplicio
Audrey A. Simplicio, Councilwoman

Eric Bobelu
Eric Bobelu, Councilman

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Zuni Tribal Council at a duly called meeting at Zuni, New Mexico, at which a quorum was present and the same was approved by a vote of 5 in favor, 0 opposed, 0 abstaining on March 7, 2016.



Audrey A. Simplicio, Tribal Council Secretary
Pueblo of Zuni

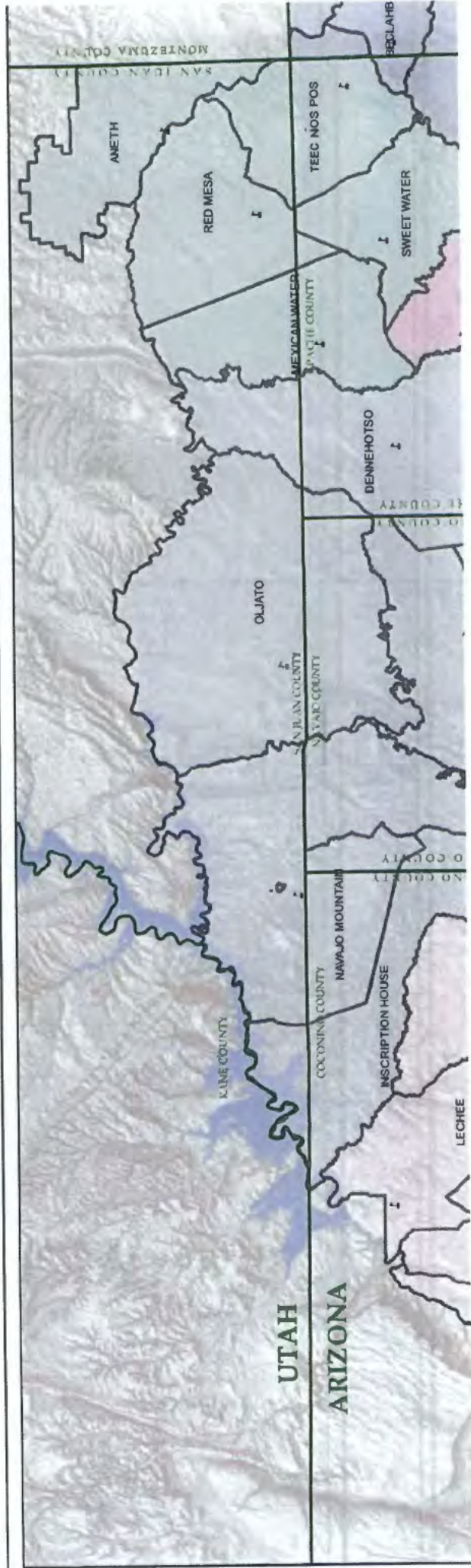
APPROVED / DISAPPROVED

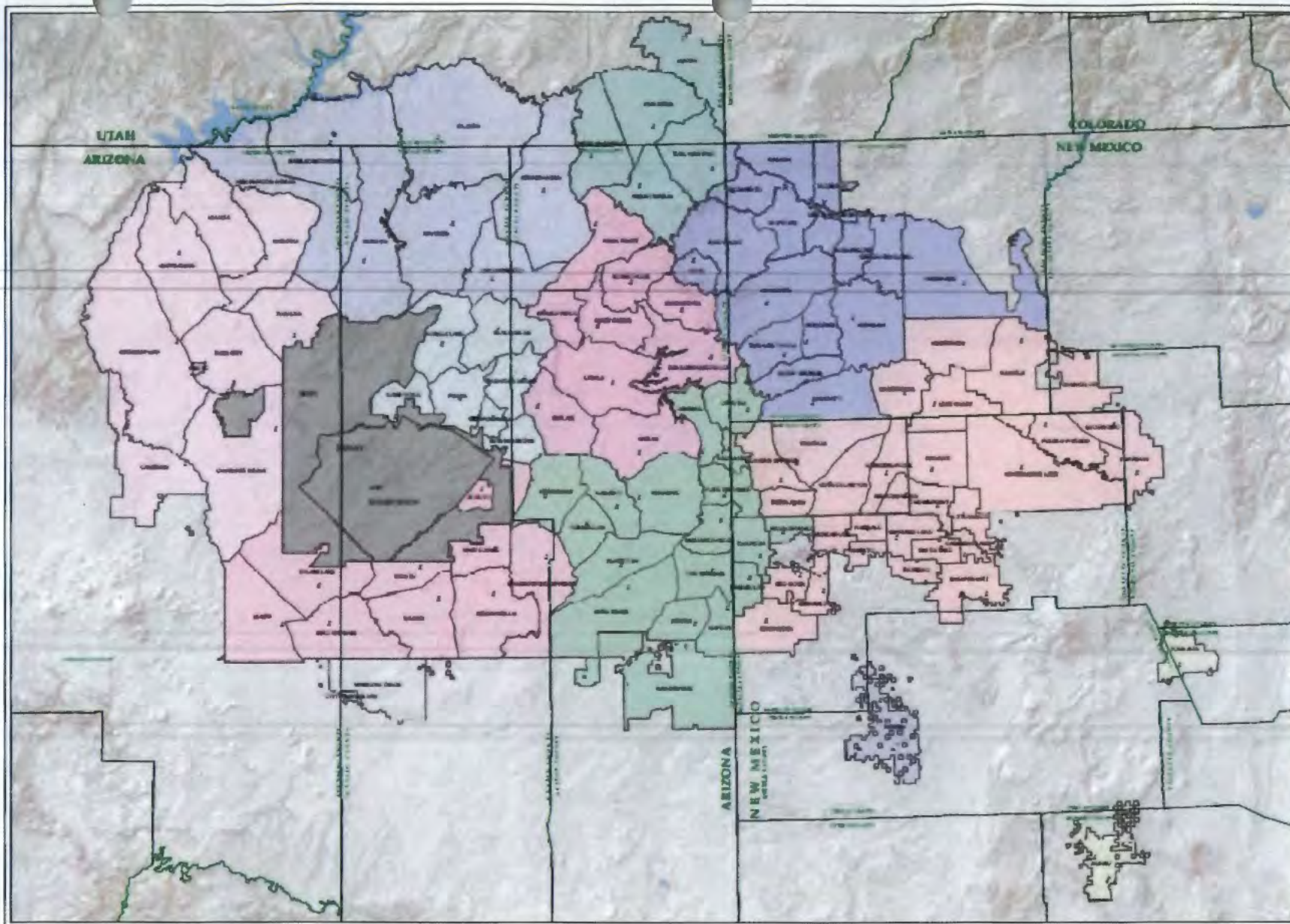


for Val R. Panteah, Sr., Governor

3/7/16

Date





**Navajo Nation
Judicial District
Boundaries**

Map Legend

- 1 Department Location
 - 2 County Boundary
 - 3 Navajo County Boundary
 - 4 School/Route
 - 5 USFS
- District**
- 1 ARIZONA-NORTH ARIZONA
 - 2 ARIZONA-NORTH ARIZONA
 - 3 ARIZONA-NORTH ARIZONA
 - 4 ARIZONA-NORTH ARIZONA
 - 5 ARIZONA-NORTH ARIZONA
 - 6 ARIZONA-NORTH ARIZONA
 - 7 ARIZONA-NORTH ARIZONA
 - 8 ARIZONA-NORTH ARIZONA
 - 9 ARIZONA-NORTH ARIZONA
 - 10 ARIZONA-NORTH ARIZONA
 - 11 ARIZONA-NORTH ARIZONA
 - 12 ARIZONA-NORTH ARIZONA



DISCLAIMER

Information provided on this map is for informational purposes only. It is not intended to be used as a legal document. The Navajo Nation is not responsible for any errors or omissions in this map. The Navajo Nation is not responsible for any damages or liabilities arising from the use of this map. The Navajo Nation is not responsible for any damages or liabilities arising from the use of this map.

Approved: 2014

**NAVAJO NATION CLERK OF COURT
GIS SECTION**

Navajo Nation Clerk of Court
1000 Navajo Blvd
Flagstaff, AZ 86001
Phone: (908) 754-1000
Fax: (908) 754-1001



23RD NAVAJO NATION COUNCIL OFFICE OF THE SPEAKER

FOR IMMEDIATE RELEASE

October 28, 2015

MEDIA CONTACTS

Jared Touchin (928) 221-9253
Jolene Holgate (928) 380-4174
nnlb.communications@gmail.com

Council members address misinformation regarding Bears Ears initiative

WINDOW ROCK – On Oct. 15, an unprecedented coalition of five tribal governments hand delivered a formal proposal to the Obama Administration to designate 1.9 million acres of land known as Bears Ears as a national monument. Copies of the proposal were also delivered to U.S. Reps. Rob Bishop (R-Utah) and Jason Chaffetz (R-Utah).

Since then, San Juan County officials in the State of Utah have stated that local community members and Utah Navajo Chapters are opposed to the Bears Ears proposal. They have also been quoted in the media as stating that Native Americans support the county's proposal.

Council Delegate Davis Filfred (Mexican Water, Aneth, Teecnospos, Tólikan, Red Mesa), who represents five chapters in Utah, said the statements are unfounded and misleading.

"Seemingly false statements are being made to the media that the Bears Ears proposal is not supported by local chapters and local people," said Delegate Filfred. "This is not accurate. There has been, and continues to be, support from six of seven Utah chapters and the overwhelming support of local Navajo people for the Bears Ears proposal."

On March 12, the Navajo Nation Council's Naabik'iyáti' Committee unanimously passed a resolution in support of the federal designation of Bears Ears — ancestral home of many Southwestern tribes.

In July, a coalition of five federally recognized tribes – Hopi, Navajo, Ute Mountain Ute, Zuni, and Ute Tribe of the Uinta and Ouray Reservation – organized as the Bears Ears Inter-Tribal Coalition was established to move forward a strong vision of protection through the creation of the proposal that outlines goals for land protection and collaborative management agreements between the tribes and the federal government.

Despite opposition from a small handful of individuals in San Juan County, Bears Ears support from the Navajo Nation has remained united and strong.

The proposal has also been formally endorsed by nearly 300 tribes through resolutions, and is supported by a resolution from the National Congress of American Indians. Within the Navajo Nation, there is only one chapter house, out of seven Navajo chapters in Utah, which supports the San Juan County's proposal.

"Some officials are misinforming the public by stating that the proposal is not supported at the local level and this could not be further from the truth," said Council Delegate Herman Daniels, Jr. (Shonto, Naa'tsis'Áán, Oljato, Ts'ah Bii Kin). "The reality is that there is strong support from the grassroots, local level, to the top tribal level."

The process to protect the region was initiated over five years ago by Utah Diné Bikéyah, a non-profit organization in Utah established by a group of elders and traditional practitioners who came together over concerns for the aboriginal lands, particularly limitations placed on uses of the land for traditional and ceremonial uses.

In April 2013, Bears Ears became one of the first proposals to be put forward by the Navajo Nation in the Public Lands Initiative process, however, it has never been adequately recognized by elected officials in Utah.

Before San Juan County initiated its public comment period for local residents in 2014, the Navajo Nation and Utah Diné Bikéyah were assured by the county that the Bears Ears proposal would be included on the list of county-identified alternatives. However, one week before the first open house, the county excluded the Bears Ears proposal even though it was developed locally and represented the views of nearly half of San Juan County's population.

Despite the Bears Ears proposal not being listed as an alternative, county residents overwhelmingly endorsed Bears Ears, which received 64-percent of the local comments of support.

San Juan County's records show that the anti-conservation, pro-development "Alternative B" received just two comments of support — less than 1 percent. Yet this Alternative B — along with an "energy zone" to facilitate mining and drilling in the heart of the Bears Ears area — was officially endorsed by the San Juan County Commissioners as their preferred alternative in August 2015.

For more information regarding the Bears Ears proposal, please visit <http://www.bearscoalition.org/coalition-releases-monument-proposal-at-dc-press-conference/>.

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For news on the latest legislative branch activities, please visit www.navajonationcouncil.org or find us on Facebook and Twitter, keywords: Navajo Nation Council



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #EC-15-002

TITLE: Supporting the Presidential Proclamation of the Bears Ears National Monument, Including Collaborative Management Between Tribal Nations and the Federal Agencies

EXECUTIVE COMMITTEE

PRESIDENT
Brian Cladoosby
Swinomish Tribe

FIRST VICE-PRESIDENT
Randy Noka
Narragansett Tribe

RECORDING SECRETARY
Aaron Payment
Sault Ste. Marie Tribe of Chippewa Indians of Michigan

TREASURER
Arian Melendez
Reno Sparks Indian Colony

REGIONAL VICE-PRESIDENTS

ALASKA
Jerry Isaac
Native Village of Tinianass

EASTERN OKLAHOMA
S. Joe Crittendon
Cherokee Nation

GREAT PLAINS
L. McDonald
Sioux Nation

MIDWEST
Roger Rader
Pokagon Band of Potawatomi

NORTHEAST
Lance Gumbs
Shinnecock Indian Nation

NORTHWEST
Fawn Sharp
Quinault Indian Nation

PACIFIC
Rosemary Mortillo
Soboba Band of Luiseño Indians

ROCKY MOUNTAIN
Ivan Posey
Shoshone Tribe

SOUTHEAST
Ron Richardson
Halwa-Sapoon Indian Tribe

SOUTHERN PLAINS
Stephen Smith
Kowa Tribe

SOUTHWEST
Manuel Heart
Ute Mountain Ute Tribe

WESTERN
Len George
Fallon Paiute Shoshone Tribe

EXECUTIVE DIRECTOR
Jacqueline Johnson Pata
Tlingit

NCAI HEADQUARTERS

1111 Street, N.W.
Washington, DC 20005
202.466.7767
202.466.7797 fax
www.ncai.org

WHEREAS, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

WHEREAS, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

WHEREAS, since time immemorial, the Bears Ears and surrounding land in Southeastern Utah have been a homeland and place of spiritual and cultural significance to tribal people. This living landscape continues to nurture, strengthen, and sustain tribal people, and tribal people remain dependent on these public lands to maintain our traditional livelihoods and cultural practices, such as hunting, gathering, and ceremonial uses.

WHEREAS, for the last century, tribal nations and tribal members have experienced removal from these ancestral homelands, and afterward, limited access to the land. Tribal nations and tribal members have also witnessed the looting of graves and sacred sites, and threats from more modern land uses such as off-road vehicle use and energy development.

WHEREAS, tribal leaders from Hopi, Navajo, Ute Mountain Ute, Zuni and Uintah & Ouray Ute formed the Bears Ears Inter-Tribal Coalition with the goal of protecting and preserving the homeland area of the Bears Ears region.

WHEREAS, the Bears Ears Inter-Tribal Coalition's chosen outcome is for President Obama to use his powers under the Antiquities Act to declare the Bears Ears National Monument, and secure permanent protection for these lands.

WHEREAS, the Bears Ears Inter-Tribal Coalition requests that President Obama proclaim the 1.9 million Bears Ears National Monument to honor the worldviews of our ancestors and Tribes today.

WHEREAS, the Bears Ears Inter-Tribal Coalition proposal asks that the new monument be managed under a path-breaking, comprehensive, and entirely workable regime of true Federal-Tribal Collaborative Management.

WHEREAS, the Bears Ears National Monument has every opportunity to serve as the shining example of the trust, the government-to-government relationship, and innovative, cutting-edge land management.

NOW THEREFORE BE IT RESOLVED, that NCAI does hereby urge President Obama to use his powers under the Antiquities Act to declare the Bears Ears National Monument and, by doing so, provide permanent protection for these lands.

BE IT FURTHER RESOLVED, that NCAI does hereby support the Navajo, Hopi, Zuni, Uintah & Ouray Ute, and Ute Mountain Tribes that comprise the Bears Ears Inter-Tribal Coalition and their shared goal of permanently protecting the Bears Ears region.

BE IT FURTHER RESOLVED, that NCAI does hereby support the Bears Ears National Monument being meaningfully co-managed between the Bears Ears Inter-Tribal Coalition Tribes and federal management agencies for the purpose of honoring the trust relationship, protecting tribal sacred homelands, and preserving traditional and cultural ways of life.

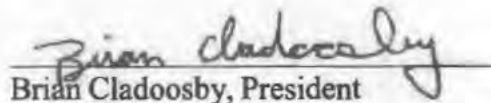
BE IT FINALLY RESOLVED, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

CERTIFICATION

The foregoing resolution was adopted by the Executive Committee of the National Congress of American Indians, held via a poll of Board Members, September 20, 2015 in Washington, D.C. with a quorum present.

ATTEST:


Aaron Payment, Recording Secretary


Brian Cladoosby, President



UTE INDIAN TRIBE

P. O. Box 190
Fort Duchesne, Utah 84026
Phone (435) 722-5141 • Fax (435) 722-5072

July 14, 2015

Via Email and Hand Delivery

Re: Ute Indian Tribe's Support for Preserving the Bears Ears Region

Dear Messrs. Manual Heart and Kenneth Maryboy:

The Tribal Business Committee ("Business Committee") of the Ute Indian Tribe ("Tribe") supports the permanent protection of the Bears Ears region in the form of a National Conservation Area, or alternatively, as a new National Monument. Providing better stewardship and stronger protections preserves Native American heritage for current and future generations.

Native American traditional and cultural sites need protection from outside threats such as mineral development, indiscriminate off-road vehicle use, and looting. Not only is the Bears Ears region a natural wonder, it is a cultural landscape that contains archaeological and sacred sites, and has been traditionally used for collecting traditional medicines and for ceremonies. With the increase in recreational use, this region deserves status as a National Conservation Area.

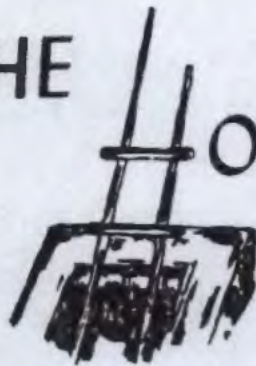
Without federal protection, this extraordinary landscape that is culturally significant to so many Native American groups faces the likelihood of destruction. Therefore, the Ute Indian Tribe joins the Native American tribes and Pueblos that have already publically expressed their support to protect the Bears Ears region. Native American heritage cannot be ignored. It is time for the Bears Ears region to finally have the federal protection it deserves.

Sincerely,

Shaun Chapoose
Chairman, Ute Tribal Business Committee

Cc: Malcolm Lehi, Council Member, Ute Mountain Ute Tribal Council

THE HOPI TRIBE



Herman G. Honanie
CHAIRMAN

Alfred Lomahquahu Jr.
VICE-CHAIRMAN

September 30, 2014

President Barack Obama
The White House
1600 Pennsylvania Ave., NW
Washington, D.C.

Senator Orin Hatch
104 Hart Senate Office Building
Washington, D.C. 20510

Congressman Rob Bishop
123 Cannon Building
Washington, D.C. 20515

Congressman Jim Matheson
2211 Rayburn House Office Building
Washington, D.C. 20515

Senator Mike Lee
316 Hart Senate Office Building
Washington, D.C. 20510

Congressman Jason Chaffetz
2464 Rayburn House Office Building
Washington, D.C. 20515

Congressman Chris Stewart
323 Cannon House Office Building
Washington, D.C. 20515

Dear Mr. President, Senators and Congressmen,

On behalf of Hopi people, Hopisenom, I have the honor of providing the Hopi Tribe's support for the designation of the greater Cedar Mesa area including Alkali Ridge and Montezuma Canyon in southeastern Utah as a National Conservation Area or National Monument.

Pursuant to the enclosed Hopi Tribal Council Resolution H-70-94, the Hopi Tribe claims cultural affiliation to ancestral puebloan cultural groups in the greater Cedar Mesa area. The Hopi Cultural Preservation Office supports the identification and avoidance of prehistoric archaeological sites and Traditional Cultural Properties, and we consider the prehistoric archaeological sites of our ancestors to be "footprints" and Traditional Cultural Properties. Therefore, we appreciate your solicitation of our input and your efforts to address our concerns.

Hopi migration is intimately associated with a sacred Covenant between the Hopi people and *M̄asaw*, the Earth Guardian, in which the Hopi people made a solemn promise to protect the land by serving as stewards of the Earth. In accordance with this Covenant, ancestral Hopi clans

traveled through and settled on the lands in and around southeastern Utah during their long migration to *Tuwanasavi*, the Earth Center on the Hopi Mesas.

The land is a testament of Hopi stewardship through thousands of years, manifested by the "footprints" of ancient villages, sacred springs, migration routes, pilgrimage trails, artifacts, petroglyphs, and the physical remains of buried *Hisatsinom*, the "People of Long Ago," all of which were intentionally left to mark the land as proof that the Hopi people have fulfilled their Covenant. The Hopi ancestors buried in the area continue to inhabit the land, and they are intimately associated with the clouds that travel out across the countryside to release the moisture that sustains all life.

The Hopi footprints and clouds are part of a living, sacred landscape that nourishes and sustains Hopi identity. This landscape is steeped in cultural values and maintained through oral traditions, songs, ceremonial dances, pilgrimages, and stewardship. As a cultural landscape, the archaeological sites and physical terrain situates the Hopi people in time and space, providing a geographical conception of history and religion that connects the past, present and future. These lands are part of our ancestral lands. Hopi history and cultural values associated with ancestral sites and landscapes are deep and abiding.

We are fully aware that over the last few decades the archaeological, natural and geographic resources in the region have been severely impacted by looting, federal management inadequacies, industrial development, and rampant visitation including increased motorized and recreational access and inappropriate all terrain vehicle use. We have encouraged the BLM to enforce the laws protecting cultural and natural resources on public land in San Juan County and not to acquiesce to local political and illegal actions by proposing to make illegal motorized trails into legal motorized roads on public lands that contain irreplaceable cultural resources that have been looted for over a Century and continue to be looted today.

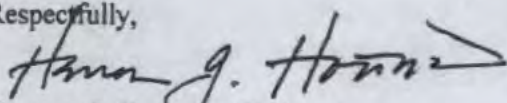
We appreciate the Friends of Cedar Mesa and National Trust for Historic Preservation for working with the Hopi Tribe and other tribes culturally associated to the area to develop proposals that will enhance the protection of cultural landscapes and the sites within them in San Juan County.

And therefore, the Hopi Tribe and Hopi Cultural Preservation Office supports Congressional action to designate the greater Cedar Mesa area as a National Conservation Area. Based on over century of looting and grave robbing, we also support a provision in the designation that provides for protection and preservation and avoidance of our ancestor's human remains. Such a designation could accomplish the goal of prioritizing protection of cultural resources while also allowing flexibility in management of traditional Native American uses.

However, if Congress fails to act quickly to protect this landscape, we urge the President to be ready to preserve this imperiled resource as a National Monument before the end of this term.

Should you have any questions or need additional information, please contact Leigh Kuwanwisiwma, Director, Hopi Cultural Preservation Office at lkuwanwisiwma@hopi.nsn.us or 928-734-3611. Thank again you for your consideration.

Respectfully,



Herman G. Honanie, Chairman
THE HOPI TRIBE

RESOLUTION OF THE
NAABIK'ÍYÁTI' COMMITTEE OF THE
NAVJAO NATION COUNCIL

23RD Navajo Nation Council---First Year 2015

AN ACTION

RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE AND THE NAABIK'ÍYÁTI' COMMITTEE; SUPPORTING THE UTAH DINÉ BIKEYAH CONSERVATION PROPOSAL FOR THE FEDERAL DESIGNATION OF BEAR'S EARS NATIONAL CONSERVATION AREA/NATIONAL MONUMENT IN SAN JUAN COUNTY, UTAH, TO PROTECT NATIVE RIGHTS AND INTERESTS ON FEDERAL LANDS FOR FUTURE GENERATIONS

WHEREAS:

1. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. §102(A). All powers not delegated are reserved to the Navajo Nation Council. 2 N.N.C. §102(B). The Navajo Nation Council shall supervise all powers delegated. 2 N.N.C. §102(C).
2. The Naabik'iyáti' Committee is one of five standing committees of the Navajo Nation Council and is comprised of all twenty-four members of the Navajo Nation Council. The Committee is authorized to assist and coordinate all requests for information, appearances and testimony relating to proposed county, state and federal legislation impacting the Navajo Nation. 2 N.N.C. §§ 180 and 701(A)(6).
3. The Navajo Nation includes communities in San Juan County, Utah; these communities depend on federal lands and resources within San Juan County, Utah; a copy of a Memorandum of Understanding between the Utah Dine Bikeyah, A Utah Non-Profit Corporation and the Navajo Nation Division of Natural Resources is attached as Exhibit B; and
4. The Navajo Nation members occupy a special status as both U.S. citizens and members of the Navajo Nation whose ancestral lands encompass all of San Juan County; and

5. Bear's Ears area within San Juan County, Utah, is part of the proposed National Conservation Area/National Monument to consist of 1.9 million acres and would include additional Wilderness units within and outside of its boundary. This region is the ancestral home of many Southwestern Native American Tribes, including the Navajo, Hopi, Zuni, Acoma, Zia, and Jemez Pueblos along with the Ute Mountain, Southern, and Uintah Ouray Utes, the San Juan, Kaibab, and Utah Paiute Tribes and the Jicarilla Apache Tribes which assert their affiliation, occupation and enduring use of these lands. The Bear's Ears region is also the birthplace of Navajo Headman Manuelito; and

6. The proposed National Conservation Area/National Monument is bordered on the west by the Colorado River and on the south by the San Juan River and the Navajo Nation; the proposed National Conservation Area/National Monument is characterized by prodigious topographic diversity and striking landforms containing intricately rich ecological systems; the Navajo and other Tribes depend upon the land within the proposed National Conservation Area/National Monument to sustain their traditional livelihoods and cultural practices. Cedar Mesa, the proposed National Conservation Area/National Monument's centerpiece, offers sprawling vistas of Comb and Butler Washes, and extends beyond to Moki, Red, Dark, Grand Gulch, and White canyons that each support verdant ribbons of riparian habitat. Desert bighorn sheep grace the lower desert lands while the 11,000 foot Abajo Mountains host forests of ponderosa pine, spruce, fir and aspen, providing a home to mule deer, elk, black bear and mountain lion, sacred icons of the mesa's original peoples. Paramount for the Navajo, the majority of the regions inhabitants, is the proper management of the proposed National Conservation Area/National Monument's native plants and wildlife that are food, shelter and medicine and its cultural sites that are central to their spiritual practices; and

7. This region contains unsurpassed cultural and paleontological resources; the proposed National Conservation Area/National Monument is world renowned for the integrity and abundance of its archaeological resources. Six cultural special management areas are within the proposed National Conservation Area/National Monument boundaries: Alkali Ridge National Historic Landmark, the Hole-in-the-Rock Historical Trail and the Grand Gulch, Big Westwater Ruin, Dance Hall Rock, Sand

Island Petroglyph Panel, the Newspaper Rock Petroglyph Panel, and the Butler Wash Archaeological District National Register site. Also occurring in the proposed National Conservation Area/National Monument's 19 distinct geologic units are scientifically significant vertebrate and non-vertebrate paleontological resources that are particularly abundant in the Cedar Mountain, Burro Canyon, Morrison, and Chinle Formations; and

8. The proposed National Conservation Area/National Monument has been inhabited for more than 12,000 years by multiple indigenous cultures, which crossed, and built civilizations on these lands. At the Lime Ridge Clovis site is evidence of Paleoindian occupation and the archaeological record indicates widespread use between 6000 B.C. and A.D. 100 by Archaic Peoples. Possessing numerous Archaic Period sites of varying size and complexity are Cedar Mesa, Elk Ridge, and Montezuma Canyon. While other notable sites include Alkali Ridge, Cowboy Cave, Old Man Cave, and Dust Devil Cave. The heaviest occupation of the proposed National Conservation Area/National Monument lands was perhaps by the Formative Period Peoples (AD 100-AD 1300) who left very large numbers of archaeological sites ranging from small lithic scatters to large highly complex village sites; and
9. The proposed National Conservation Area/National Monument includes Bureau of Land Management Wilderness Study Areas and lands with Wilderness Characteristics and U.S. Forest Service Roadless Areas. Vast, remote desert mesas cut by sheer walled serpentine canyons provide unparalleled solitude and scenic quality that is comparable to or exceeds those found in nearby national parks and monuments, such as Canyonlands, Arches, Grand Staircase, Natural Bridges, Hovenweep, and Mesa Verde; and
10. Priority Management values to protect within the proposed National Conservation Area/National Monument are: archaeological, wildlife, natural and scenic resources. An essential aspect of the proposed National Conservation Area/National Monument's management is to better protect these resources and to ensure their ongoing and sustainable use; and
11. Native Americans have unique and important cultural and historical ties to the land, its wildlife and other natural resources; and the Navajo people have traditional ties to this particular landscape for hunting, medicinal herbs, food gathering, firewood gathering and the grazing of livestock; and

12. Native Americans have shown quality and excellence in managing lands and natural resources to protect the cultural integrity of the homeland of Native peoples; and
13. These areas are under constant threat of cultural vandalism, looting of Native cultural sites, indiscriminate off road vehicle use that damages areas sacred to Native peoples, energy development footprints that negatively impact lands of historic and cultural importance, and general degradation of wildlife and plant habitats of importance to Native traditional practices; and
14. To prevent this rapid destruction of lands in the San Juan County region important to Native peoples, formal protection as a national conservation area or national monument is required; and
15. Formal protection of the area as a National Conservation Area/National Monument will provide important consistency and quality to management of these lands, and define principles of management that will positively affect Native values on these lands in the following ways:
 - A. Protection will be permanent, part of a national system of protected lands that carry strong and clear legal definitions of the primacy of conservation of cultural, historical and ecological values that define Native connections to these lands.
 - B. Protection as a national conservation area or national monument creates important opportunities for Native American co-management of these resources and increased funding for protection with an emphasis on conservation and preservation of the region's cultural and natural resources.
 - C. Protection should be at the largest landscape level possible, providing connectivity of wildlife and plant habitats, ecological integrity of the region and be comprehensive in its protection of Native sacred sites, which cannot be considered out of the context of the larger landscape.
 - D. Protection of the region as a national conservation area or national monument will be a top priority for concerned federal agencies, with public involvement and prioritization of staffing, resources and cooperation with Native peoples.

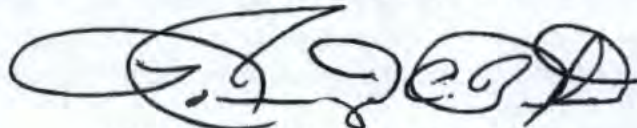
16. It is in the best interest of the Navajo Nation to support the federal designation of 1.9 million acres in San Juan County, Utah, as the Bear's Ears National Conservation Area/National Monument. Resolutions in support of the federal designation are attached as Exhibit A.

THEREFORE BE IT RESOLVED, THAT THE NAVAJO NATION COUNCIL'S NAABIK'ÍYÁTI' COMMITTEE EXTENDS ITS SUPPORT FOR:

1. The designation of the 1.9 million acres in San Juan County, Utah, as the Bear's Ears National Conservation Area/National Monument.
2. The designation of identified roadless areas as wilderness under the Wilderness Act.
3. Establishment of Collaborative Management Agreement(s) between the Navajo Nation, other Tribes and the federal government to improve management and elevate the Native American voice in the long-term sustainable management of the region.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Naabik'iyáti' Committee of the 23rd Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 15 in favor, 0 oppose, 0 Abstain this 12th Day of March, 2015.



Honorable LoRenzo C. Bates, Chairperson
Naabik'iyáti' Committee

Motion: Honorable Alton Joe Shepherd
Second: Honorable Jonathan Nez

Bear's Ears

A Proposed National Conservation Area/ National Monument



An Initiative of the Navajo Nation and Utah Diné Bikéyah

In February 2010 former Utah Senator Bob Bennett invited Utah Navajo residents to develop a proposal on issues such as wilderness, conservation, and development of public lands in San Juan County, Utah. An assessment was carried out under the authority of all seven Navajo Chapter Houses in Utah that built on interviews with dozens of elders and medicine men. The initial result of this work was the creation of a "Navajo Lands of Interest" map that was widely circulated among Navajo communities and elected officials on and off reservation. This map was the basis of subsequent discussions between the Navajo Nation and San Juan County aimed at developing a shared legislative proposal to advance to Congressman Bishop. Today, more than two years after formal discussions began, and eighteen months after submitting the Bear's Ears proposal, the Navajo Nation is still waiting for a San Juan County response.

In April 2013, the Navajo Nation and the Utah Diné Bikéyah organization proposed the creation of the 1.9 million acre Bear's Ears National Conservation Area and wilderness designations. This approach provides the best management for a diversity of uses, while directing resources towards priority cultural and biological resource protection. To honor our deep history in this region, we are also proposing that the Navajo Nation, other Tribes, and Utah Diné Bikéyah have a formal role in planning and managing the Bear's Ears National Conservation Area/ National Monument.

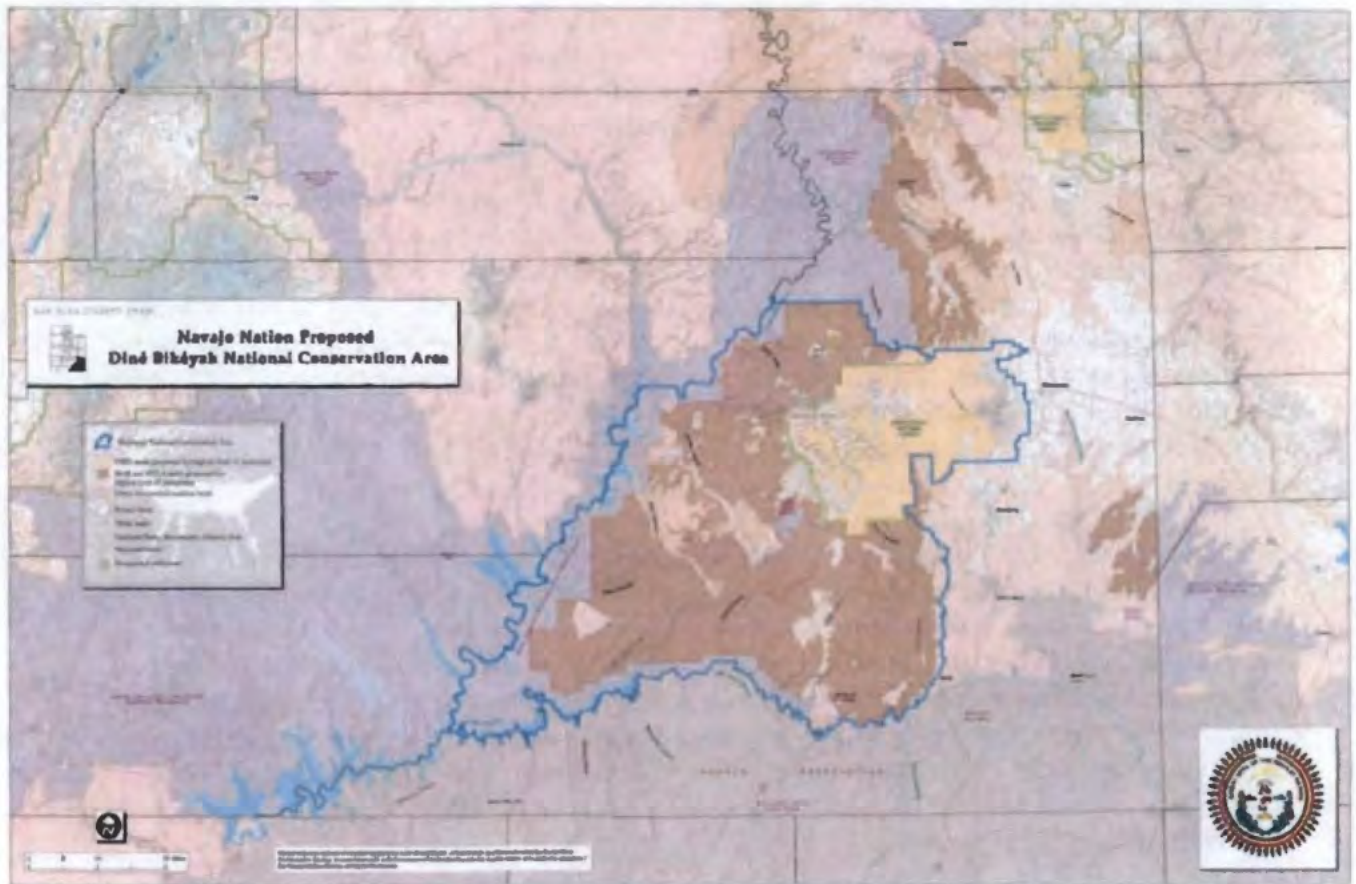
This region has been used by Native People for millennia, contains some of our country's richest archaeological sites and continues to serve as a pilgrimage site for many tribal members due to its historical significance. It is significant as the birthplace of Navajo Headman Manuelito and as the former center of civilization for many modern day Pueblo

Nations, including the Hopi. The Navajo Nation and Utah Diné Bikéyah organization have proposed this conservation region be set aside to protect traditional activities and sacred places to include Cedar Mesa, White Canyon, Dark Canyon, Comb Ridge, Nokai Dome, Abajo Peak, Ruin Park, the San Juan River, and Comb Ridge.

As part of Congressman Bishop's Eastern Utah Land-Use Initiative several Tribal Nations and Navajo Chapter Houses have been adopting resolutions of support for the Bear's Ears proposal. The Hopi Tribe and All Pueblo Council of Governors have endorsed protection for the region, and all seven Navajo Chapter Houses in Utah have taken supportive action. Most recently Utah Navajo communities have come together at eight Town Hall meetings where they discussed the proposal and hand-wrote nearly 400 public comments that were submitted to San Juan County on November 30th. 64% of the total responses during the public process that ended requested designation of the Bear's Ears NCA/NM and wilderness.

Utah Navajo People have been actively advancing protection for this region for nearly five years and continue to educate and involve all US citizens who hold interests in these lands. Native American Tribes have seldom had their voices heard in the debate over public lands and it is time to recognize the depth of history and intergenerational stewardship exhibited by Tribes across these landscapes. Protection is welcome whether through Congressional or administrative action. Local people are determined to take action to make this happen and we hold out hope that one day soon our voices will finally be heard.

Ahyéhé- Thank you.



Utah Diné Bikéyah, 501(c)3 non-profit organization
utahdinebikeyah@gmail.com
 Phone: (801) 521-7398

All Pueblo Council of Governors

2401 12th Street NW Suite 200 N Albuquerque NM 87104

Officers

Governor E. Paul Torres, Chairman
Governor Val Panteah Sr, Vice Chairman
Governor Terry Aguilar, Secretary

Acuma

June 16, 2015

Cochiti

Isleta

RE: All Pueblo Council of Governors Support Efforts to Protect Bears Ears Cultural Landscape

Junco

Dear Mr. President and Members of Congress:

Laguna

The All Pueblo Council of Governors, which represents the nineteen Pueblos of New Mexico and one in Texas, has engaged in multiple discussions over the past three years about the need to protect important landscapes and cultural sites in southeast Utah. These lands contain the homes of our ancestors, including thousands of sacred sites and many cultural resources significant to Pueblo people.

Nambe

Ohkay

Owingoh

Picuris

To make official our collective interest in and concern for this area, we passed a resolution (No. APCG 2014-07) in November of 2014 supporting the protection of the greater Cedar Mesa area via a "permanent protection mechanism, such as a National Conservation Area or a National Monument."

Pozomque

Sandia

When we passed that resolution, several proposals had been put forward by different groups interested in the region. At the time, we did not favor one proposal or geographic boundary over another. Now, the various groups working to protect the area have unified behind a single proposal and boundary that has been called the "Bears Ears" cultural landscape. This proposal would protect the sacred sites and cultural resources described in our November resolution. Through this letter, we extend our support to the efforts to protect the Bears Ears cultural landscape and confirm our intention for Pueblo people to be actively engaged in future protective and management efforts in the area.

San

Felipe

San

Hobohoman

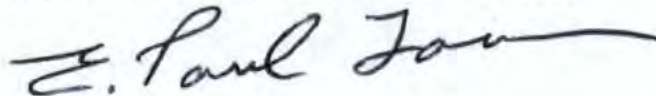
Santa Ana

Santa Clara

Sincerely,
ALL PUEBLO COUNCIL OF GOVERNORS

Santa

Domingo



Taos

Governor E. Paul Torres
Chairman

Tonopuc

Towa Del Sur

Zia

Zuni

Officers
Governor *E. Paul Torres, Chairman*
Governor *Arlen Quetawki, Vice Chairman*
Governor *Terry Aguilar, Secretary*

RESOLUTION

ALL PUEBLO COUNCIL OF GOVERNORS

RESOLUTION NO. APCG 2014-17

Support for the Protection of Cultural Resources and Sacred Sites on Public Lands in the Greater Cedar Mesa region

WHEREAS, the All Pueblo Council of Governors (“APCG”) is comprised of the Pueblos of Acoma, Cochiti, Isleta, Jemez, Laguna, Nambe, Ohkay Owingeh, Picuris, Pojoaque, San Felipe, San Ildefonso, Sandia, Santa Ana, Santa Clara, Santo Domingo, Taos, Tesuque, Zia and Zuni, and one pueblo in Texas, Ysleta del Sur, each having the sovereign authority to govern their own affairs;

WHEREAS, the purpose of the All Pueblo Council of Governors is to advocate, foster, protect, and encourage the social, cultural & traditional well-being of the Pueblo Nations; and

WHEREAS, through their inherent & sovereign rights, the All Pueblo Council of Governors will promote the language, health, economic, and educational advancement of all Pueblo people; and

WHEREAS, each APCG member is a federally recognized Pueblo Nation within the United States with the sovereign right to protect its traditional cultural properties and sacred sites, whether or not they are located within each pueblo’s current exterior boundaries; and

WHEREAS, the protection of the traditional cultural properties and sacred sites of Pueblo people is paramount to each pueblo’s cultural preservation now and into the future; and

WHEREAS, the greater Cedar Mesa region is located in southeast Utah and includes the Montezuma Canyon, the Indian Creek Corridor and Beef Basin; and

WHEREAS, the greater Cedar Mesa region includes hundreds of thousands of sites of vital importance to the pueblo peoples’ identity and history, including villages, shrines, burials, rock paintings and etchings, ancestral dwellings, and ancient roads; and

WHEREAS, these ancestral sites are under constant threat of grave digging, cultural vandalism, looting of cultural sites, indiscriminate off-road vehicle use that damages areas sacred to Pueblo peoples, energy development footprints that negatively impact lands of historic and cultural importance, and general degradation of wildlife and plant habitats of importance to traditional practices; and

WHEREAS, to prevent the rapid destruction of the lands in the Greater Cedar Mesa region, the Pueblos are seeking the formal and permanent protection mechanism, such as a National Conservation Area or a National Monument; and

WHEREAS, the APCG believes the Greater Cedar Mesa region needs to be a National Conservation Area or a National Monument because it will provide important consistency and

quality management of these lands and define standard principles of management, establish consultation with Native Americans, and emphasize the primacy of conservation and preservation of the region's cultural and natural resources; and

WHEREAS, through consultation and coordination with the APCG's member cultural preservation offices, or designated offices, APCG seeks to exercise administrative responsibilities to negotiate and enter into agreements with the necessary and proper entities which will ensure protection, preservation and management of these sacred ancestral sites and regions for the Pueblo people and its members; and

WHEREAS, while the APCG recognizes the important role of other tribes and groups in advocating for protection of the area, APCG's support of a designation for the greater Cedar Mesa area should not be perceived as support for any specific proposal for the area. Discussion of many details of management and boundaries are ongoing and the APCG intends to have an active voice in those discussions;

NOW, THEREFORE, BE IT RESOLVED THAT the All Pueblo Council of Governors supports the permanent, long-term protection of cultural resources and sacred sites on public lands in the Greater Cedar Mesa region through designation such as a National Conservation Area or a National Monument.

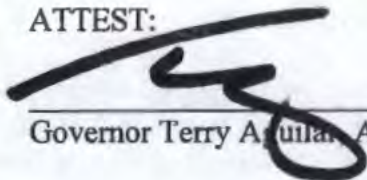
CERTIFICATION

We, the undersigned officials of the All Pueblo Council of Governors hereby certify that the foregoing Resolution No. APCG 2014-17 was considered and adopted at a duly called council meeting held on the 19th day of November 2014, and at which time a quorum was present and the same was approved by a vote of 12 in favor, 0 against, 0 abstain, and 8 absent.

ALL PUEBLO COUNCIL OF GOVERNORS

By: 
Governor E. Paul Torres, APCG Chairman

ATTEST:


Governor Terry Aguilar, APCG Secretary

RESOLUTION OF THE
NAABIK'ÍYÁTI' COMMITTEE OF THE
NAVJAO NATION COUNCIL

23RD Navajo Nation Council---First Year 2015

AN ACTION

RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE AND THE NAABIK'ÍYÁTI' COMMITTEE; SUPPORTING THE UTAH DINÉ BIKEYAH CONSERVATION PROPOSAL FOR THE FEDERAL DESIGNATION OF BEAR'S EARS NATIONAL CONSERVATION AREA/NATIONAL MONUMENT IN SAN JUAN COUNTY, UTAH, TO PROTECT NATIVE RIGHTS AND INTERESTS ON FEDERAL LANDS FOR FUTURE GENERATIONS

WHEREAS:

1. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. §102(A). All powers not delegated are reserved to the Navajo Nation Council. 2 N.N.C. §102(B). The Navajo Nation Council shall supervise all powers delegated. 2 N.N.C. §102(C).
2. The Naabik'iyáti' Committee is one of five standing committees of the Navajo Nation Council and is comprised of all twenty-four members of the Navajo Nation Council. The Committee is authorized to assist and coordinate all requests for information, appearances and testimony relating to proposed county, state and federal legislation impacting the Navajo Nation. 2 N.N.C. §§ 180 and 701(A) (6).
3. The Navajo Nation includes communities in San Juan County, Utah; these communities depend on federal lands and resources within San Juan County, Utah; a copy of a Memorandum of Understanding between the Utah Dine Bikeyah, A Utah Non-Profit Corporation and the Navajo Nation Division of Natural Resources is attached as Exhibit B; and
4. The Navajo Nation members occupy a special status as both U.S. citizens and members of the Navajo Nation whose ancestral lands encompass all of San Juan County; and

5. Bear's Ears area within San Juan County, Utah, is part of the proposed National Conservation Area/National Monument to consist of 1.9 million acres and would include additional Wilderness units within and outside of its boundary. This region is the ancestral home of many Southwestern Native American Tribes, including the Navajo, Hopi, Zuni, Acoma, Zia, and Jemez Pueblos along with the Ute Mountain, Southern, and Uintah Ouray Utes, the San Juan, Kaibab, and Utah Paiute Tribes and the Jicarilla Apache Tribes which assert their affiliation, occupation and enduring use of these lands. The Bear's Ears region is also the birthplace of Navajo Headman Manuelito; and
6. The proposed National Conservation Area/National Monument is bordered on the west by the Colorado River and on the south by the San Juan River and the Navajo Nation; the proposed National Conservation Area/National Monument is characterized by prodigious topographic diversity and striking landforms containing intricately rich ecological systems; the Navajo and other Tribes depend upon the land within the proposed National Conservation Area/National Monument to sustain their traditional livelihoods and cultural practices. Cedar Mesa, the proposed National Conservation Area/National Monument's centerpiece, offers sprawling vistas of Comb and Butler Washes, and extends beyond to Moki, Red, Dark, Grand Gulch, and White canyons that each support verdant ribbons of riparian habitat. Desert bighorn sheep grace the lower desert lands while the 11,000 foot Abajo Mountains host forests of ponderosa pine, spruce, fir and aspen, providing a home to mule deer, elk, black bear and mountain lion, sacred icons of the mesa's original peoples. Paramount for the Navajo, the majority of the regions inhabitants, is the proper management of the proposed National Conservation Area/National Monument's native plants and wildlife that are food, shelter and medicine and its cultural sites that are central to their spiritual practices; and
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8. The proposed National Conservation Area/National Monument has been inhabited for more than 12,000 years by multiple indigenous cultures, which crossed, and built civilizations on these lands. At the Lime Ridge Clovis site is evidence of Paleoindian occupation and the archaeological record indicates widespread use between 6000 B.C. and A.D. 100 by Archaic Peoples. Possessing numerous Archaic Period sites of varying size and complexity are Cedar Mesa, Elk Ridge, and Montezuma Canyon. While other notable sites include Alkali Ridge, Cowboy Cave, Old Man Cave, and Dust Devil Cave. The heaviest occupation of the proposed National Conservation Area/National Monument lands was perhaps by the Formative Period Peoples (AD 100-AD 1300) who left very large numbers of archaeological sites ranging from small lithic scatters to large highly complex village sites; and
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 - D. Protection of the region as a national conservation area or national monument will be a top priority for concerned federal agencies, with public involvement and prioritization of staffing, resources and cooperation with Native peoples.

16. It is in the best interest of the Navajo Nation to support the federal designation of 1.9 million acres in San Juan County, Utah, as the Bear's Ears National Conservation Area/National Monument. Resolutions in support of the federal designation are attached as Exhibit A.

THEREFORE BE IT RESOLVED, THAT THE NAVAJO NATION COUNCIL'S NAABIK'ÍYÁTI' COMMITTEE EXTENDS ITS SUPPORT FOR:

1. The designation of the 1.9 million acres in San Juan County, Utah, as the Bear's Ears National Conservation Area/National Monument.
2. The designation of identified roadless areas as wilderness under the Wilderness Act.
3. Establishment of Collaborative Management Agreement(s) between the Navajo Nation, other Tribes and the federal government to improve management and elevate the Native American voice in the long-term sustainable management of the region.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Naabik'iyáti' Committee of the 23rd Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 15 in favor, 0 oppose, 0 Abstain this 12th Day of March, 2015.



Honorable LoRenzo C. Bates, Chairperson
Naabik'iyáti' Committee

Motion: Honorable Alton Joe Shepherd
Second: Honorable Jonathan Nez



Utah Diné Bikéyah

Bear's Ears

A Proposed National Conservation Area/ National Monument



An Initiative of the Navajo Nation and Utah Diné Bikéyah

In February 2010 former Utah Senator Bob Bennett invited Utah Navajo residents to develop a proposal on issues such as wilderness, conservation, and development of public lands in San Juan County, Utah. An assessment was carried out under the authority of all seven Navajo Chapter Houses in Utah that built on interviews with dozens of elders and medicine men. The initial result of this work was the creation of a "Navajo Lands of Interest" map that was widely circulated among Navajo communities and elected officials on and off reservation. This map was the basis of subsequent discussions between the Navajo Nation and San Juan County aimed at developing a shared legislative proposal to advance to Congressman Bishop. Today, more than two years after formal discussions began, and eighteen months after submitting the Bear's Ears proposal, the Navajo Nation is still waiting for a San Juan County response.

In April 2013, the Navajo Nation and the Utah Diné Bikéyah organization proposed the creation of the 1.9 million acre Bear's Ears National Conservation Area and wilderness designations. This approach provides the best management for a diversity of uses, while directing resources towards priority cultural and biological resource protection. To honor our deep history in this region, we are also proposing that the Navajo Nation, other Tribes, and Utah Diné Bikéyah have a formal role in planning and managing the Bear's Ears National Conservation Area/ National Monument.

This region has been used by Native People for millennia, contains some of our country's richest archaeological sites and continues to serve as a pilgrimage site for many tribal members due to its historical significance. It is significant as the birthplace of Navajo Headman Manuelito and as the former center of civilization for many modern day Pueblo

Nations, including the Hopi. The Navajo Nation and Utah Diné Bikéyah organization have proposed this conservation region be set aside to protect traditional activities and sacred places to include Cedar Mesa, White Canyon, Dark Canyon, Comb Ridge, Nokai Dome, Abajo Peak, Ruin Park, the San Juan River, and Comb Ridge.

As part of Congressman Bishop's Eastern Utah Land-Use Initiative several Tribal Nations and Navajo Chapter Houses have been adopting resolutions of support for the Bear's Ears proposal. The Hopi Tribe and All Pueblo Council of Governors have endorsed protection for the region, and all seven Navajo Chapter Houses in Utah have taken supportive action. Most recently Utah Navajo communities have come together at eight Town Hall meetings where they discussed the proposal and hand-wrote nearly 400 public comments that were submitted to San Juan County on November 30th. 64% of the total responses during the public process that ended requested designation of the Bear's Ears NCA/NM and wilderness.

Utah Navajo People have been actively advancing protection for this region for nearly five years and continue to educate and involve all US citizens who hold interests in these lands. Native American Tribes have seldom had their voices heard in the debate over public lands and it is time to recognize the depth of history and intergenerational stewardship exhibited by Tribes across these landscapes. Protection is welcome whether through Congressional or administrative action. Local people are determined to take action to make this happen and we hold out hope that one day soon our voices will finally be heard.

Ahyéhé- Thank you.



**RESOLUTION OF THE
NAVAJO UTAH COMMISSION
OF THE NAVAJO NATION COUNCIL**

NUCAUG-616-14

**SUPPORTING CONSERVATION DESIGNATION TO PROTECT CULTURAL,
HISTORICAL, AND NATURAL RESOURCES ON FEDERAL LANDS IN SAN
JUAN COUNTY, UTAH**

WHEREAS, the Navajo Utah Commission is a subunit of the Navajo Nation and hereby establish and submit the following resolution; and,

WHEREAS, the Navajo Utah Commission recognizes the historic and ongoing ties to the lands, animals, plants, resources of San Juan County, Utah by Native American people; and

WHEREAS, the Diné Bikéyah, *the Peoples Sacred Land*, National Conservation Area/ Monument is the ancestral home of many additional Southwestern Native American Tribes, including the Navajo, accompanied by the, Hopi, Zuni, Acoma, Zia, and Jemez Pueblos along with the Ute Mountain, Southern, and Uintah Ouray Utes, the San Juan, Kaibab, and Utah Paiute Tribes and the Jicarilla Apache Tribe, assert their affiliation, occupation and enduring use of these Conservation Area/ Monument lands; and

WHEREAS, the National Conservation Area/ Monument is bordered on the west by the Colorado River and on the south by the San Juan River and Navajo Nation Reservation, the Conservation Area/ Monument is characterized by prodigious topographic diversity and striking landforms. Containing an intricately rich ecological system, the Navajo and other Tribes depend upon the Conservation Area/ Monument to sustain their traditional livelihoods and cultural practices. Cedar Mesa, the Conservation Area/ Monument's centerpiece offers sprawling vistas while Comb and Butler Washes, as well as Moki, Red, Dark, Grand Gulch, and White canyons support verdant ribbons of riparian habitat. Desert Bighorn Sheep grace the lower desert lands while the 11,000 foot Abajo Mountains host forests of Ponderosa Pine, Spruce, Fir and Aspen, providing a home to Mule Deer, Elk, Black Bear and Mountain Lion, sacred icons of the mesa's original peoples. Paramount for the Navajo, the majority of the regions inhabitants, is the proper management of the Conservation Area/ Monument's native plants and wildlife that are food, shelter and medicine and its cultural sites that are central to their spiritual practices.

WHEREAS, the National Conservation Area/ Monument includes towering cliffs and mesas bisected by sheer canyons expose sedimentary layers revealing a geologic history stretching back to when a sea covered this landscape. Containing unsurpassed cultural and

WHEREAS, the Greater Cedar Mesa region of southeastern Utah includes many areas of vital importance to Native peoples' identity and history;

WHEREAS, these areas are under constant threat of cultural vandalism, looting of Native cultural sites, indiscriminate off road vehicle use that damages areas sacred to Native peoples, energy development footprints that negatively impact lands of historic and cultural importance, and general degradation of wildlife and plant habitats of importance to Native traditional practices;

WHEREAS, to prevent this rapid destruction of lands in the Greater Cedar Mesa region important to Native peoples, formal protection as a national conservation area or national monument is required;

WHEREAS, formal protection of the Greater Cedar Mesa region as a national conservation area/ monument will provide important consistency and quality to management of these lands, and define principles of management that will positively affect Native values on these lands in the following ways:

- o Protection will be permanent, part of a national system of protected lands that carry strong and clear legal definitions of the primacy of conservation of cultural, historical and ecological values that define Native connections to these lands.
- o Protection as a national conservation area or national monument creates important opportunities for consultation of Native Americans and participation in management of these resources and increased funding for the protection of these resources with an emphasis on conservation and preservation of the region's cultural and natural resources.
- o Protection should be at the largest landscape level possible, providing connectivity of wildlife and plant habitats, ecological integrity of the region and be comprehensive in its protection of Native sacred sites, which cannot be considered out of the context of the larger landscape.
- o Protection of the Greater Cedar Mesa region as a national conservation area or national monument will be a top priority for concerned federal agencies, with public involvement and a prioritization of staffing, resources and cooperation with Native peoples.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Navajo Utah Commission hereby extends its support for a National Conservation Area or National Monument designation that reflects the will and the values of Native peoples whose identities, histories, cultures and futures are inextricably tied to these lands.



**RESOLUTION OF THE
NAVAJO MOUNTAIN CHAPTER
OF THE NAVAJO NATION**

RESOLUTION NO: NIMDS/3DS-2014

Alex Bitskoni
President

Jamie R. Holgate
Vice-President

Ella Jenn Bodoni
Secretary/Treasurer

Lucille S. Krause
*Grazing Committee
Member*

Jonathan Nez
Council Delegate

**SUPPORTING THE EFFORTS OF UTAH DINE' BIKE' YAH, INC PURSUANT TO
PROPOSED LAND DESIGNATION FOR A NATIONAL MONUMENT AND/OR NATIONAL
CONSERVATION AREA WITHIN THE SOUTH EASTERN STATE OF UTAH AND IN SAN
JUAN COUNTY OF THE STATE OF UTAH.**

WHEREAS:

1. The Navajo Mountain Chapter is recognized as local government body of the Navajo Nation Government pursuant to 2.N.N.C., Section 4004; and vested with the authority to discuss all matters affecting the Navajo people and its nation; furthermore, pursuant to 2 N.N.C., Section 4028, (a) the local Navajo chapter is authorized to made recommend to appropriate entities to the Navajo Nation and other local agencies for appropriate relief or actions of the matters impacting; and
2. The Navajo people of Navajo Mountain, Utah are apart of the San Juan County residents just as their forefathers did for generations before them and according to the Federal laws they have unique political recognition whereby they are citizen of the Navajo Nation, San Juan County, the State of Utah and the United States America; and
3. By virtue of the Civil Rights Act, these Navajo people have the same and equal rights as other ethnic groups throughout the United States; therefore, their interest in the public land (Bureau of Land Management) is perpetual and dating back long before the discovery; and
4. Furthermore, the area of interest and proposed for land designation reflects a very high interest for the Native American people throughout the Colorado Plateau, more specifically, the Navajo people have traditional ties to this particular landscape for hunting, medicinal herbs and organic food gathering areas plus firewood gathering and grazing of livestock before Columbus sat foot on this continent and even before of the Treaty of 1886, between the Navajo people's Headmen and the Federal Government.

NOW, THEREFORE BE IT RESOLVED THAT:

The Navajo Mountain Chapter hereby supports the efforts of Utah Dine' Bike'yah, Inc pursuant to proposed land designation for a national monument and/or national conservation area within the south eastern State of Utah and in San Juan County of the State of Utah.



TEEC NOS POS CHAPTER GOVERNMENT

P. O. Box 106, Teec Nos Pos, Arizona, Navajo Nation 86524
Highway 260 BIA School Road #5114 Chapter Government Building
Telephone #928-656-3662 Facsimile #928-656-3651

TNPCH-42-010

RESOLUTION OF THE TEEC-NOS-POS CHAPTER

SUPPORTING THE "UTAH NAVAJO SAN JUAN COUNTY LAND-USE LEGISLATIVE PROPOSAL" TO PROTECT NAVAJO RIGHTS AND INTERESTS ON FEDERAL LANDS FOR FUTURE GENERATIONS.

WHEREAS

1. TEEC-NOS-POS CHAPTER is officially recognized and certified as a political unit of the Navajo Tribal Government pursuant to Navajo Tribe Council Resolution No. CJ-20-55; and
2. TEEC-NOS-POS CHAPTER includes community members that live in San Juan County and depend on its federal lands and resources; and
3. TEEC-NOS-POS CHAPTER community members occupy a special status as both U.S. citizens and members of the Navajo Nation whose ancestral lands encompass all of San Juan County; and
4. On March 23rd, 2010, Utah Senator Bob Bennett announced the intention to pursue the creation of a Congressional land-use bill that will likely result in the designation of wilderness, boundary and management changes to National Parks and monuments, and the zoning of different regions of the county for protection and development; and
5. Senator Bennett's office has requested information from the Utah Navajo related to land use, natural resource use, and motorized access needs of the Utah Navajo community members; and
6. The Utah Navajos are in the process of creating a land plan to inform this and future land management processes in which the Tribe holds interests.

THEREFORE, BE IT RESOLVED, the official position of the TEEC CHAPTER, regarding the creation of San Juan County Land-Use Legislation is as follows:

1. TEEC-NOS-POS CHAPTER supports the "Utah Navajo Land-Use Proposal" submitted to Senator Bennett's office on August 12, 2010.
2. TEEC-NOS-POS CHAPTER supports the designation of a special management area (such as a National Conservation Area) in which the Navajo people's interests in these landscapes are acknowledged and co-management, shared decision-making, and revenue sharing are explored.
3. TEEC-NOS-POS CHAPTER supports the designation of current roadless areas in San Juan County as wilderness.
4. TEEC-NOS-POS CHAPTER community members are in the process of identifying motorized access routes to ensure that routes currently used to access ceremonial, hunting, gathering, and firewood collecting sites are not disrupted by wilderness designation.

CERTIFICATION

We hereby certify that the foregoing resolution was duly considered by the TEEC CHAPTER at a duly called Regular meeting at Teec Nos Pos Chapter, NAVAJO NATION, Arizona, at which a quorum was present and that the same was passed by a vote of 26 in favor, 0 opposed, and 01 abstained, this 12 day of AUGUST, 2009. MOTION BY: Wallace Goddard SECOND BY: Elsie Dee

Roy Kady Roy Kady, President
John MacDonald, Sr. John MacDonald, Sr., Vice President
Verna Francisco Verna Francisco, Sec./Treas
Francis Redhouse Francis Redhouse, Council Delegate
Dale Redhouse Dale Redhouse, Grazing Officer

CHAPTER OFFICERS

Roy Kady John MacDonald, Sr. Verna Francisco
PRESIDENT VICE PRESIDENT SECRETARY/TREASURER

ADMINISTRATION:

Dale Redhouse Francis Redhouse May Howard Susie Joe
GRAZING OFFICER COUNCIL DELEGATE COMMUNITY SERVICE COORDINATOR OFFICE SPECIALIST



Council Delegates:
Davis Flood
Kenneth Maryboy

Aneth Chapter
Aneth, (Navajo Nation) Utah
RESOLUTION OF
THE ANETH CHAPTER

AC-AUG-10-161



Chapter Officers:
John Billie, President
Bill Todachennie, Vice-President
Brenda Brown, Secretary/Treasurer
Calvin Thomas, Grazing Committee

THE ANETH CHAPTER MOVES TO ACCEPT AND SUPPORT THE
"UTAH NAVAJO SAN JUAN COUNTY LAND-USE LEGISLATIVE
PROPOSAL" TO PROTECT NAVAJO RIGHTS AND INTERESTS ON
FEDERAL LANDS FOR FUTURE GENERATIONS

WHEREAS:

1. Pursuant to 2 NTC Section 4002, The Aneth Chapter is a duly certified chapter of the Navajo Nation who has the power and authority to approve and rescind resolutions enacted thru its membership; and
2. Through the Established Plan of Operations, The Aneth Chapter delegates the authority to the Elected Chapter Officers to enact plans that are in the best interest of the community; and
3. The Aneth Chapter has the authority to act on behalf of its community to recommend, support, and approve community related projects; and
4. The Aneth Chapter has accept to support the announcement made by Utah State Senator, Bob Bennett on March 23rd, 2010, of the intention to pursue the creation of a Congressional Land-Use Bill that will likely result in the designation of wilderness, boundary and management changes to National Parks and Monuments and the zoning of different regions of the county for protection and development; and
5. Senator Bennett's office has requested information from the Utah Navajo related to land use, natural resource use, and motorized access needs of the Utah Navajo community members; and
6. The Utah Navajo are in the process of creating a land plan to inform this and future land management processes in which the Tribe holds interests; and
7. The Aneth Chapter accepts and approves this request, which was presented before the Aneth Chapter Membership in which a legal quorum was present.



RED MESA CHAPTER
Red Mesa, Navajo Nation, Utah



Resolution RM- 011-08-09-10

**RESOLUTION OF THE RED MESA CHAPTER
SUPPORTING THE "UTAH NAVAJO SAN JUAN COUNTY LAND-USE LEGISLATIVE
PROPOSAL" TO PROTECT NAVAJO RIGHTS AND INTERESTS ON FEDERAL LANDS FOR
FUTURE GENERATIONS.**

WHEREAS:

1. RED MESA CHAPTER is officially recognized and certified as a political unit of the Navajo Tribal Government pursuant to Navajo Tribe Council Resolution No. CJ-20-55; and
2. RED MESA CHAPTER includes community members that live in San Juan County and depend on its federal lands and resources; and
3. RED MESA CHAPTER community members occupy a special status as both U.S. citizens and members of the Navajo Nation whose ancestral lands encompass all of San Juan County; and
4. On March 23rd, 2010, Utah Senator Bob Bennett announced the intention to pursue the creation of a Congressional land-use bill that will likely result in the designation of wilderness, boundary and management changes to National Parks and monuments, and the zoning of different regions of the county for protection and development; and
5. Senator Bennett's office has requested information from the Utah Navajo related to land use, natural resource use, and motorized access needs of the Utah Navajo community members; and
6. The Utah Navajo are in the process of creating a land plan to inform this and future land management processes in which the Tribe holds interests.

THEREFORE, BE IT RESOLVED, the official position of the RED MESA CHAPTER, regarding the creation of San Juan County Land-Use Legislation is as follows:

1. The RED MESA CHAPTER supports the "Utah Navajo Land-Use Proposal" submitted to Senator Bennett's office on _____, 2010.
2. The RED MESA CHAPTER supports the designation of a special management area (such as a National Conservation Area) in which the Navajo people's interests in these landscapes are acknowledged and co-management, shared decision-making, and revenue sharing are explored.
3. The RED MESA CHAPTER supports the designation of current roadless areas in San Juan County as wilderness.
4. RED MESA CHAPTER community members are in the process of identifying motorized access routes to ensure that routes currently used to access ceremonial, hunting, gathering, and firewood collecting sites are not disrupted by wilderness designation.

Herman Daniels Jr., President
Albert Holiday, Vice President
LaNell Menard-Farrish, Secretary/Treasurer
Shirlee A. Bedonke, CSC



Jonathan Nez, Council Delegate
Benedict Daniels, Grazing Official
Peggy Abrigo, AMS
Phone: 435-727-5850 Fax: 5852

Scanned & emailed
11/18/14 - spg

Oljato Chapter: PO Box 360455; Monument Valley, Utah 84536

RESOLUTION OF THE OLJATO CHAPTER

Resolution No: OLJ11-15-2014

**SUPPORTING THE UTAH DINE BIKEYAH CONSERVATION PROPOSAL IN SAN JUAN COUNTY,
UTAH TO PROTECT DINE RIGHTS AND INTERESTS ON FEDERAL LANDS FOR FUTURE
GENERATIONS**

WHEREAS, OLJATO CHAPTER is officially recognized and certified as a political unit of the Navajo Tribal Government pursuant to Navajo Tribe Council Resolution No. CJ-20-55; and

WHEREAS, OLJATO CHAPTER includes community members that live in San Juan County and depend on its federal lands and resources; and

WHEREAS, OLJATO CHAPTER community members occupy a special status as both U.S. citizens and members of the Navajo Nation whose ancestral lands encompass all of San Juan County; and

WHEREAS, the Diné Bikéyah, the Peoples Sacred Land, is a National Conservation Area/ National Monument proposal of 1.9 million acres in size and includes additional Wilderness units within and outside of its boundary. This region is the ancestral home of many Southwestern Native American Tribes, including the Navajo, Hopi, Zuni, Acoma, Zia, and Jemez Pueblos along with the Ute Mountain, Southern, and Uintah Ouray Utes, the San Juan, Kaibab, and Utah Paiute Tribes and the Jicarilla Apache Tribe, assert their affiliation, occupation and enduring use of these lands; and

WHEREAS, the National Conservation Area/ Monument is bordered on the west by the Colorado River and on the south by the San Juan River and Navajo Nation Reservation, the Conservation Area/ Monument is characterized by prodigious topographic diversity and striking landforms. Containing intricately rich ecological systems, the Navajo and other Tribes depend upon the Conservation Area/ Monument to sustain their traditional livelihoods and cultural practices. Cedar Mesa, the Conservation Area/ Monument's centerpiece offers sprawling vistas while Comb and Butler Washes, and extends beyond to Moki, Red, Dark, Grand Gulch, and White canyons that each support verdant ribbons of riparian habitat. Desert Bighorn Sheep grace the lower desert lands while the 11,000 foot Abajo Mountains host forests of Ponderosa Pine, Spruce, Fir and Aspen, providing a home to Mule Deer, Elk, Black Bear and Mountain Lion, sacred icons of the mesa's original peoples. Paramount for the Navajo, the majority of the regions inhabitants are the proper management of the Conservation Area/ Monument's native plants and wildlife that are food, shelter and medicine and its cultural sites that are central to their spiritual practices.

WHEREAS, this region contains unsurpassed cultural and paleontological resources; the Conservation Area/ Monument is world renowned for the integrity and abundance of its archaeological resources. Six cultural special management areas are within the Conservation Area/ Monument boundaries; Alkali Ridge National Historic Landmark, the Hole-in-the-Rock Historical Trail and the Grand Gulch, Big Westwater Ruin, Dance Hall Rock, Sand Island Petroglyph Panel, the Newspaper Rock Petroglyph Panel, and the Butler Wash Archaeological District National Register site. Also occurring in the Conservation Area/ Monument's 19 distinct geologic units are scientifically significant vertebrate and non-vertebrate paleontological resources that are particularly abundant in the Cedar Mountain, Burro Canyon, Morrison, and Chinle Formations.

- o Protection of the region as a national conservation area or national monument will be a top priority for concerned federal agencies, with public involvement and a prioritization of staffing, resources and cooperation with Native peoples.

NOW THEREFORE BE IT RESOLVED, that the Oljato Chapter extends its support for

- Designation of the full extent of the Dine Bikeyah National Conservation Area/ National Monument in San Juan County, Utah
- Designation of identified roadless areas as Wilderness, under the Wilderness Act
- Establishment of Co-management Agreement(s) between the Navajo Nation/ other Tribes and the federal government to improve management and elevate the Native American voice in the long-term sustainable management of the region

CERTIFICATION

We hereby certify that the foregoing resolution was duly considered by the Oljato Chapter at a regular duly called meeting at Oljato, Navajo Nation, Utah at which a quorum was present and that same was passed by a vote of 47 in favor, 0 opposed and 0 abstained, this 9 day of NOVEMBER 2014.

1st Motion by: Nelson Yellowman

[Signature]
Herman Daniels Jr., Chapter President

[Signature]
LaNell Menard-Parrish, Secretary/Treasurer

2nd Motion by: Harve Holiday

[Signature]
Albert Holiday, Vice-President

[Signature]
Benedict Daniels, Grazing Officer

RESOLUTION OF THE OLIJATO CHAPTER

SUPPORTING THE "UTAH NAVAJO SAN JUAN COUNTY LAND-USE LEGISLATIVE PROPOSAL" TO PROTECT NAVAJO RIGHTS AND INTERESTS ON FEDERAL LANDS FOR FUTURE GENERATIONS.

WHEREAS

1. OLIJATO CHAPTER is officially recognized and certified as a political unit of the Navajo Tribal Government pursuant to Navajo Tribe Council Resolution No. CI-20-55; and
2. OLIJATO CHAPTER includes community members that live in San Juan County and depend on its federal lands and resources; and
3. OLIJATO CHAPTER community members occupy a special status as both U.S. citizens and members of the Navajo Nation whose ancestral lands encompass all of San Juan County; and
4. On March 23rd, 2010, Utah Senator Bob Bennett announced the intention to pursue the creation of a Congressional land-use bill that will likely result in the designation of wilderness, boundary and management changes to National Parks and monuments, and the zoning of different regions of the county for protection and development; and
5. Senator Bennett's office has requested information from the Utah Navajo related to land use, natural resource use, and motorized access needs of the Utah Navajo community members; and
6. The Utah Navajo are in the process of creating a land plan to inform this and future land management processes in which the Tribe holds interests.

THEREFORE, BE IT RESOLVED, the official position of the OLIJATO CHAPTER, regarding the creation of San Juan County Land-Use Legislation is as follows:

1. The OLIJATO CHAPTER supports the "Utah Navajo Land-Use Proposal" submitted to Senator Bennett's office on _____, 2010.
2. The OLIJATO CHAPTER supports the designation of a special management area (such as a National Conservation Area) in which the Navajo people's interests in these landscapes are acknowledged and co-management, shared decision-making, and revenue sharing are explored.
3. The OLIJATO CHAPTER supports the designation of current roadless areas in San Juan County as wilderness.
4. OLIJATO CHAPTER community members are in the process of identifying motorized access routes to ensure that routes currently used to access ceremonial, hunting, gathering, and firewood collecting sites are not disrupted by wilderness designation.



BEARS EARS INTER-TRIBAL COALITION

A Partnership of the Hopi, Navajo, Uintah & Ouray Ute, Ute Mountain Ute, and Zuni Governments

January 20, 2016

Hon. Rob Bishop
Hon. Jason Chaffetz
U.S. House of Representatives
Washington, DC 20515

RE: Public Lands Initiative Legislation Falls Short of Meeting Local Needs

Dear Representatives Bishop and Chaffetz,

Thank you for delivering the Discussion Draft of the proposed Public Lands Initiative (PLI) to the Ute Mountain Ute Tribe on January 14th. The Bears Ears Inter-Tribal Coalition (BEITC) has carefully reviewed this language, and finds it woefully inadequate in addressing our needs in the areas of collaborative management and land preservation.

Our Tribes made a straightforward request to you for the Bears Ears proposal. Listed below are major shortcomings of this legislation among many others:

- The boundaries of the Bears Ears National Conservation Area fail to protect essential cultural sites and wildlife habitat areas that we have asked to be preserved;
- The PLI does not elevate the voice of Native Americans as co-equals alongside federal land managers in the management of the Bears Ears NCA. Instead, the PLI offers Tribes only a consultative role in advising on the area's management;
- The PLI fails to give adequate representation to regional tribes in its proposed Commission. This includes the Ute Mountain Ute Tribe that administers land in the proposal. Creating only two seats for Tribal representation on the Commission and overlooking one of two local Tribes is simply unacceptable;
- The PLI would permanently open too many acres to mineral extraction within and surrounding the Bears Ears proposal;
- The Coalition is concerned that the bill will contain limitations on the 1906 Antiquities Act. The Coalition and tribes nationwide value the Antiquities Act because it protects and preserves culturally significant areas that are essential for the traditional and cultural continuity of tribal people. The Coalition cannot support legislation that includes limitations on the President's authority under the Antiquities Act;
- The PLI goes against the position of the Ute Indian Tribe that opposes land transfers within the Uncompahgre reservation boundary to the State of Utah.

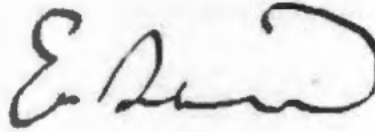
Native Americans represented by the BEITC are asking for an equal voice in land management and for protection of a large and significant ancestral landscape containing more than 100,000 archaeological sites. Your proposal falls well short of meeting our needs.

The Draft confirms the inequitable treatment of Tribes over the past three years and our need to seek other means of protecting the living cultural landscape we call Bears Ears.

Respectfully,



Alfred Lomahquahu
Hopi Tribe Vice-Chairman &
Co-Chair Bears Ears
Inter-Tribal Coalition



Eric Descheenie
Executive Staff Assistant, Navajo Nation Office of the
President and Vice President & Co-Chair, Bears
Ears Inter-Tribal Coalition



**Southern
Utah
Wilderness
Alliance**



**GRAND CANYON
TRUST**



**THE
WILDERNESS
SOCIETY**



**SIERRA
CLUB**
FOUNDED 1892

JOINT STATEMENT ON DRAFT PUBLIC LANDS INITIATIVE

CONTACT:

Scott Groene, Southern Utah Wilderness Alliance, 435-259-7049

Tim Peterson, Grand Canyon Trust, 801-550-9861

Paul Spitler, The Wilderness Society, 202-360-1912

Sharon Buccino, Natural Resources Defense Council, 202-607-4780

Wayne Hoskisson, Sierra Club, 435-260-9045

January 20, 2016

For more than three years we have worked in good faith to reach a compromise on public lands issues in eastern Utah through the Public Lands Initiative (PLI). The proposed legislation released by Representatives Rob Bishop and Jason Chaffetz does not protect the world-renowned redrock scenery of the national public lands in Utah—including the spectacular Bears Ears cultural landscape—and instead imposes unprecedented and controversial proposals that would adversely affect wildlife, recreation, and watersheds in key areas across eastern Utah.

“The draft PLI is an un-wilderness bill,” explained Scott Groene, executive director of the Southern Utah Wilderness Alliance. “Effectively, less wilderness would be protected in Utah if this bill passed than what is currently managed for the public. This proposal does not do justice to these world-class landscapes.”

“The draft PLI weakens existing protections for important natural and cultural resources inside the proposed Bears Ears National Monument,” said Bill Hedden of the Grand Canyon Trust. “It neglects hundreds of thousands of acres of deserving wilderness and turns public lands over to county ownership that have already been subject to looting and grave robbing. San Juan County entirely dismissed local concerns by rejecting a home-grown proposal to fully protect Bears Ears—one that garnered 64% local support. San Juan also excluded everyone living outside the county in crafting their proposal; one which is a wholly inadequate substitute for a Bears Ears National Monument.”

“We are disappointed that after years of good faith effort to identify common ground with counties, conservation organizations, tribes, and others, the proposed bill neither honors important agreements that were forged during the PLI process nor offers a reasonable path forward on many issues of critical importance,” remarked The Wilderness Society’s Paul Spitler.

“The draft PLI includes many controversial proposals that lack support and would damage scenic public lands in Utah.”

“This is really a fossil fuels bill,” observed Sharon Buccino, director of the land and wildlife program at the Natural Resources Defense Council. “It opens up areas managed as wilderness for coal mining, tar sands, oil shale, and oil and gas and dedicates more land to energy development than to conservation.”

“The draft PLI substitutes easily-modified national conservation area designations for lands deserving and needing wilderness designation,” commented Wayne Hoskisson from the Sierra Club. “The draft PLI includes provisions that are incompatible with any real conservation efforts. The delegation is already attempting to undermine the Red Cliffs National Conservation Area in Washington County, created only seven years ago.”

We remain hopeful that all sides can find the political will to work together in counties where consensus among stakeholders is within reach. While we are disappointed that consensus compromise has failed here, we know that win-win solutions are possible which truly serve the best interests of future generations and Utah’s exceptional landscapes.

Utah State House Democratic Assistant Whip Joel Briscoe (D-25)

For Immediate Release: January 20, 2015

Democratic Representative Calls Utah Public Lands Initiative Deeply Disappointing

Salt Lake City – House Democratic Assistant Whip Joel Briscoe called the “Utah Public Lands Initiative” revealed today by Congressmen Chaffetz and Bishop “deeply disappointing.”

“Especially troubling,” he continued, “is the systematic removal of the requirement for Class I Airsheds in every area the PLI purports to protect. What profiteth a state to set aside pristine red rock landscapes, only to allow them to be polluted with bad air quality from drilling and mining?”

“That provision alone suggests that the real impetus behind the PLI is profit, not protection. It is not in the spirit of compromise to set aside beautiful landscapes and then pollute them. I hope that members of Congress will see this for what it is and vote it down.”

<http://www.utahhousedemocrats.org/democratic-representative-calls-utah-public-lands-initiative-deeply-disappointing/>

External Stakeholders

Conservatives for Responsible Stewardship

David Jenkins, president with the nonprofit group Conservatives for Responsible Stewardship, warns this bill has national implications. “It’s his model legislation that he would like to replicate as a way to handle public lands nationwide,” says Jenkins. “And in our mind, this completely turns on its head the entire conservation and stewardship ethic that we’ve seen since the days of Theodore Roosevelt in this country.” The Wilderness Society

<http://www.publicnewsservice.org/2016-01-21/public-lands-wilderness/conservation-groups-slam-utah-public-lands-initiative/a49978-1>

The Wilderness Society

“We are disappointed. We think it is a missed opportunity, and there are certainly opportunities for common ground in Utah,” said Paul Spitler, director of wilderness campaigns for the Wilderness Society. “This proposed draft goes far beyond what we and other stakeholders can agree to and will have detrimental effects on public lands in Utah.”

<http://www.deseretnews.com/article/865645791/Bishop-public-lands-bill-unveiled-amid-support-criticism.html>

Utah lands bill a missed opportunity

Jan. 20, 2016

Wilderness Society opposes draft despite years of good faith efforts in the PLI

The 2016 Utah Public Lands Initiative (PLI) draft released by Utah Representative Rob Bishop fails to provide adequate protections for scenic public lands in the state, would undermine bedrock environmental laws and threatens to despoil key public lands.

While the proposal recognizes the critical need to protect scenic and sensitive public lands in Utah—places like the Bears Ears region in San Juan County—it fails to focus on areas of agreement between conservation groups, counties and other stakeholders, and would instead impose controversial provisions that lack public support. As drafted, the PLI undermines years of effort to find common ground and is a missed opportunity to advance conservation, recreation and economic development in eastern Utah.

The following statement is from Paul Spitler, Director of Wilderness Campaigns, at The Wilderness Society:

“We are disappointed that after years of good faith effort to identify common ground with counties, conservation organizations, tribes and others, the proposed bill neither honors important agreements that were forged during the PLI process nor offers a reasonable path forward on many issues of critical importance. The draft PLI includes many controversial proposals that lack support and would damage scenic public lands in Utah.

We appreciate the commitment of many stakeholders and community leaders to find common ground. The Wilderness Society remains committed to continuing to work for the permanent protection of deserving public lands in Utah through whatever process can successfully secure those protections.”

<https://wilderness.org/press-release/utah-lands-bill-missed-opportunity>

Plan for Utah’s public lands is a missed opportunity

Jan. 20, 2016

A new plan released by Rep. Rob Bishop undermines bedrock laws, puts wildlands at risk and fails to find common ground with conservation.

The Public Lands Initiative (PLI) was released by Rep. Bishop, chairman of the House Natural Resources Committee and a frequent opponent of conservation, on Jan. 20. While recognizing the need to protect sensitive Utah landscapes like Bears Ears, it does not provide the protections necessary to safeguard Utah’s “red rock” country for future generations—and even contains controversial proposals that could damage public lands.

The plan is the result of a years-long effort to mediate land-use disputes in Utah by bringing together Native American tribes, county leaders, conservationists and other interests. In the past, The Wilderness Society and other conservation groups have been supportive of the idea behind the plan, but the final product released by Rep. Bishop is a missed opportunity.

Our statement on Rep. Bishop’s plan

“We are disappointed that after years of good faith effort to identify common ground with counties, conservation organizations, tribes and others, the proposed bill neither honors important agreements that were forged during the PLI process nor offers a reasonable path forward on many issues of critical importance,” said Paul Spitler, director of wilderness campaigns at The Wilderness Society, in a

statement. "The draft PLI includes many controversial proposals that lack support and would damage scenic Utah lands."

Public Lands Initiative (PLI): The basics

The good

The plan recognizes that millions of acres of scenic public lands in Utah lands deserve permanent protection, including Desolation Canyon, Cedar Mesa, the San Rafael Swell, the High Uintas and the Book Cliffs.

The bad

The plan does not adequately protect lands in the Bears Ears region, which Native American Tribes and others have proposed for permanent protection to safeguard cultural, recreational, and ecological values.

The proposal would open millions of acres of public lands in Utah to unchecked energy development, while giving away thousands of miles of public roads.

The plan undermines proposed protections for the wilderness and other special areas by including language that carves gaping holes in those protections. This language means that these areas would not receive the protection they deserve.

The PLI process has demonstrated that there is some common ground we can build on (so to speak). We agree that wildlands in Utah contain unsurpassed beauty, recreational opportunities and wildlife habitat, and that they deserve to be permanently protected for future generations. However, an unbalanced plan, like the one offered by Rep. Bishop, will fail if it can't secure the support of partners from across the spectrum.

Focusing on these areas of agreement is the way to arrive at a plan that works for everyone, and we will work toward that goal.

<https://wilderness.org/blog/plan-utah%E2%80%99s-public-lands-missed-opportunity>

Grand Canyon Trust

Joint Statement on Draft Public Lands Initiative

Press Release January 20, 2016

For more than three years we have worked in good faith to reach a compromise on public lands issues in eastern Utah through the Public Lands Initiative (PLI). The proposed legislation released by Representatives Rob Bishop and Jason Chaffetz does not protect the world-renowned redrock scenery of the national public lands in Utah—including the spectacular Bears Ears cultural landscape—and instead imposes unprecedented and controversial proposals that would adversely affect wildlife, recreation, and watersheds in key areas across eastern Utah.

"The draft PLI is an un-wilderness bill," explained Scott Groene, executive director of the Southern Utah Wilderness Alliance. "Effectively, less wilderness would be protected in Utah if this bill passed than what

is currently managed for the public. The wilderness it designates includes unprecedented loopholes and caveats, like enshrining grazing. This proposal does not do justice to these world-class landscapes."

"The draft PLI weakens existing protections for important natural and cultural resources inside the proposed Bears Ears National Monument," said Bill Hedden of the Grand Canyon Trust. "It neglects hundreds of thousands of acres of deserving wilderness and turns public lands over to county ownership that have already been subject to looting and grave robbing. San Juan County entirely dismissed local concerns by rejecting a home-grown proposal to fully protect Bears Ears —one that garnered 64 percent local support. San Juan also excluded everyone living outside the county in crafting their proposal; one which is a wholly inadequate substitute for a Bears Ears National Monument."

"We are disappointed that after years of good faith effort to identify common ground with counties, conservation organizations, tribes, and others, the proposed bill neither honors important agreements that were forged during the PLI process nor offers a reasonable path forward on many issues of critical importance," remarked The Wilderness Society's Paul Spitler. "The draft PLI includes many controversial proposals that lack support and would damage scenic public lands in Utah."

"This is really a fossil fuels bill," observed Sharon Buccino, director of the land and wildlife program at the Natural Resources Defense Council. "It opens up areas managed as wilderness for coal mining, tar sands, oil shale, and oil and gas and dedicates millions of acres to energy development."

"The draft PLI substitutes easily-modified national conservation area designations for lands deserving and needing wilderness designation," commented Wayne Hoskisson from the Sierra Club. "The draft PLI includes provisions that are incompatible with any real conservation efforts. The delegation is already attempting to undermine the Red Cliffs National Conservation Area in Washington County, created only seven years ago."

We remain hopeful that all sides can find the political will to work together in counties where consensus among stakeholders is within reach. While we are disappointed that consensus compromise has failed here, we know that win-win solutions are possible which truly serve the best interests of future generations and Utah's exceptional landscapes.

<http://www.grandcanyontrust.org/joint-statement-draft-public-lands-initiative>

Bears Ears Inter-Tribal Coalition (made up of the Hopi, Navajo, Uintah and Ouray Ute, Ute Mountain, Ute and Zuni Governments)

"Ever since the 1800s, when all Indian people residing in the Bears Ears were forcibly removed, we have grieved and suffered great pain over the treatment of these ancestral lands," said the letter signed by coalition co-chairs Alfred Lomahquahu and Eric Descheenie.

Lomahquahu and Descheenie said heavy looting and grave-robbing, along with mining and off-road vehicle use has "torn up the ground" and threatened their medicines and herbs, sacred ceremonies, family gatherings and cultural preservation. They referred to Bears Ears as a place "where we can connect with the land and our deepest values and heal."

According to the Coalition's letter, the group made at least 25 presentations at PLI meetings and traveled to Washington D.C. eight times over a three-year period to meet with Utah's congressional delegation.

"It was to no avail. In no instance did anyone from the Utah delegation or the PLI make a single substantive comment, positively or negatively, on our proposal," the letter said.

<http://www.standard.net/Government/2016/01/20/Tribal-coalition-ends-discussions-Rob-Bishop-Public-Lands-Initiative.html>

Dear Representatives Bishop and Chaffetz,

Thank you for delivering the Discussion Draft of the proposed Public Lands Initiative (PLI) to the Ute Mountain Ute Tribe on January 14th. The Bears Ears Inter-Tribal Coalition (BEITC) has carefully reviewed this language, and finds it woefully inadequate in addressing our needs in the areas of collaborative management and land preservation. Our Tribes made a straightforward request to you for the Bears Ears proposal. Listed below are major shortcomings of this legislation among many others:

- The boundaries of the Bears Ears National Conservation Area fail to protect essential cultural sites and wildlife habitat areas that we have asked to be preserved;
- The PLI does not elevate the voice of Native Americans as co-equals alongside federal land managers in the management of the Bears Ears NCA. Instead, the PLI offers Tribes only a consultative role in advising on the area's management;
- The PLI fails to give adequate representation to regional tribes in its proposed Commission. This includes the Ute Mountain Ute Tribe that administers land in the proposal. Creating only two seats for Tribal representation on the Commission and overlooking one of two local Tribes is simply unacceptable;
- The PLI would permanently open too many acres to mineral extraction within and surrounding the Bears Ears proposal;
- The Coalition is concerned that the bill will contain limitations on the 1906 Antiquities Act. The Coalition and tribes nationwide value the Antiquities Act because it protects and preserves culturally significant areas that are essential for the traditional and cultural continuity of tribal people. The Coalition cannot support legislation that includes limitations on the President's authority under the Antiquities Act;
- The PLI goes against the position of the Ute Indian Tribe that opposes land transfers within the Uncompahgre reservation boundary to the State of Utah.

Native Americans represented by the BEITC are asking for an equal voice in land management and for protection of a large and significant ancestral landscape containing more than 100,000 archaeological sites. Your proposal falls well short of meeting our needs.

The Draft confirms the inequitable treatment of Tribes over the past three years and our need to seek other means of protecting the living cultural landscape we call Bears Ears.

<http://www.bearscoalition.org/wp-content/uploads/2016/01/FINAL-BEITC-Bishop-Chaffetz-Letter-012016.pdf>

Trout Unlimited

In a time often characterized by rancor and rigid ideology surrounding public lands issues, Congressman Bishop's Public Lands Initiative is an encouraging development," said Andy Rasmussen, Utah coordinator for Trout Unlimited Sportsmen Conservation Project.

"Collaboration is the best model for long-term protection of the American public's resources, and we appreciate Congressman Bishop's commitment to that process," he added. "We are optimistic that the open dialogue and inclusive process will continue as we work toward a bill we can enthusiastically support."

https://www.ksl.com/?sid=38199508&nid=148&fm=most_popular&s_cid=popular-7

Ute Tribe

The bill has drawn criticism from some Native American tribes because it falls short of creating a Bears Ears National Monument and consolidates mineral resources currently managed by the Bureau of Land Management by proposing to trade them to the Utah Schools and Institutional Trust Lands Administration.

"If Congressman Bishop and Chaffetz did not want to fix land management problems on Indian lands, they should have left our lands out of their bill," said a statement issued by the Ute Tribal Business Committee. "Instead, the bill proposes to take Indian lands and resources to fix Utah's problems."

<http://www.deseretnews.com/article/865645791/Bishop-public-lands-bill-unveiled-amid-support-criticism.html>

"This is very energy focused. The land needs to be healed and needs time to rest so it can continue to produce the plant life and the animal life," said Regina Lopez-Whiteskunk of the Ute Mountain Utes, a Colorado-based tribe with a Utah community at White Mesa. "I advocate for more of a decision-making capacity. The federal government continues to put tribes in an advisory role, when we need to be at the table as equal decision makers. Look at how much we have already lost. That's a slap in the face compared with what we proposed."

<http://www.sltrib.com/news/3441221-155/utah-tribes-say-public-lands-bill-adds>

But, the Ute Tribe blasted the provision that would cede to SITLA mineral-rich lands within the historic boundaries of its Uncompahgre Reservation.

"Discussions were kept secret and now the bill proposes to give away our most valuable resources," said Shaun Champoos, the tribe's business committee chairman.

"While the bill may resolve issues for Utah, it largely ignores Utah's Indian tribes," the tribal committee said in a prepared statement. "If Congressman (sic) Bishop and Chaffetz did not want to fix land management problems on Indian lands, then they should have left our lands out of their bill. Instead, the bill proposes to take Indian lands and resources to fix Utah's problems."

<http://www.sltrib.com/news/3437267-155/bishop-unveils-long-awaited-public-lands-initiative?fullpage=1>

Conservation Lands

Tweet - "That provision alone suggests real impetus behind the PLI is profit, not protection."-SLC Rep in @sitrib #BearsEars

<https://twitter.com/ConservationLF/status/689907363285901312>

Outdoor Alliance

EASTERN UTAH RECREATION AT RISK WITH PUBLIC LANDS INITIATIVE

January 20, 2016

Today, Rep. Rob Bishop (R-UT), chair of the House Natural Resources Committee, released the long awaited product of his Utah "Public Lands Initiative" (PLI) process, and the results are a disappointment for those of us who enjoy outdoor recreation on American public lands in Utah.

Public lands in Eastern Utah—the area covered by the PLI—contain an incredible diversity of some of the most iconic areas in the world for climbers, mountain bikers, paddlers, and myriad other outdoor recreationists. Areas that would be affected by the PLI include the world-famous Indian Creek climbing area; the San Raphael Swell; sections of the Dolores, Green, and Colorado Rivers; and countless miles of iconic single track mountain biking around the Moab area.

Despite the quality, prominence, and economic impact of these areas, the PLI gives scant attention to these resources. In marked contrast, the proposal directs extensive attention to energy development, grazing, motorized use, and shooting sports. The proposal contrasts poorly with the recently released proposal for a Moab-area Master Leasing Plan (MLP), a promising development that would be overridden by the PLI. Unlike the PLI, the Moab MLP recognizes the importance of the landscape for outdoor recreation opportunities, specifically takes into account important recreational resources, and appropriately considers the prominent role of the outdoor recreation economy.

The PLI proposal would undercut established conservation tools on a number of fronts: it would freeze grazing levels without regard to science-based management and community input; it would bar the application of Clean Air Act requirements to protect health and viewsheds; and it would prevent land managers from purchasing land from willing sellers. Finally, the PLI does not thoughtfully protect cultural values and sites.

Eastern Utah's public lands have tremendous significance to outdoor recreationists across the country. We admire the scope of the PLI, which addresses many acres and river miles worthy of serious protection. We recognize that the PLI is a draft bill and hope that future versions will remedy the shortcomings to ensure that conservation measures better reflect the importance of this landscape.

<http://www.outdooralliance.org/policy-news/2016/1/20/eastern-utah-recreation-at-risk-with-public-lands-initiative>

February 24, 2016

President Barack Obama
The White House
1600 Pennsylvania Ave., NW
Washington, DC 20500

Re: Recreation and protection for the Bears Ears region of eastern Utah

Dear Mr. President:

As representatives of the outdoor recreation community and the outdoor industry, Outdoor Alliance and the Outdoor Industry Association (OIA) appreciate the opportunity to share our perspectives on the need for permanent protection for the Bears Ears region in eastern Utah and its unique recreation opportunities and resources.

Southeastern Utah is a world famous landscape for outdoor recreation. Besides being home to several destination national parks, such as Arches and Canyonlands, it has world-class rock climbing, mountain biking, whitewater paddling, hiking, and skiing. The region also has historic and cultural landmarks, including thousands of cultural sites.

This area also has the potential for extractive resource development, including for oil, gas, uranium, and potash. Because of the world-class recreational, ecological, and cultural resources found in southeastern Utah, however, we believe that the Bears Ears region should be permanently protected from impacts caused by resource extraction that diminish the qualities described above. In general, our organizations prefer that protections be accomplished through legislation, but we support judicious use of the Antiquities Act when legislative solutions are not forthcoming. Sustainable outdoor recreation provides outstanding opportunities for the public to experience the objects of historic and scientific interest that would be the basis for protection of the Bears Ears region under the Antiquities Act.

Currently, a number of legislative and administrative efforts, as well as proposals from the public, call for permanent protection of this landscape. These proposals, though varying in their details, come from a diverse set of voices, all in agreement regarding the need for permanent protection for the Bears Ears region. While opinions vary on the precise contours these protections should take, this level of public support for permanent protection demonstrates the tremendous value of this landscape and the high level of agreement on the need to protect it.

If the Administration proceeds with a national monument designation, we request that outdoor recreation be specifically recognized in the monument proclamation to ensure



that opportunities to sustainably enjoy this landscape are protected and enhanced as a management plan for the area is developed.

Recreation highlights in the Bears Ears area

The eastern Utah landscape has tremendous ecological and cultural value, but also unique value for the outdoor recreation community. The Bears Ears area possesses a rare concentration of resources for multiple outdoor pursuits, all contained in a spectacular one-of-a-kind landscape. The diversity and quality of outdoor recreation resources, along with the setting in which these resources are found, combine to make this area iconic and singularly important. Additionally, the area possesses a valuable blend of accessibility and a sense of remoteness that combine to make it a draw for visitors from across the country and around the world.

Climbing

The Bears Ears region is treasured by rock climbing community, and the region attracts tens of thousands of climbers from around the world each year. The climbing experience in eastern Utah is unique and valuable, not only because of the exceptional sandstone cliffs and remote desert towers and bluffs, but also because the landscape is relatively undeveloped and a one-of-a-kind American desert experience.

Classic climbs in the Bears Ears region include the Indian Creek rock climbing area, Lockhart Basin, Arch/Texas Canyon, Comb Ridge, Valley of the Gods, and other remote locations (see map).¹ These climbing areas are irreplaceable, unique recreation resources that are sensitive to the pressures of encroaching development.

Over the past decades, climbers have committed to conserving the Bears Ears region through years of on-the-ground stewardship, engagement in conservation initiatives, and continued advocacy for natural and cultural resource protection. For example, in 2004, climbers established Friends of Indian Creek, an Access Fund affiliate, to work with land managers to promote responsible climbing and to provide resources that help alleviate recreation's impact on the region. The Access Fund has helped to develop climbing management strategies, and has organized many stewardship projects to control erosion and camping impacts. The American Alpine Club has provided grants for educational kiosks and waste disposal.

¹ There are well over 200 rock climbing sites within the Inter-Tribal Coalition's proposed national monument boundary alone.



Mountain biking

The Moab area also provides approximately 150 trail segments, totaling more than 1,000 miles of outstanding mountain biking opportunities (see map below), which have without question helped to grow the local economy. World-class mountain bike trails such as Porcupine Rim and Kokopelli Trail are valuable recreation assets that deserve landscape-scale protections.

Paddling

The San Juan, Colorado, and Green Rivers provide nearly 200 miles of exceptional whitewater and flatwater paddling opportunities. These rivers are not only critical to the ecological integrity of the region, but are also highly valued by the paddling community. They all provide opportunities for multi-day adventures that draw river runners from across the country. In fact, these opportunities are so popular, that the San Juan River has implemented a lottery-based permit system because demand for the experience this river provides greatly exceeds capacity, and the Colorado and Green Rivers also have permit systems. Part of the draw for these river trips is that there are few places left in this country where one can still spend a week floating down a river and have a backcountry recreation experience. River trips serves as a means of experiencing the cultural history of the area, with many sites along the rivers where one can view Native American rock art and archeological sites that speak to the long history of the region pre-dating European settlement.

Backcountry skiing and winter recreation

The Bears Ears region includes three mountain peaks that are used by backcountry skiers during the winter season (see map), and these peaks provide an outstanding quiet winter recreation experience. In addition, the region also provides hikers and canyoneers with hundreds of opportunities to experience wild landscapes and solitude.

Economics

Outdoor recreation and protected public lands are a key economic driver in southeastern Utah. The outdoor recreation economy in Utah accounts for \$12 billion in annual consumer spending, directly employs 122,000 people in Utah, pays \$3.6 billion in wages and salaries, and contributes \$856 million in state and local tax revenue.² All of these benefits depend on the protection of healthy, pristine, and enjoyable outdoor

² *Outdoor Industry Association, The Outdoor Recreation Economy: Utah (2012)*, available at https://outdoorindustry.org/images/ore_reports/UT-utah-outdoorrecreationconomy-oia.pdf.



recreation opportunities on public lands. Additionally, multiple studies have documented the role of protected public lands, like national monuments, in benefiting local and regional economies.³

The climbing areas, mountain biking trails, rivers and peaks of the Bears Ears region warrant permanent protection so that they can continue to provide the region with consistent economic benefits. In addition, permanent protection for the broader region will help to conserve Arches and Canyonlands National Parks by protecting neighboring landscapes from high-impact potash, uranium, and oil and gas development.

Current Public Lands Proposals

Because of the importance of the Bears Ears region to the human-powered recreation community, Outdoor Alliance and OIA have been deeply engaged in the planning and legislative initiatives that affect eastern Utah. We have supported the Moab area BLM Master Leasing Plan, participated in the Public Lands Initiative process, and engaged with the Bears Ears National Monument Support Group.

The Public Lands Initiative aimed for a “balance” between conservation, resource extraction, and recreational access, and proposed a Bears Ears National Conservation Area as the mechanism for protecting the region’s natural and cultural resources. However, upon careful review, Outdoor Alliance and OIA believe that the draft PLI is not balanced and will harm irreplaceable recreation assets. We are concerned that the PLI will not provide sufficient protections for the Bears Ears region and does not reflect the community input that was provided over the past three years; therefore, we will continue to comment on PLI discussion drafts. Among other problematic provisions, the PLI does not acknowledge the region’s extensive climbing resources such as Indian Creek; it does not provide landscape-scale protections for climbing and mountain biking; it overrides the BLM Master Leasing Plan which actually provides more targeted protections for recreation; and it proposes to transfer the iconic North Six Shooter Peak climbing area from the BLM to Utah State University, resulting in unknown ramifications for continued public access (highlighted on map).

In October 2015, an Inter-Tribal coalition proposed a 1.9 million acre monument (Bears Ears National Monument) to protect the area’s cultural resources, which hold significant value to Tribal communities. The coalition is currently asking the Administration to use the Antiquities Act to designate the proposed monument and has moved on from the Public Lands Initiative process. The proposed national monument protects land in which much of the climbing, mountain biking, paddling, and skiing takes place.

³ See, e.g., *Headwaters Economics, The Economic Importance of National Monuments to Local Communities* (2014), <http://headwaterseconomics.org/public-lands/protected-lands/national-monuments>.



necessary to control fire, insects, or disease to promote and improve wildlife habitat and diversity.

SEC. 206. - BEARS EARS NATIONAL CONSERVATION AREA

(a) **ESTABLISHMENT.**—Subject to valid existing rights certain federal land, comprising approximately 1,178,142 acres administered by the Bureau of Land Management and the United States Forest Service in San Juan County in the State of Utah, as generally depicted on the map entitled Utah PLI National Conservation Area Map and dated _____, to be known as the “Bears Ears National Conservation Area of San Juan County”.

(b) **PURPOSE.**—The purpose of the Bears Ears National Conservation Area (referred to in this section as the “Bears Ears”) is to integrate greater local control, science and land management techniques, traditional knowledge, scientific expertise, and commitment of the Hopi Tribe, Navajo Nation, Uintah and Ourary Ute Tribe, Ute Mountain Ute Tribe, Zuni Tribe, San Juan County, and the State of Utah to the culturally significant landscape known as the Bears Ears and to manage the area in a way that conserves, protects, and enhances the scenic, biological, natural, historical, scientific, recreational, ecological, educational, scientific, and cultural resources of the area.

(c) **MANAGEMENT PLAN.** —

(1) **PLAN REQUIRED-** Not later than 2 years after the date of enactment of this Act, the Secretary of the Interior and the Secretary of Agriculture shall develop a management plan for the long-term management of the NCA.

(2) **RECOMMENDATIONS AND CONSULTATION-** The Secretary of the Interior and the Secretary of Agriculture shall implement the management plan in consultation and coordination with the Bears Ears Commission. If the Secretary of the Interior and the Secretary of Agriculture do not implement the recommendations submitted by the Bears Ears Commission into the management plan, the Secretary of the Interior and the Secretary of Agriculture shall submit a written explanation before the effective date of the management plan to the House Committee on Natural Resources and Senate Committee on Energy and Natural Resources outlining the reasons for rejecting the recommendations of the Bears Ears Commission.

(3) **REQUIREMENTS-** The management plan shall be written in accordance with subsection (b) of this subsection.

(4) **Uses-** The Secretary of the Interior and the Secretary of Agriculture shall allow only such uses of the NCA that would further the purposes of the NCA described in subsection (b).

(D) **BEARS EARS MANAGEMENT COMMISSION.** —

(1) **ESTABLISHMENT.**—Within 180 days after the date of enactment of this Act, the Secretary of the Interior and the Secretary of Agriculture shall establish the Bears Ears Management Commission, to:

(A) Advise the Secretary of the Interior and the Secretary of Agriculture with respect to development and implementation of the management plan.

(B) Encourage and promote local participation in the decision-making processes affecting the Bears Ears National Conservation Area.

(2) MEMBERS.—The members shall be appointed jointly by the Secretary of the Interior and Secretary of Agriculture from the following:

- (i) One representative from one of the seven Utah Chapters of the Navajo Nation; and
- (ii) One representative from the Hopi Tribe, Uintah and Ourary Ute Tribe, Ute Mountain Ute Tribe, or the Zuni Tribe; and
- (iii) a representative from the Utah Department of Natural Resources; and
- (iv) a designee of the San Juan County Commission.

(3) TERMS.—Members of the Bears Ears Management Commission shall be appointed for a term of 4 years. Members shall not be appointed for more than 3 consecutive or nonconsecutive terms.

(4) TERMS OF INITIAL APPOINTEES.—The Secretary of the Interior and the Secretary of Agriculture shall appoint the initial members of the Bears Ears Management Commission as follows:

- (i) The first tribal representative shall be appointed for a term of 4 years;
- (ii) The second tribal representative shall be appointed for a term of 3 years; and
- (iii) The Utah Department of Natural Resources representative and the San Juan County Commission representative shall each be appointed for a term of 2 years.

(5) PRESERVATION OF PUBLIC ADVISORY STATUS.—No individual may be appointed as a member of the Bears Ears Management Commission while serving as an officer or employee of the Federal Government.

(6) VACANCY AND REMOVAL.—

(A) IN GENERAL.—Any vacancy on the Bears Ears Management Commission shall be filled in the manner in which the original appointment was made.

(B) REMOVAL.—Bears Ears Management Commission members shall serve at the discretion of the Secretary of the Interior and Secretary of Agriculture and may be removed at any time for good cause.

(7) CONTINUATION OF SERVICE.—Each appointed member may continue to serve after the expiration of the term of office to which such member was appointed until a successor has been appointed.

(8) CHAIR.—The Chair of the Bears Ears Management Commission shall be appointed to a 3-year term by the Secretary of the Interior from among the members of the Bears Ears Commission. An individual appointed to the Bears Ears Management Commission under (4)(2)(iii) shall be eligible to serve as Chair, but may serve for two years. An individual may not be appointed as Chair for more than 2 consecutive or nonconsecutive terms.

(9) PAY AND EXPENSES.—Members of the Bears Ears Management Commission shall serve without pay, but each member of the Bears Ears Management Commission may be reimbursed for travel and lodging incurred through attending meetings of the Bears Ears Management Commission approved subgroup meetings in the same amounts and under the same conditions as Federal employees in accordance with section 5703 of title 5, United States Code.

(10) MEETINGS.—

(A) IN GENERAL.—The Bears Ears Management Commission shall meet at the call of the Secretary of the Interior or the Secretary of Agriculture, the chair, or a majority of the members, but not less frequently than twice annually.

(B) OPEN MEETINGS.—Each meeting of the Bears Ears Management Commission shall be open to the public.

(C) PRIOR NOTICE OF MEETINGS.—Timely notice of each meeting of the Bears Ears Management Commission shall be published in the Federal Register and be submitted to publications of general circulation.

(D) SUBGROUPS.—The Bears Ears Management Commission may establish such workgroups or subgroups as it deems necessary for the purpose of compiling information or conducting research. However, such workgroups or subgroups may not conduct business without the direction of the Bears Ears Management Commission.

(11) QUORUM.—Four members of the Bears Ears Management Management Commission shall constitute a quorum.

(12) EXPENSES.—The expenses of the Bears Ears Management Commission that the Secretary of the Interior and Secretary of Agriculture determine to be reasonable and appropriate shall be paid by the Secretary of the Interior and the Secretary of Agriculture.

(13) ADMINISTRATIVE SUPPORT AND TECHNICAL SERVICES.—The Secretary of the Interior and Secretary of Agriculture shall provide to the Bears Ears Management Commission the administrative support and technical services.

(14) FEDERAL ADVISORY COMMITTEE ACT.—The Bears Ears Management Commission shall be exempt from the Federal Advisory Committee Act (5 U.S.C. App.).

(e) MANAGEMENT PLAN.

(1) PLAN REQUIRED- Not later than 2 years after the date of enactment of this Act, the Bears Ears Management Commission shall develop recommendations for a management plan for the long-term management of the Bears Ears.

(2) REQUIREMENTS- The management plan shall--

(a) describe the appropriate uses and management of the Bears Ears;

(b) include a recommendation on interpretive and educational materials regarding the cultural and biological resources of the region;

(c) protect valid existing rights;

(d) continue livestock grazing in places where livestock grazing was permitted on the date of enactment of this act;

(e) protect and preserve Native American historical uses, access to ceremonial sites, hunting and gathering, and other cultural uses and sites; and;

(f) enhance primitive recreation;

(g) promote scientific research;

(h) promote traditional knowledge; and

(i) be adopted by a majority vote of the Bears Ears Management Commission

(3) CONSULTATION- The Secretary of the Interior and the Secretary of Agriculture may prepare the management plan in consultation and coordination with the Bears Ears Management Commission.

(4) PLAN ADOPTION. – The recommendations for a management plan shall only be adopted and transmitted to the Secretary of the Interior and the Secretary of Agriculture except by a majority vote of the Bears Ears Management Commission.

SEC. 207- ADDITIONAL PROVISIONS FOR DOCS VALLEY, STONE BRIDGE DRAW, STUNTZ DRAW, BEACH DRAW, MCCOOK RIDGE, AND DIAMOND MOUNTAIN NATIONAL CONSERVATION AREAS

(a) Nothing in this title shall effect existing or future sage grouse conservation projects, including the management of vegetation through mechanical means within the Doc Valley, Stone Bridge Draw, Stuntz Draw, Beach Draw, and Diamond Mountain National Conservation Areas established under section 201.

The Salt Lake Tribune

Chaffetz: PLI gives tribes more of what they want in Bears Ears

BY JASON CHAFFETZ

PUBLISHED: FEBRUARY 6, 2016 03:00PM

UPDATED: FEBRUARY 8, 2016 12:35PM

For Utah tribes hoping to preserve, access, and manage their lands and sacred sites, the Public Lands Initiative (PLI) offers the best hope for a positive outcome. PLI, which Rep. Rob Bishop and I are introducing in the House and Sen. Mike Lee will run in the Senate, is a legislative solution Utah tribal members helped develop.

The PLI provides broader protections for Native American lands and against a National Park Service (NPS) that has been unfriendly to tribal interests. PLI also utilizes a more inclusive process, offering a better future than an executive action by the President can achieve.

Broader protections • With the stroke of his pen, the president can lock up a contiguous area like the Bears Ears; but the PLI can do more than just protect that one landscape. It can also preserve traditional land uses that have historically been denied to tribes in national monument designations while also promoting needed economic development.

Our proposal calls for 1.1 million acres of National Conservation Area (NCA) — a designation Native Americans have sought. This designation protects the land without locking out traditional tribal land uses the way a wilderness or national monument designation would. The bill also ensures Native American treaty rights



Leah Hogsten | Tribune file photo
Rep. Jason Chaffetz, R-Utah

are protected.

National Park Service not friendly to tribes • The NPS's history of managing national monuments on sacred lands should serve as a reality check for anyone calling for executive action.

Native Americans got a raw deal with the NPS-managed Canyon De Chelly National Monument and the Wupatki National Monument designations. In Canyon De Chelly (pronounced de-SHAY), the NPS removed more than 300 sets of remains and other cultural artifacts. Attorneys for the Navajo Nation Department of Justice's Natural Resources Unit told reporters that the tribe would never have agreed to the monument designation in 1930 had they known NPS would claim the right to remove remains and cultural objects.

Likewise, Navajo in Arizona's Little Colorado River Valley saw their access to generational homesteads slowly disappear after the Wupatki National Monument (pronounced Woo-Pat-Key) was designated in 1924. After generations of herding sheep in the area, Navajo were told by NPS that "environmental concerns" from sheepherding justified limiting access to lands their families had managed since the 1870s.

By 2014, what was once a thriving community of hundreds of Navajo had become home to a single Navajo elder woman whose home will revert to federal ownership upon her death.

With a legislative solution, we can keep the Bears Ears out of NPS control, protect the Bears Ears and maintain traditional Navajo land use. An NCA designation avoids the risks of denied access and disrespectful activities that would likely come from the National Park Service with the President's executive action.

Inclusive process • Whereas a presidential use of the Antiquities Act requires absolutely no local input — from Native Americans or anyone else — the PLI has incorporated extensive contributions from stakeholders.

Rep. Bishop and I have personally met with tribal groups. Our staff has hosted dozens of meetings and multiple field trips across four states, including a meeting with Navajo Nation President Russell Begaye. No one who wanted to be involved was excluded.

The compromise admittedly doesn't give groups everything they asked for. But the end result is a middle ground between the county's combined 560,000-acre NCA proposal at one end of the spectrum and the environmentalist-driven 2 million-acre request at the other. We believe 1.1 million acres represents a number both sides can live with.

Better opportunities for tribes • From economic development to land management, the PLI offers a brighter future for Utah's tribes.

As active participants in the PLI process, the Navajo Nation, Ute Tribe and Ute Mountain Ute are among the many tribes that gain economic development advantages under PLI. Mineral transfers at McCracken Mesa and land transfers along the San Juan River are among some of the economic opportunities for Native Americans being considered that are not possible under an executive order.

Furthermore, the PLI provides opportunities for tribal engagement in land management. The proposed Bears Ears Management Commission is an advisory council for the NCA that legislatively requires 50 percent of the seats to be held by Native Americans — with a guarantee that at least one will be held by a Utah Navajo.

Ultimately, Utah's Native American tribes get more of what they want and deserve through the legislative process of the Public Lands Initiative than they could ever hope to gain from a unilateral action by President Obama.

Rep. Jason Chaffetz's congressional district includes the Bears Ears.

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SUMMARY OF PUBLIC LANDS INITIATIVE ACT DISCUSSION DRAFT

FEBRUARY 2016

On January 20, Congressmen Bishop and Chaffetz released a discussion draft of the Utah Public Lands Initiative Act (PLI). The bill includes two divisions, "Conservation" and "Opportunity", and 20 titles. The following is a summary and analysis of the discussion draft.

OVERVIEW

The discussion draft suffers from numerous fatal flaws, including:

- Contradicting numerous Federal laws, including the Wilderness Act, Clean Air Act, Federal Land Policy and Management Act, National Forest Management Act, and National Environmental Policy Act. The discussion draft also contains provisions that undermine State law, as well as the United States Constitution.
- Undermining the management of proposed wilderness areas, national conservation areas, special management areas, and recreation zones. This language is so onerous as to completely negate the conservation purposes of these designations.
- Providing unprecedented giveaways to the State of Utah, including over 10,000 miles of public roads, and a significant acreage of Federal land.
- Designating over 2.5 million acres of energy zones that will sacrifice important natural, cultural, scenic, and recreational values on public lands.
- Affording insufficient protections for the proposed Bears Ears National Monument, while providing San Juan County with veto authority over monument management.
- Containing numerous other onerous provisions including the hard release of over two million acres of public land.

DIVISION A – CONSERVATION

TITLE I – WILDERNESS. This title designates 2.2 million acres of wilderness in 41 units, including 1.65 million acres of BLM wilderness, 435,000 acres of national park wilderness, and 100,000 acres of Forest Service wilderness. The discussion draft includes 20 management provisions covering fire, grazing, fish and wildlife, water rights, and other issues. This title also releases 80,000 acres of wilderness study areas.

The wilderness management language contains numerous provisions that contradict the Wilderness Act, and also contradicts the National Environmental Policy Act, Federal Land Policy and Management Act, Clean Air Act and National Forest Management Act. This language completely undermines the wilderness designations by including such things as mandatory grazing and shooting; permissive rules on logging, water facilities, and water development projects; a prohibition on land acquisition from willing sellers, and a prohibition on protecting air quality. The title also omits many lands deserving of wilderness protections.

TITLE II – NATIONAL CONSERVATION AREAS. This title designates 1.8 million acres of national conservation areas (NCAs) in 14 units. These areas overlap with 390,000 acres of wilderness from Title I. A Bears Ears National Conservation Area is included, covering 1.1 million

acres. The title contains over 20 management provisions for the conservation areas, with additional provisions for the Book Cliffs Sportsmens NCA and Bears Ears NCA. Additionally, the title establishes an advisory council for the Book Cliffs Sportsmens NCA and a commission made up of two Tribes, the State of Utah, and San Juan County to oversee the Bears Ears NCA. The commission has veto power over management decisions in the Bears Ears NCA. Finally, the title releases all lands in the NCAs from future inventory and management as wilderness.

The NCA management language contradicts the Federal Land Policy and Management Act, National Environmental Policy Act, Clean Air Act and National Forest Management Act. This language completely undermines the NCA designations by including such things as mandatory grazing and motorized vehicle use, a prohibition on land acquisition from willing sellers, loosened rules on logging, and a prohibition on protecting air quality. The purposes alone would undermine NCA management, as they include such things as motorized recreation and greater local control. The release language is known as "hard release," which has never passed Congress due to strong public opposition.

TITLE III – SPECIAL MANAGEMENT AREAS. This title designates 95,000 acres of special management areas in seven units on national forest land in Utah. The title includes 20 management provisions covering fire, grazing, fish and wildlife, water rights, and other issues.

The special management area management language contradicts the National Environmental Policy Act, Clean Air Act and National Forest Management Act. This language completely undermines the special management area designations. Further, the language is not consistent with the proposals of the counties that advanced the special management areas, including Summit County, which is the only county with complete agreement among all stakeholders.

TITLES IV-VII – ARCHES NATIONAL PARK EXPANSION, JURASSIC NATIONAL MONUMENT, WILD AND SCENIC RIVERS, ASHLEY CREEK RECREATIONAL AND SPECIAL MANAGEMENT AREA. These titles: (1) add 19,000 acres to Arches National Park; (2) establish an 867-acre national monument; (3) designates 300 miles of wild and scenic rivers; and (4) establishes a 111,000-acre recreational and special management area. The discussion draft includes management provisions for the monument, wild and scenic rivers, and recreational and special management area.

The management language in these titles would undermine their purposes by including such things as: mandatory grazing and motorized vehicle use, a prohibition on land acquisition from willing sellers, loosened rules on logging, and a prohibition on protecting air quality.

DIVISION B – OPPORTUNITY

TITLE I – SCHOOL TRUST LAND CONSOLIDATIONS. This title ratifies an agreement between the State of Utah and the Department of the Interior regarding the exchange of State and Federal lands. Conveyances are to be completed within 70 days of the PLI's enactment.

There is no agreement between the State of Utah and the Department of the Interior regarding the exchange of State and Federal lands in Utah, and no negotiations on such an agreement have been initiated. The map on the PLI website appears to show over 300,000 acres of State and Federal land to be exchanged. This title also includes no provisions requiring appraisals, equal value exchanges, or compliance with existing law. As a result, this title could result in Federal lands being given to the State of Utah at taxpayer expense.

TITLE II – GOBLIN VALLEY STATE PARK. This title transfers 10,000 acres of BLM land to the State of Utah for inclusion in Goblin Valley State Park. The title requires the Secretary of the Interior to enter into a cooperative agreement with the State of Utah to manage recreational activities on 157,000 acres of BLM land adjacent to the Goblin Valley State Park.

This title contradicts the Recreation and Public Purposes Act, which limits conveyances for recreational purposes to 6,400 acres. The cooperative management area includes sensitive BLM lands, including lands with wilderness characteristics.

TITLE III – PRICE CANYON STATE FOREST. This title transfers 13,321 acres of BLM land to the State of Utah in exchange for 14,939 acres of State land. The land transferred to Utah is intended to become a state forest, though this is not required by the legislation. An additional provision requires grazing to continue forever on all lands acquired by the state.

Because there is no requirement to conduct this exchange in accordance with existing law, ensure equal value, or even conduct appraisals, this title could result in Federal lands being given away to the State of Utah at taxpayer expense. The legislation also attempts to direct the management of state lands.

TITLE IV – DEER LODGE LAND EXCHANGE. This title would require a land exchange of between the Forest Service and a private homeowners association. The Forest Service would acquire 77 acres of private land and give up 156 acres of national forest land. The exchange would be carried out in accordance with existing law. However, there is no requirement for either parcel to be appraised.

The national forest land to be exchanged is within Daggett County, which developed a comprehensive public lands proposal in 2014 for inclusion in the PLI. The proposal included provisions on conservation, roads, land exchanges, conveyances, and wild and scenic rivers, and was agreed to by all stakeholders. The Daggett County Commission later withdrew that proposal and pulled out of the PLI. This land exchange moves forward one component of the Daggett County proposal while leaving out the remainder.

TITLE V – SCOFIELD LAND TRANSFERS. This title would require the Secretary of the Interior to transfer – free of charge – specified Federal lands within the flood surcharge area (the area below high water mark during a flood) of the Scofield Reservoir to anyone who claims title to, or interest in, the land. Certain conditions must be attached to the conveyed titles.

This title purports to resolve a dispute dating back to the 1950s, when a developer disavowed the United States' ownership of the flood surcharge area and subdivided and sold the land. Because the current structures will be underwater during a flood, they pose a serious safety risk to downstream residents due to the risk of blockage at the dam. Instead of removing the illegal and hazardous structures from public land, this title would simply give the underlying land away.

TITLE VI – LAND CONVEYANCES. This title would convey 22 separate Federal parcels covering 40,000 acres to local and state entities. The Federal parcels to be conveyed range from one acre to 15,379 acres in size, and cover lands administered by the United States Forest Service, BLM, and National Park Service.

Lands to be conveyed include a road within the Glen Canyon National Recreation Area, where illegal motorized use has occurred; BLM lands in San Juan County, near the site of the illegal protest ride led by the Chair of the San Juan County Commission; and BLM lands in Uintah and Grand County for the construction of a highway to facilitate oil transportation out of the Uintah

Basin. Several of the parcels – such as the parcel designed for oil and gas transport – have no legitimate public purpose, while others violate the size limits for such conveyances under the Recreation and Public Purposes Act (RPPA). For example, the RPPA limits non-recreational conveyances to 640 acres, while one conveyance in this title is 15,379 acres.

TITLE VII – LAND DISPOSALS. This title would require the Secretary of the Interior to dispose of specified Federal lands within two years of enactment of the PLI.

The PLI website does not show the lands to be sold, so it is impossible to fully analyze this section. The language requires the Secretary to “dispose” of specified lands – this could mean land is sold for fair market value, sold below fair market value, or given away. Thus, like the previous two titles, this title could result in another giveaway of Federal lands.

TITLE VIII – CANYON COUNTRY RECREATION ZONES. This title would establish eight recreation zones covering 375,689 acres of BLM land in southeastern Utah. The title applies general management provisions to all eight recreation zones, and includes zone-specific management language. The general management addresses issues from grazing to air quality. The purposes of the recreation zones vary slightly, but generally include motorized and non-motorized recreation, and new route construction. Some include mineral development. Finally, the title releases all lands in the recreation zones from future inventory and management as wilderness.

This title attempts to implement the Grand County Commission proposal, but fails to do so, as many of the management provisions and purposes are inconsistent with that proposal. The title authorizes the designation of off-highway vehicle areas in San Juan County, the site of the illegal 2014 off-highway vehicle protest ride that damaged public resources. Many of the management provisions contradict existing environmental laws, including the Clean Air Act, National Environmental Policy Act, and Federal Land Policy and Management Act. For example, grazing may not be reduced, regardless of impact or compliance with existing law, and the State of Utah may not protect air quality in or near the recreation zones. Finally, the title includes the hard release of all Federal lands within the recreation zones, which is faces strong public and Congressional opposition.

TITLE IX – RED ROCK COUNTRY OFF-HIGHWAY VEHICLE TRAIL. This title requires the Secretary of the Interior to establish a system of off-highway vehicle trails from Grand Junction, Colorado, through Moab, to Green River, Utah, and to Monticello, Utah. The title includes management provisions that prohibit the BLM from closing any portion of the designated route. The title also requires a feasibility study in constructing new motorized vehicle routes. Upon a determination that route construction is feasible, the route is authorized to be constructed.

The title authorizes the designation of off-highway vehicle routes in Colorado, and in San Juan County, the site of the illegal 2014 off-highway vehicle protest ride that damaged public resources. The language prohibiting closure could lead to major impacts to natural and cultural resources, and threats to public safety. The title authorizes the construction of new motorized vehicle routes on public land regardless of impact, cost, public interest, or compliance with existing law. This could result in substantial public expense and significant impacts to scenic, natural, and cultural resources.

TITLE X – LONG TERM NATIVE AMERICAN ECONOMIC DEVELOPMENT CERTAINTY. This title includes two sections. One is a placeholder for a Ute Indian Tribe Economic Development Area. The other transfers the Federal minerals beneath a portion of the Navajo Nation to be transferred to the Utah Navajo Trust Fund.

The Navajo portion of this title attempts to correct a historic wrong when 52,000 acres of BLM land were added to the Navajo Nation without an accompanying transfer of Federal mineral rights. The Ute portion cannot be analyzed.

TITLE XI – LONG-TERM ENERGY DEVELOPMENT CERTAINTY. This title states that specified Federal lands open to oil, gas, and other resource development as of January 1, 2016, “shall be managed for the production of energy and mineral resources as the highest management priority and shall be developed...” Within the energy zones, the title places new limitations on the Secretary of the Interior regarding withdrawals of energy projects, protections for wildlife and cultural resources, lease stipulations, and planning. Master leasing plans within the area are voided. Lease protests are automatically rejected if not acted upon within 60 days. Leasing outside the energy zones is permitted.

This title applies to over 2.5 million acres of BLM land in six counties. Those lands contain important natural, cultural, scenic, and recreational resources. It is not appropriate to require drilling on all of these lands, without consideration of natural, cultural, scenic, and recreational values. Further, the title voids all master leasing plans, including one completed in Moab, where diverse stakeholders worked together to identify areas appropriate for development, and areas that should be set aside from drilling to conserve other values.

TITLE XII – LONG-TERM TRAVEL MANAGEMENT CERTAINTY. This title requires the Secretary of the Interior to grant rights-of-way to the State of Utah for all routes claimed as highways in the State of Utah’s lawsuit against the Federal government in seven specified counties, except those routes that pass through wilderness, national forests, or national parks, or any of the national conservation areas designated by the PLI. The rights-of-way are granted in perpetuity, at no cost, and to the maximum extent allowed under state law. The title states that the State of Utah or its counties may pursue rights-of-way claims on routes not covered by this title. An extraneous provision implements the Grand County Commission’s recommendations for the management of certain motorized routes in Grand County.

This title attempts to resolve long-standing R.S. 2477 claims, but would do so by simply granting to the State of Utah over 10,000 miles of rights-of-way for routes on BLM land in Utah. Many of these routes pass over or through lands with high cultural, natural, and scenic values and this title would put those values at risk. These routes are currently the subject of litigation and the State of Utah and its counties have a poor record of succeeding in gaining rights-of-ways through litigation.

TITLE XIII – LONG-TERM LAND USE CERTAINTY. This title is left blank.

Congressmen Bishop and Chaffetz have made clear that the PLI will include limitation on the President’s ability to designate national monuments in affected counties. Conservation organizations view such a proposal as a poison pill and strongly oppose any such limitation.



JOINT STATEMENT ON DRAFT PUBLIC LANDS INITIATIVE

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January 20, 2016

For more than three years we have worked in good faith to reach a compromise on public lands issues in eastern Utah through the Public Lands Initiative (PLI). The proposed legislation released by Representatives Rob Bishop and Jason Chaffetz does not protect the world-renowned redrock scenery of the national public lands in Utah—including the spectacular Bears Ears cultural landscape—and instead imposes unprecedented and controversial proposals that would adversely affect wildlife, recreation, and watersheds in key areas across eastern Utah.

“The draft PLI is an un-wilderness bill,” explained Scott Groene, executive director of the Southern Utah Wilderness Alliance. “Effectively, less wilderness would be protected in Utah if this bill passed than what is currently managed for the public. This proposal does not do justice to these world-class landscapes.”

“The draft PLI weakens existing protections for important natural and cultural resources inside the proposed Bears Ears National Monument,” said Bill Hedden of the Grand Canyon Trust. “It neglects hundreds of thousands of acres of deserving wilderness and turns public lands over to county ownership that have already been subject to looting and grave robbing. San Juan County entirely dismissed local concerns by rejecting a home-grown proposal to fully protect Bears Ears—one that garnered 64% local support. San Juan also excluded everyone living outside the county in crafting their proposal; one which is a wholly inadequate substitute for a Bears Ears National Monument.”

“We are disappointed that after years of good faith effort to identify common ground with counties, conservation organizations, tribes, and others, the proposed bill neither honors important agreements that were forged during the PLI process nor offers a reasonable path forward on many issues of critical importance,” remarked The Wilderness Society’s Paul Spitler.

“The draft PLI includes many controversial proposals that lack support and would damage scenic public lands in Utah.”

“This is really a fossil fuels bill,” observed Sharon Buccino, director of the land and wildlife program at the Natural Resources Defense Council. “It opens up areas managed as wilderness for coal mining, tar sands, oil shale, and oil and gas and dedicates more land to energy development than to conservation.”

“The draft PLI substitutes easily-modified national conservation area designations for lands deserving and needing wilderness designation,” commented Wayne Hoskisson from the Sierra Club. “The draft PLI includes provisions that are incompatible with any real conservation efforts. The delegation is already attempting to undermine the Red Cliffs National Conservation Area in Washington County, created only seven years ago.”

We remain hopeful that all sides can find the political will to work together in counties where consensus among stakeholders is within reach. While we are disappointed that consensus compromise has failed here, we know that win-win solutions are possible which truly serve the best interests of future generations and Utah’s exceptional landscapes.



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February 10, 2016

The Honorable Rob Bishop and The Honorable Jason Chaffetz
U.S. House of Representatives
Washington, DC 20515

Dear Congressmen Bishop and Chaffetz:

On behalf of The Pew Charitable Trusts, I would like to take this opportunity to recognize your staff for their hard work on your Public Lands Initiative and thank them for their commitment to this process. Three years ago, Pew accepted the invitation to join this effort because we believe it is possible to protect Utah's landscapes and cultural resources while enhancing the economic vitality of local communities. Pew has a long history of working collaboratively with diverse stakeholders, and has been involved in numerous public lands negotiations with successful outcomes.

At your request, Pew has reviewed the Public Lands Initiative "Discussion Draft" released to the public on January 20, 2016. While we appreciate the opportunity to provide commentary, we had hoped to be able to write a very different letter after all the time and prodigious effort put into this process by Pew staff. We had genuinely hoped we would be able to work with you to see this initiative passed by Congress and signed into law by President Obama.

Unfortunately, as currently written, we oppose the discussion draft. Below we offer a list of our concerns with the hope that you will consider addressing these issues prior to introduction of the draft initiative as legislation.

Pew has maintained from the beginning of this process that the inclusion of language in this bill that seeks to alter or limit the President's authority to establish national monuments under the Antiquities Act would be unacceptable. Our position on that issue remains unchanged. Support for the Antiquities Act among voters is significant and very strong. This support was highlighted by the recent vote in the U.S. Senate, which defeated an amendment that would have curtailed executive authority to establish new national monuments. We don't believe any measure can be enacted in Congress with limitations on presidential authority to protect natural and cultural resources under the Antiquities Act, let alone be signed into law by the President.

We offer these additional comments:

DIVISION A - CONSERVATION

Title I: Wilderness

Pew is concerned by the release of over 27,000 acres in the Desolation Canyon Wilderness Study Area (WSA) and the Jack Canyon WSA in Carbon County. The archeological and wildlife conservation values

within these landscapes are well known and prized by countless Americans. We ask that the Desolation Canyon and Jack Canyon WSAs be included in the legislation.

In San Juan County, we ask you to consider including the Grand Gulch Wilderness Character unit, west of Grand Gulch WSA and the Dark Canyon Wilderness Character unit, adjacent to Dark Canyon WSA, as Wilderness. Both of these landscapes were carried forward in the Monticello 2008 Resource Management Plan for protection.

The Wilderness Administration section significantly weakens current time-tested and bi-partisan management guidelines. The proposed language would fundamentally change the ability of wilderness designation to preserve special places for future generations. Specifically:

Section 103(b), language relating to management of wildfire, insects, and diseases does not follow the standard "in accordance with section 4(d)(1) of the Wilderness Act" and adds a new authority to treat hazardous fuels.

Section 103(d)(C) would prohibit reducing grazing levels as necessary to protect the land or potential listing of endangered species and specifically overturns Forest Service regulations that could modify grazing levels to ensure plant and wildlife population viability. The language also gives the Utah State Department of Agriculture preference in determining historic grazing use levels. The language ties grazing levels to existing permitted use at time of enactment, and allows only for increases (not decreases) in AUMs.

The fish and wildlife management language in **subsection (f)** has language allowing the State of Utah to use helicopters to maintain wildlife populations in wilderness. We understand this language has been included within several Nevada and Idaho wilderness bills, but only if consistent with wilderness management plans and where necessary to maintain viable wildlife populations. The language in this discussion draft doesn't include any of those vital qualifications.

Section 5 of the Wilderness Act requires the Secretary to provide "adequate access" to private inholdings within wilderness. This draft states that agencies shall provide "access," leaving it unclear whether a new access standard is required.

This draft contains **sections 103(i), (j), and (k)**, the first of which deals with target shooting. The language is inconsistent with language in past wilderness bills. **Section 103(j)** provides for the use of chainsaws "as appropriate and necessary," which could be inconsistent with the Wilderness Act minimum tool requirements. As such, these provisions create unacceptable new precedents and significant management problems.

Section 104 allows motorized access and road maintenance (perhaps within wilderness areas) to guarantee the continued viability of existing water resource facilities, or which may be necessary in the future. This is a broad expansion of any previous water facility management language.

Section 108 states that no lands may be acquired by purchase within wilderness areas, leaving exchange or donation as the only options. This will make it much more difficult to acquire private inholdings within wilderness areas.

Section 110. This language is unnecessary, as the establishment of wilderness areas has no bearing on air quality regulations. Since enactment of the Clean Air Act amendments in 1977, only states can designate a Class I Airshed if deemed appropriate by the state. Utah has established only the five national parks in the state as Class I Airsheds. At the very least, this provision must be fixed so that the new wilderness this law

creates within Canyonlands NP and Arches NP would be exempted from this section, as these parks are already Class I Airsheds.

Title II: National Conservation Areas

Section 204 (2)(a) allows for directional drilling within three National Conservation Areas (NCA) established by this title. We have consistently argued this use is in conflict with NCA values and must be corrected.

Section 207. This draft should include language that makes any treatment consistent with the *Record of Decision and Approved Resource Management Plan Amendments for the Great Basin Region, Including the Greater Sage-Grouse Sub-Regions of Idaho and Southwestern Montana, Nevada and Northeastern California, Oregon, Utah.*

Section 206. We urge you to take the management language and maps produced by the Bears Ears Intertribal Coalition as the standard for protection of the Cedar Mesa landscape. This would include adding the 20,000 acre parcel adjacent to Grand Gulch in our wilderness comments above. Additionally, care should be taken to ensure that nation-to-nation interactions are respected on any managing council established by legislation.

DIVISION B – OPPORTUNITY

Title II & Title VI: Land Conveyances

Section 201(a). Pew is opposed to the transfer of federal public land to the state for this purpose. It creates a precedent that these sorts of transfers, in this case for the Goblin Valley State Park, may be considered a pilot program for efforts to turn over federally owned land to individual states for management. We believe in retaining federal public lands for all Americans, unless there is a more compelling reason for those transfers.

Section 601(a)(1). Pew supports the Grand County Council position on Sand Flats, and recommends the 3,292 acres remain in federal real estate.

Section 601(a)(12). While we recognize the cultural importance of the Hole-in-the-Rock-Trail to Mormon pioneers, Pew does not support the conveyance of this corridor to San Juan County. Instead, this land should be designated a National Historic Trail. Such a designation would highlight the historical status for local communities, and would allow a formation of a Trail Management Advisory committee to ensure local input.

Section 601(a)(20). Pew opposes conveyance to the State of Utah for the uses of transportation and public utilities, which is also opposed by the county. The proposed construction of a road through the Book Cliffs in Grand County would negatively impact wildlife and wilderness values through a region that is highly valued by hunters and wilderness advocates.

Title IX: Red Rock Country Off-Highway Vehicle Trail

An EIS studying the impacts of trail construction must be required to ensure wildlife and cultural values are not negatively impacted.

Title XI: Long-Term Energy Development Certainty

Pew would consider a proposal that would strike a balance between conservation and energy development. However, we believe the legislation goes too far by expediting development on millions of acres that are deemed open to mineral development.

We support BLM's Master Leasing Plan, which was developed through a thoughtful local process involving oil and gas representatives and conservation and recreation advocates. The outcome of this process resulted in consensus and we request the MLP be included in the legislation.

TITLE XII: Long-Term Travel Management Certainty

Language surrounding RS 2477 road claims conveying title to thousands of disputed road claims to the State of Utah is unacceptable. And, clarification is needed that no new road claims will be allowed in newly-created NCAs or wilderness areas.

Conclusion

Again, we appreciate both the opportunity to provide comment as well as the hours of hard work your staff members have already put into this issue. We fervently hope the needed improvements are made so that we are able to work with you to see this complex measure successfully adopted. As currently drafted, we are opposed to the Public Lands Initiative.

Sincerely,



Mike Matz, Director
U.S. Public Lands
The Pew Charitable Trusts

From
Bishop
& Chaffetz

The Public Lands Initiative

The Public Lands Initiative (PLI) is a locally-driven effort to bring resolution to some of the most challenging land disputes in the State of Utah. The initiative is rooted in the belief that conservation and economic development can coexist and make Utah a better place to live, work, and visit.

The purpose of this document is to summarize the 20 different sections of the draft legislation, known as the Utah Public Lands Initiative Act.

The PLI Region

The PLI Region covers 7 eastern Utah counties, encompassing approximately 18 million acres of federal land. Member of the Utah Congressional Delegation, local officials, and stakeholders have met over 1,200 times in an effort to craft a comprehensive land-use plan for the entire region.

PLI Process

Congressmen Rob Bishop and Jason Chaffetz launched PLI in February 2013. Since that time, more than 120 different stakeholders have submitted more than 65 detailed proposals regarding land management in eastern Utah. Altogether, their offices have held more than 1,200 meetings with local and tribal leaders, interested parties, and subject matter experts.

For more information, please visit www.UtahPLI.com.

Division A – Conservation

The first half of the legislation covers land protection and conservation. This section of the bill offers protection for places like the Bears Ears, Arches, Labyrinth Canyon, and the Book Cliffs (among many many others). In total, the Conservation Division of PLI would designate 4,336,289 acres of federal land and 406 miles of rivers.

Title I – Wilderness

PLI will create 40 wilderness areas covering 2,202,400 acres of federal land. Wilderness is the most restrictive federal land designation and ensures that rugged landscapes will remain intact for future generations to enjoy. PLI will bring the total wilderness acreage in the participating counties to 2,707,443 acres, larger than the entire states of Delaware and Rhode Island combined.

Title II – National Conservation Areas

PLI creates 14 National Conservation Areas covering 1,916,206 acres of federal land. Like wilderness, NCAs offer protection to worthy landscapes found on federal land. But where NCAs differ from wilderness is that they offer greater flexibility for multiple-uses and opportunities for local involvement in the land management process.

Title III - Special Management Areas

PLI creates five Special Management Areas covering 197,558 acres of federal land. SMA's are located on National Forest System lands and offer similar protection and flexibility of National Conservation Areas.

Title IV – Arches National Park Expansion

The Delicate Arch, one of Utah's most recognizable landmarks, will be further protected under PLI. Arches National Park will be expanded by 19,255 acres, ensuring the area behind Delicate Arch remains untouched and protected.

Title V – Jurassic National Monument

The Cleveland-Lloyd Dinosaur Quarry is home to the largest concentration of Jurassic-era dinosaur fossils in the world. With seasonal closures and limited resources at the current BLM site, a bottom-up process of local stakeholders determined that this site warrants National Monument status as part of the PLI legislative effort. This enhanced status will help to increase visitation and support the mission of this world-class, 867-acre area.

Title VI – Wild and Scenic River Designations

PLI will designate 406 miles of five different Utah rivers as wild, scenic and recreation.

This equals the approximate distance between New York City and Norfolk, Virginia.

Title VII – Ashley Creek Recreational and Special Management Area

Ashley Creek Recreational and Special Management area will facilitate all-season outdoor recreation and forest product development in the vast 110,838 acre area. Mineral development and extraction will be prohibited in order to promote and protect the outdoor recreation experience.

Division B – Opportunity

The second half of the legislation covers recreation and economic development opportunities. Maximizing Utah's education trust fund, local park management, and long-term certainty are accomplished through the various titles of the Opportunity Division. In total, this section would provide for new recreation and economic development opportunities on 1,041,786 acres of land.

Title I – School Trust Land Consolidations

Utah's public education system is supported by a little known state agency called SITLA. SITLA's mission is to manage remote parcels of state land for the benefit of the state's education trust fund. PLI would consolidate roughly 336,441 acres of state land in locations that would maximize revenue for Utah's school kids.

Title IA – Book Cliffs Roadless Area

SITLA will also swap minerals in the Book Cliffs Roadless Area for more accessible minerals in the Uintah Basin. This swap will support the education trust fund while also providing for the 35,891 acre Book Cliffs Roadless Area to be protected and managed by the state of Utah for its scenic and wildlife values.

Title IB – Wilderness Release

PLI will release from temporary wilderness study status five different units totaling 68,370 acres. These lands do not merit wilderness status and will be returned to multiple-use.

Title II – Goblin Valley State Park

The greater Goblin Valley State Park area has experienced a large increase in recreators, campers, and general visitors. A bottom-up process involving BLM, Emery County, and Utah State Parks has identified a solution that would expand Goblin Valley State Park and create a co-management area within the greater park region. PLI expands the park by 9,994 acres and creates a 166,829 acre co-management area that protects resources and manages recreation.

Title III – Price Canyon State Forest

PLI creates Utah's first state forest. Scattered parcels of state lands will be reconsolidated into one location in Carbon County, Utah, creating the 13,321 acre Price Canyon State Forest.

Title IV – Deer Lodge Land Exchange

There are 233 acres of Land Exchanges in the Deer Lodge Exchange.

Title V – Scofield Land Transfers

Land ownership records in and around Scofield State Park are incomplete. Various administrative errors, dating back more than 50 years in some instances, have left homeowners and the federal government at odds over who owns what land. This section seeks to remedy the confusion by creating a framework for the homeowners and the federal government to resolve the disputes.

Title VI – Land Conveyances

PLI empowers state and local land management through the conveyance of 22 parcels of federal land totaling 40,290 acres. The purpose of the conveyances is to facilitate and enhance recreation and public use of local lands. Expansion of the Canyonlands Field Airport, transfer of the historic Hole-in-the-Rock Trail, and creation of the Fantasy Canyon State Park are among some of the conveyances authorized in this section.

Title VII – Land Disposals

There are over 30 Land Disposals in Emery County covering 5,094 acres of land identified in PLI.

Title VIII – Canyon Country Recreation Zones

The Big Flat Working Group divided portions of Grand County into seven different recreation-planning zones. Within each zone, various objectives were outlined, from mineral lease retirement to expanded motorized and mechanized use. This section codifies the work done by the Grand County group.

PLI also creates two recreation zones in San Juan County to facilitate motorized and mechanized recreation. In total, PLI creates 375,689 acres of recreation zones between the two counties.

Title IX – Red Rock County Off-Highway Vehicle Trail

Motorized recreation enthusiasts have long searched for a trail system that connects Grand Junction, Colorado to Moab, Utah to Green River, Utah. The 93 mile Red Rock Country OHV Trail created by PLI would connect these western recreation towns and boost local economic activity.

Title X – Long-term Native American Economic Development

Native American tribes are active participants in the PLI process. The Navajo Nation, Ute Tribe, and Ute Mountain Ute are among the many tribes that must gain economic development advantages under PLI. Mineral transfers at McCracken Mesa, land transfers along the San Juan River, and other provisions should be included to enhance economic

opportunities for Native Americans. This title needs more work; more ideas from tribal leaders are needed to help enhance economic development opportunities in the tribal communities.

Title XI – Long-term Energy Development Certainty

Geologic experts within the Bureau of Land Management have categorized certain federal lands as being “open” to energy development. Lands determined to be open do not merit protective status. The highest and best use of this land is energy development. PLI ensures that lands identified by experts as being “open” will be leased and developed in a streamlined, timely manner.

Title XII – Long-term Travel Management Certainty

The State of Utah has gained ownership of approximately 78 miles of R.S. 2477 claims through litigation and settlement over the past 19 years. Nearly 36,000 miles remain unresolved. This section seeks to strike a balance that would result in the State of Utah gaining ownership over a large majority of unresolved claims within the PLI counties.

Title XIII– Long-term Land Use Certainty

Lincoln County, Nevada is home to the Basin and Range National Monument. President Obama created this monument just 10 years after the local community enacted the Lincoln County lands bill. This lands bill was created in a process very similar to PLI. The fact the president doubled the size of the Lincoln County lands bill after an exhaustive, locally-driven process is troubling. The Utah Congressional delegation and many local leaders do not want this unilateral action to be repeated. The final PLI bill must include language that guarantees long-term land use certainty. The delegation has language it prefers, but is instead asking PLI participants to craft language that ensures a large-scale national monument is not created within the PLI counties.

PUBLIC LANDS INITIATIVE BY THE NUMBERS

Seven

Eastern Utah Counties Covered

18 million

Acres of federal land in participating counties

1200+

Meetings with Stakeholders

4.3 million

Acres of federal land protected or conserved in PLI

1.05 million

Acres designated for new recreation and economic development opportunities

301 miles

Rivers designated wild and scenic

336,441

Acres consolidated for SITLA

19,255

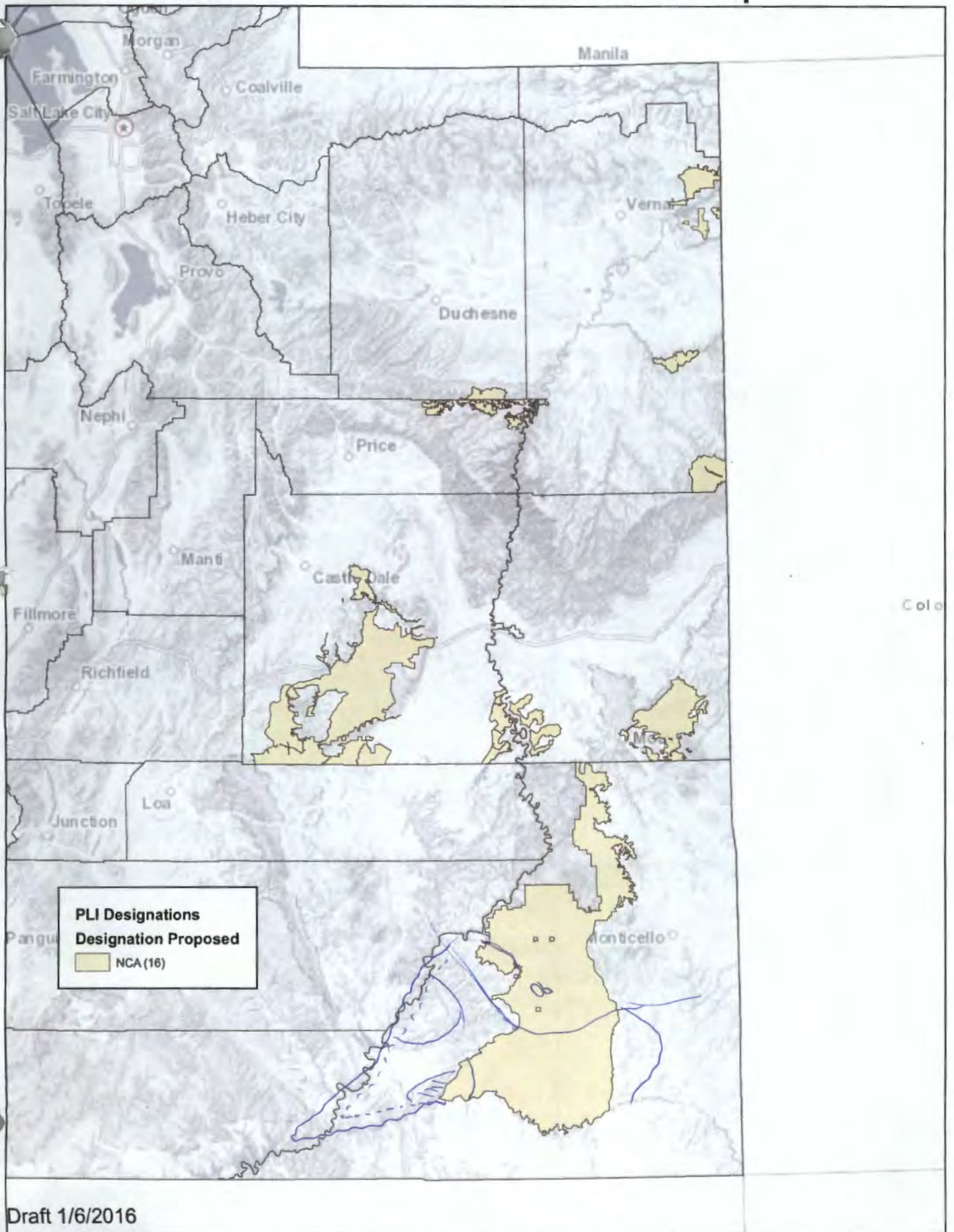
Acres in Arches National Park expansion

One

National Monument Designation (Jurassic)

UtahPLI.com

Utah PLI National Conservation Area Map



<p>Related: S.884 Utah Public Lands Management Act Introduced: 6/6/1995 Sponsor: Sen. Orrin Hatch (R-UT) Cosponsor: Sen. Robert Bennett (R-UT) Committee: SENR</p>	<p>Reported to Senate amended (12/19/1995)</p> <p>Utah Public Lands Management Act of 1995 - Designates specified lands in Utah as components of the National Wilderness Preservation System. Directs the Secretary of the Interior to prepare plans to manage the areas designated as wilderness (wilderness areas) within five years.</p> <p>Provides for continuation of existing grazing on such lands. Specifies that wilderness shall not be used as a suitability criteria for managing any grazing allotment.</p> <p>Provides that nothing in this Act shall be construed to affect Utah's jurisdiction of fish and wildlife management, including water development for fish and wildlife purposes and predator control.</p> <p>States that the Congress does not intend these wilderness designations to lead to creation of buffer zones.</p> <p>Provides that the Oil Shale Reserve Number Two, within Desolation Canyon Wilderness, shall not be reserved for oil shale purposes after the date of enactment of this Act.</p> <p>Prescribes footages for use of roads and rights-of-way as wilderness boundaries and prohibits closure of roads except in specified circumstances. Provides for reasonable access, including the use of motorized equipment where necessary or customarily or historically employed, on routes within the wilderness areas in existence as of this Act's enactment date for the exercise of valid existing rights. Permits existing routes as of such date to be maintained and repaired as necessary to maintain their customary or historic uses.</p> <p>Authorizes: (1) the Secretary to acquire, by exchange, donation, or purchase from willing sellers, from non-governmental entities, lands within or adjacent to wilderness areas; and (2) the use of motorboats, subject to certain restrictions.</p> <p>Specifies that nothing in this Act shall be construed as establishing a precedent regarding any future wilderness designation.</p> <p>(Sec. 4) Authorizes the United States to acquire and exercise such water rights as it deems necessary to carry out its responsibilities on any lands designated as wilderness by this Act pursuant to the substantive and procedural requirements of the State of Utah.</p> <p>States that nothing in this Act shall: (1) be construed to authorize the use of eminent domain by the United States to acquire water rights from such lands or to constitute Federal reservation of water or water rights for any purpose arising from designation of the areas as wilderness; to limit the exercise of water rights as provided under Utah law, or to limit or be a consideration in Federal approvals or denials for access to or use of the Federal lands outside wilderness areas for development and operation of water resource projects; (2) affect the capacity, operation, maintenance, repair, modification, or replacement of municipal, agricultural, livestock, or wildlife water facilities in existence as of the enactment date within the boundaries of wilderness areas; or (3) create a right of access through a wilderness area for the purposes of water resource projects.</p> <p>(Sec. 5) Makes the Secretary responsible for the protection and interpretation of cultural, archaeological, and paleological resources located within wilderness areas.</p> <p>(Sec. 6) Requires the Secretary to assure nonexclusive access to Native American sites for traditional cultural and religious purposes, including wood gathering and plant collecting.</p> <p>(Sec. 7) States that nothing in this Act, the Wilderness Act, or other land management laws generally applicable to the new areas of the Wilderness Preservation System designated by this Act, shall: (1) restrict flights of military aircraft over such areas; (2) restrict or preclude the designation of new units of special use airspace or the use or establishment of military flight training rules over such areas; and (3) be construed to require the removal of existing communication or electronic tracking systems from wilderness areas, prohibit the maintenance of existing communications or electronic tracking systems within such areas, or prevent the installation of portable electronic communication or tracking systems in support of military operations as long as installation,</p>	<p>SEC. 2. DESIGNATION OF WILDERNESS.</p> <p>(a) Designation.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), the following lands in the State of Utah are hereby designated as wilderness and therefore as components of the National Wilderness Preservation System:</p> <p>(36) Certain lands in the Grand Gulch Wilderness Study Area comprised of approximately 51,110 acres, as generally depicted on a map entitled "Grand Gulch Proposed Wilderness" and dated October 3, 1995, and which shall be known as the Grand Gulch Wilderness.</p> <p>(b) Map and Description —As soon as practicable after the date of enactment of this Act, the Secretary of the Interior (hereafter in this Act referred to as the "Secretary") shall file a map and a legal description of each area designated as wilderness by subsection (a) with the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate. Each such map and description shall have the same force and effect as if included in this Act, except that corrections of clerical and typographical errors in each such map and legal description may be made. Each such map and legal description shall be on file and available for public inspection in the office of the Director of the Bureau of Land Management, and the office of the State Director of the Bureau of Land Management in the State of Utah, Department of the Interior.</p>	<p>12/19/1995 Committee on Energy and Natural Resources. Reported to Senate by Senator Murkowski with an amendment in the nature of a substitute. With written report No. 104-192. Minority views filed.</p> <p>07/13/1995 Subcommittee on Forests and Public Lands. Hearings held. Action By: Senate Energy and Natural Resources Subcommittee on Public Lands, Forests, and Mining</p>
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maintenance, and removal of such systems does not require construction of temporary or permanent roads.

(Sec. 8) States that the Congress does not intend these wilderness designations to lead to reclassification of any airshed to a more stringent Prevention of Significant Deterioration (PSD) air quality classification.

(Sec. 9) Finds that all public lands in Utah administered by the Bureau of Land Management have been adequately studied for wilderness designation under provisions of the Federal Land Policy and Management Act of 1976. Directs that such lands be managed for the full range of nonwilderness multiple uses including Areas of Critical Environmental Concern, Outstanding Natural Areas, National Landmarks, Research Natural Areas, Primitive Areas, Visual Resource Management Class I areas, and the full range of administrative management designations provided under such Act, with specified exceptions.

(Sec. 10) Provides for the exchange for other Federal lands of school and institutional trust lands granted to Utah which are within or adjacent to wilderness areas.

Sets forth provisions regarding: (1) exchange requirements (e.g., the exchange of lands shall be subject to valid existing rights, including the right of the State of Utah to receive, and distribute pursuant to State law, 50 percent of the revenue, less a reasonable administrative fee, from the production of minerals that are leased or would have been subject to leasing under the Mineral Leasing Act); (2) exchanges for equal value and appraisal standards; (3) deadlines and dispute resolution; (4) duties of the parties and other provisions relating to the exchange (e.g., regarding inspection of hazardous materials); (5) proceeds from the lease and production of minerals and sales and harvests of timber; and (6) administration of lands acquired by the United States.

(Sec. 11) Requires lands acquired pursuant to this Act to be appraised without regard to the presence of a species listed as threatened or endangered pursuant to the Endangered Species Act of 1973.

Directs the Secretary, if within 18 months the Water Conservancy District of Washington County, Utah, offers to transfer to the United States the Bulloch Site (specified lands located in Kane County, Utah, adjacent to Zion National Park), to transfer to such District the Sand Hollow Site, the Quail Creek Pipeline, and the Quail Creek Reservoir, subject to specified requirements. Exempts such exchange of lands from provisions of the National Environmental Policy Act of 1969.

Statements on S.884:

- Sylvia Baca, Deputy Assistant Secretary of the Land and Minerals Management, accompanied by Mat Millenbach, the Utah State Director for the BLM
 - Baca: "While we have serious concerns about the bill as currently written, the Department stands ready to assist, if the bill sponsors see fit, in trying to resolve the serious issues we will present today. Mr. Chairman, the Department of the Interior strongly opposes the legislation and Secretary Babbitt would recommend a Presidential veto if it is passes in its present for..."
 - "The Department of the Interior's concerns regarding the bill's provisions include the 'hard release' language, insufficient acreage protection, mandated unequal exchanges, automatic approvals of new developments in wilderness, the use and construction of roads in wilderness areas, failure to protect archaeological and paleontological resources, and several other issues."

- Robert Bennett, US Senator from Utah
 - "The BLM came with 1.9 [million acres]. We are joint staffed with the Governor and came up with 1.8. Somewhere around that number, I think, is the number that the subcommittee should come up with, understanding that the BLM is capable of managing the lands around these 'Crown Jewels' in such a way as to not degrade the wilderness experience."

- John Hansen, US Representative from Utah- Sponsor
 - "What S.884 attempts to do is balance the protection of what I refer to as the "Crown Jewels" of Utah's BLM land, the Grand Gulch, the Desolation Canyon...to name only a few, with economic, social, and cultural interests of rural Utah. I am solidly behind the language of this bill that will protect existing water rights, allow grazing to continue in designated areas, release non-designated lands for other uses, and provide an exchange of School Trust Lands captured by wilderness designation."

- Enid Waldholtz, US Representative from Utah
 - "I support this bill and am an original co-sponsor. I believe, however, that there are additional lands that should also be included as wilderness areas to make this bill complete. They are: Turtle Canyon, Desolation Canyon, Book Cliffs (Expansion), Sids Mountain (Expansion), Paria-Hackberry (Expansion), Fish and Owl Creek Canyon, Road Creek Canyon, Grand Gulch Complex (Expansion). Each of these areas was recommended for wilderness designation by the BLM in its statewide wilderness final Environmental Impact Statement..."

Congress of the United States
Washington, DC 20515

M-Bears
Ears

February 12, 2016

The Honorable Barack H. Obama
President
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear Mr. President:

As you may know, a coalition of environmental groups and non-profit organizations are lobbying the Department of the Interior, the Council on Environmental Quality, and White House staff to invoke Antiquities Act authority to designate a 1.9-million-acre national monument in San Juan County, Utah. As members of the Utah federal delegation, we write to express our opposition to the Administration's use of the Antiquities Act within San Juan County.

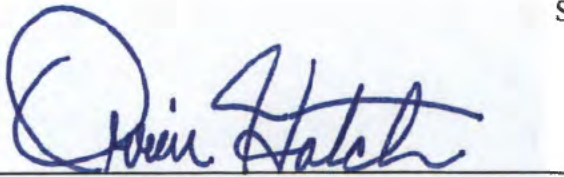
Federal land-use policy has a major impact on the lives of those residing within and near federal lands. We believe the wisest land-use decisions are made with community involvement and local support. This principle is true whether skyscrapers or sagebrush surround a community. Use of the Antiquities Act within will be met with fierce local opposition and will further polarize federal land-use discussions for years, if not decades.

Make no mistake, both the State of Utah and San Juan County value our public lands. With that said, public participation in land-use decisions is critical to their long-term acceptance and success; the most effective land management policy is inclusive and engaging, not veiled and unilateral. Knowing this, we have collaboratively developed a proposal that would conserve more than 1.2 million acres of federal land in San Juan County—including iconic locations, such as Cedar Mesa, Indian Creek, and the Bears Ears Buttes. We are prepared to work with the Administration to get this proposal signed into law.

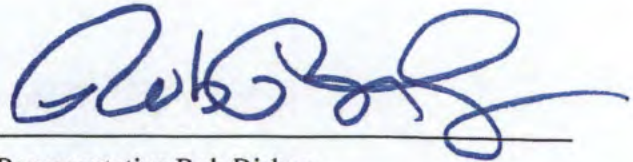
As federal elected officials representing the State of Utah, we speak for the vast majority of our constituents. We do not support the use of the Antiquities Act within our community and ask that the Administration withdraw any plans to do so. Prior to any final action, we request that open

and transparent conversations occur between the Administration and the state and local elected officials representing any area under consideration for a unilateral monument designation.

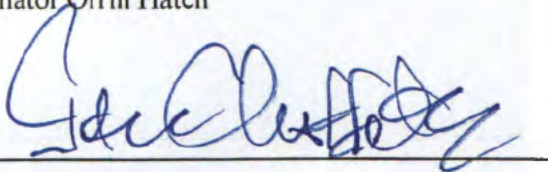
Sincerely,



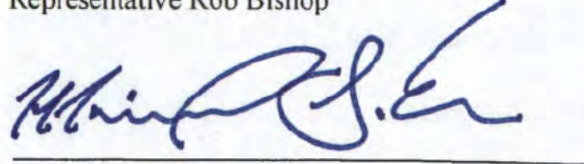
Senator Orrin Hatch



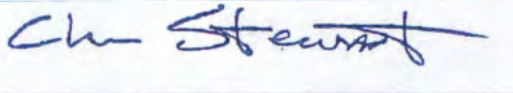
Representative Rob Bishop



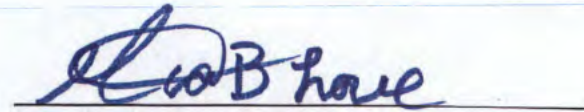
Representative Jason Chaffetz



Senator Mike Lee



Representative Chris Stewart



Representative Mia Love

NAVAJO NATION JUDICIAL DISTRICTS WITH CONSTITUTED CHAPTERS**1 ALAMO/TÓ'HAJIILEE JUDICIAL DISTRICT**

Alamo
Tó'hajiilee

2 CHINLE JUDICIAL DISTRICT

Chinle
Lukachukai
Many Farms
Nazlini
Rock Point
Tsé Ch' Izhi -- Rough Rock
Round Rock
Tsaile- Wheatfields
Tselani-Cottonwood

3 CROWNPOINT JUDICIAL DISTRICT

Bááhááíí (formerly Breadsprings)
Baca-Prewitt
Becenti
Casamero Lake
Chichiltah
Churchrock
Counselor
Coyote Canyon
Crownpoint
Huerfano (south of a horizontal line beginning just south of
Blanco Trading Post on U.S. Hwy 550 and running
westward through Milepost 79 on State Hwy 371)
Iyanbito
Lake Valley
Littlewater
Mariano Lake
Mexican Springs
Nageezi
Nahodishgish
Ojo Encino
Pinedale
Pueblo Pintado
RedRock
Smith Lake
Standing Rock
Thoreau
Tohatchi
Torreon
Twin Lakes
Whitehorse Lake
Whiterock

4 DILKON JUDICIAL DISTRICT

Birdsprings
Dilkon
Greasewood Springs
Indian Wells
Jeddito
Leupp
Teesto
Tolani Lake
Whitecone

5 KAYENTA JUDICIAL DISTRICT

Chilchinbeto
Dennehotso
Kayenta
Navajo Mountain
Oljato
Shonto
Tsah Bii Kin (formerly Inscription House)

6 ANETH JUDICIAL DISTRICT

Aneth
Mexican Water
Red Mesa
Sweetwater (Tolikan)
Teec Nos Pos (West of NM/AZ state line)

7 RAMAH JUDICIAL DISTRICT

Ramah

8 SHIPROCK JUDICIAL DISTRICT

Beclabito
Cove
Gadiiahi/To'koi
Naschitti
Nenahnezad
Newcomb
Red Valley
San Juan
Sanostee
Sheepsprings
Shiprock
Teec Nos Pos (East of NM/AZ state line)
T'iitsoh Sikaad (formerly Burnham)
Toadlena - Two Grey Hills
Tse'Daa'Kaan (formerly Hogback)
Upper Fruitland
Huerfano (north of a horizontal line beginning just south of
Blanco Trading Post on U.S. Hwy 550 and running
westward through Milepost 79 on State Hwy 371)

9 TUBA CITY JUDICIAL DISTRICT

Bodaway-Gap
Cameron
Coalmine Canyon
Coppermine
Kaibeto
Lechee
Toh Nanees Dizi
Tonalea

10 WINDOW ROCK JUDICIAL DISTRICT

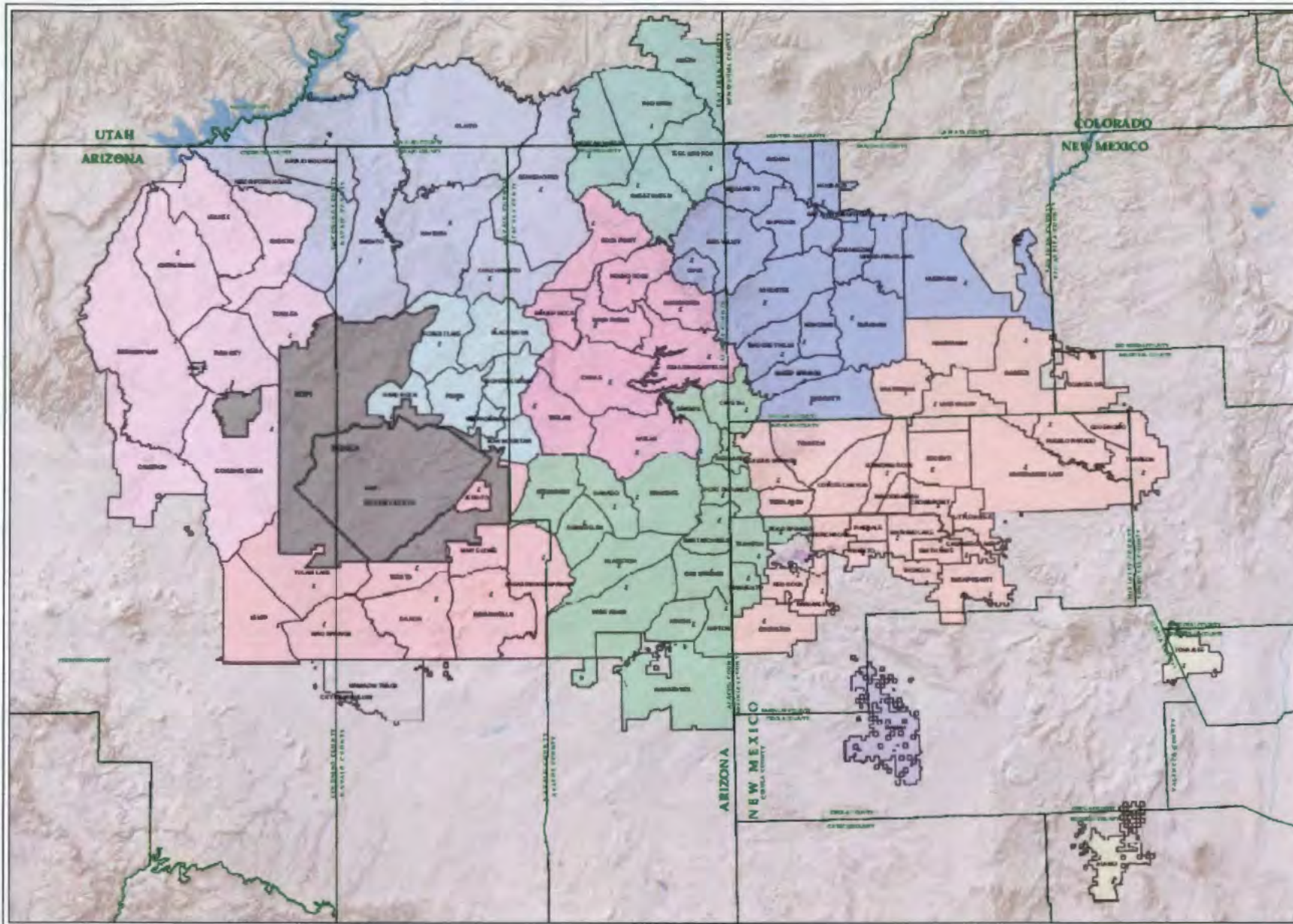
Cornfields
Crystal
Fort Defiance
Ganado
Houck
Kinlichee
Klagetoh
Lupton
Manuelito
Nahata Dziil
Oak Springs
Red Lake
Rock Springs
Sawmill
St. Michaels
Steamboat
Tsayatoh
Wide Ruins

11 DZIL YIJIIN JUDICIAL DISTRICT

Black Mesa (Kits'iili)
Forest Lake
Hardrock
Low Mountain
Pinon
Tachee-Blue Gap
Whippoorwill

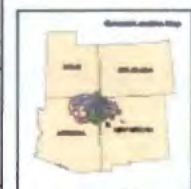
The below artistic map by Deborah Reade adapted and reprinted by permission of the School of American Research, Santa Fe ©2003 shows geographical terrain and demarcates our districts numerically for identification. It is not to be relied on for accuracy of boundaries:





**Navajo Nation
Judicial District
Boundaries**

- Map Legend**
- Chapter House Location
 - County Boundaries
 - Navajo Community/Reservation
 - Subcounty Units
 - WDR
- District**
- ALAMOSA JUDICIAL
 - ANETH JUDICIAL
 - CHUSKA JUDICIAL
 - CHINO JUDICIAL
 - CANYON JUDICIAL
 - GLEN VIEW JUDICIAL
 - KAMSEL JUDICIAL
 - NAVAJO JUDICIAL
 - SHIPROCK JUDICIAL
 - TROPIC JUDICIAL
 - TROPIC JUDICIAL

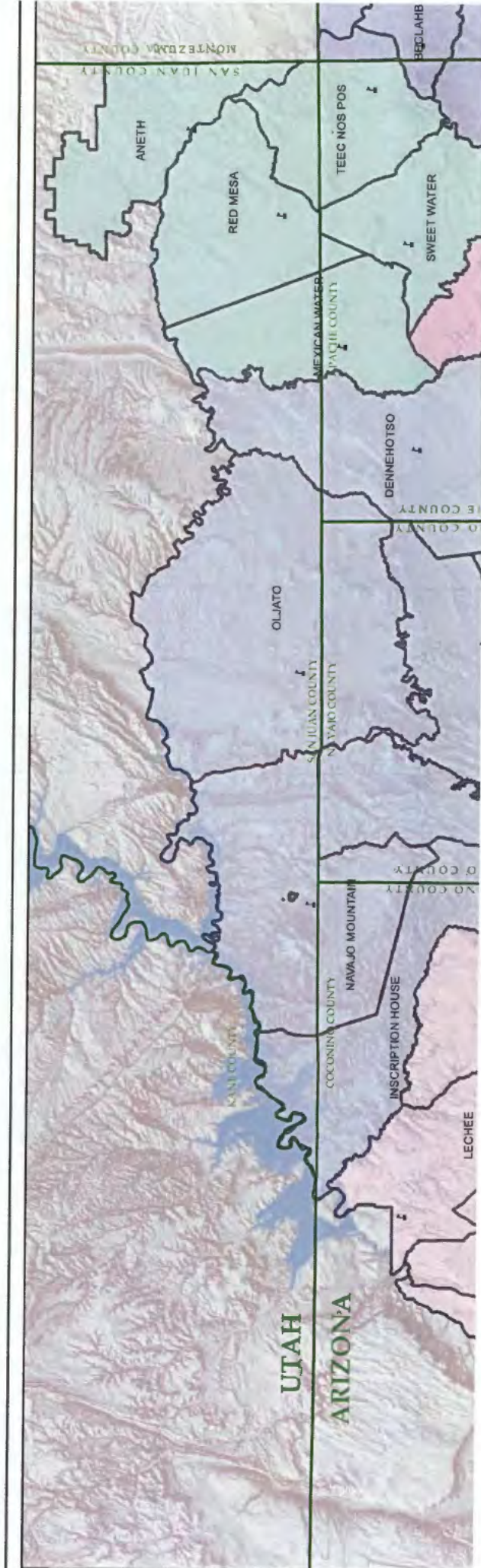


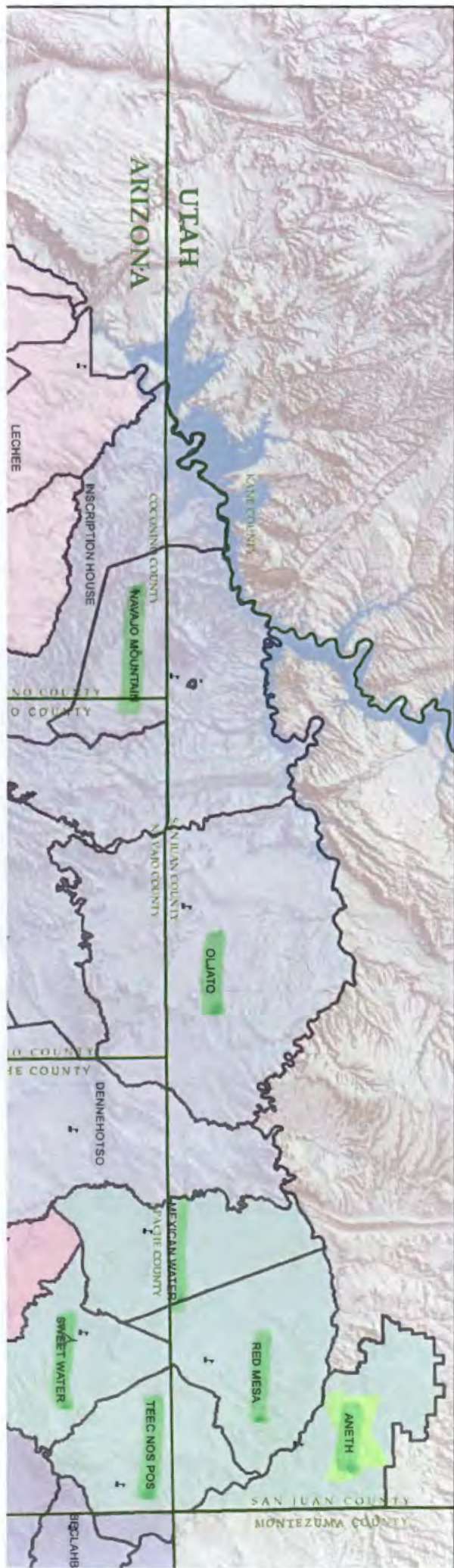
DISCLAIMER

Information provided is not to be used for any purpose other than the reporting of the information contained herein. The Navajo Nation is not responsible for any errors or omissions in this information. The Navajo Nation is not responsible for any damages or losses resulting from the use of this information. The Navajo Nation is not responsible for any damages or losses resulting from the use of this information.

NAVJO LAND DEPARTMENT
GIS SECTION

NAVJO LAND DEPARTMENT
GIS SECTION
1000 N. GILBERT AVENUE, SUITE 100
TUCSON, ARIZONA 85719
PHONE: 520-724-7100
WWW.NAVAJONATION.GOV





Ameth does not support?



May 26, 2016

The Honorable Barack Obama
President of the United States of America
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear President Barack Obama:

We, the undersigned members of Vet Voice Foundation (VVF), support protecting Bears Ears as a National Monument. The designation of this critical landscape would protect 1.9 million acres of public lands, preserving more than 100,000 Native American cultural sites while also providing incredible recreation opportunities for visitors and important habitat for iconic American wildlife.

This letter also supports the Bears Ears Inter-Tribal Coalition, a partnership of five sovereign Indian nations urging you, Mr. President, to take similar action. From the Code Talkers of World War II to the 42,000 tribal members who served in Vietnam, Native Americans have been a foundation of the US Military fighting force.

For decades Native Americans have been calling for the protection of the Bears Ears region. This historically and culturally significant landscape is threatened and has suffered rampant looting, grave robbing, and destruction of historic villages, structures and rock art – all due to the lack of protection.

As a military veterans, we have not forgotten the oath we swore to sacrifice ourselves to defend the lands we love. The commitment we feel from our service to defend the American way of life extends to the public lands that belong to all American citizens.

Protected open spaces are also important to veterans reintegrating to civilian life. Research shows the solace of a personal experience in the outdoors has huge healing contributions to even the most severe mental health conditions. Our national public lands are also a place where veterans repair and renew bonds with family and friends after long deployments.

In the absence of leadership by state leaders and the US Congress, your administration has the opportunity, and the authority, to set in place permanent protection measures for this historic region.

As your final year in office winds down, there is still work to be done to protect America's last great wildlands, places of important cultural and historical significance, and places veterans use to heal from the trauma of war. Proclaiming Bears Ears as a National Monument would honor the ancestral and contemporary Native American connections to this sacred region of southeastern Utah and also ensure that world class recreation opportunities continue to be accessible.

As veterans we served to protect our nation's citizens, values and lands. Native Americans volunteer in the Armed Forces more than any other U.S. demographic to defend this great country. We have the opportunity to continue that oath and ensure that future generations are provided the chance to learn, explore, recreate, nurture and heal in a cherished piece of American history. Please designate Bears Ears as a National Monument.

Sincerely,

THE UNDERSIGNED:

Jim Albee
Logan, UT 84321

Jim Blackburn
Salt Lake City, UT 84121

Andrew Bloebaum
Salt Lake City, UT 84116

Barry Bonifas
Salt Lake City, UT 84111

Bill Bradbury
Smithfield, UT 84335

Patrick Cassity
Park City, UT 84068

Timothy Cowdrick
Salt Lake City, UT 84124

Mike Eberlein
Park City, UT 84060

Dan Felsen
Midvale, UT 84047

Michael Glenn
Lindon, UT 84042

George Hatsis
Saint George, UT 84770

Jean Hawrylo
Brigham City, UT 84302

Les Hudelson
Saint George, UT 84770

Gary Hull
Ogden, UT 84405

Mark Hurst
Sandy, UT 84070

Jared Illum
Salt Lake City, UT 84106

Jay Jensen
Ogden, UT 84401

Andrew Kramer
Ivins, UT 84738

Henry Miles
Orem, UT 84097

Willy Miller
Ogden, UT 84403

Meryl Rogers
Salt Lake City, UT 84117

Lesele Rose
Salt Lake City, UT 84107

Jim Rossetti
Murray, UT 84157

Peter Sadoski
Logan, UT 84321

Michael Salamacha
Kanab, UT 84741

William Smart
Hurricane, UT 84737

Thomas Smith
Woods Cross, UT 84087

Ron W. Smith
Providence, UT 84332

Richard Waldo
Ogden, UT 84405

John Wayman
Logan, UT 84321

Pat White
Ogden, UT 84403

Grant Wilson
West Valley, UT 84120

Darrell Darell
Salt Lake City, UT 84107

Steve Thurgood
Hooper, UT 84315

Wyne Y. Hoskisson
Moab, UT 84532

Harley Armentrout
Chino Valley, AZ 86323

Sondra Atkinson
Phoenix, AZ 85086

Ted Bahn
Tucson, AZ 85710

Ronald Bechtel
Green Valley, AZ 85614

David Black
Tucson, AZ 85719

Daniel Bradlin
Apache Junction, AZ 85120

David Breed
Tucson, AZ 85742

Stephen Brittle
Phoenix, AZ 85051

Alanna Brook
Phoenix, AZ 85006

Edward Brown
Phoenix, AZ 85004

Tom Bullington
Tucson, AZ 85745

James Burton
Glendale, AZ 85306

William Chopak
Oracle, AZ 85623

Carlton Clark
Tucson, AZ 85749

Caroline Deegan
Cave Creek, AZ 85331

Nick Evans
San Tan Valley, AZ 85143

Dave Ewoldt
Tucson, AZ 85711

Thomas Foster
Saint David, AZ 85630

Frank Gabelman
Tucson, AZ 85735

John Gibson
Peoria, AZ 85345

Paul Godsey
Tucson, AZ 85730

Jean Goetinck
Tucson, AZ 85746

Donald Gorney
Tucson, AZ 85739

Lewis Green
Scottsdale, AZ 85253

Jerry Greenberg
Chandler, AZ 85226

Terry Greene Harvey
Green Valley, AZ 85622

Thomas Halstead
Prescott, AZ 86303

Glenn Hamberg
Florence, AZ 85132

Daniel Herrera
Gadsden, AZ 85336

Rona Homer
Scottsdale, AZ 85255

David Hosea
Green Valley, AZ 85614

Marilyn Hosea
Green Valley, AZ 85614

Roy Hyder
Phoenix, AZ 85023

Michael Kuntzelman
Marana, AZ 85653

Cal Lash
Glendale, AZ 85304

Edgar Lopez
Avondale, AZ 85323

Charles McDonald
Tucson, AZ 85750

Dan Mcdonnell
Phoenix, AZ 85029

Norman Mearns
Prescott, AZ 86305

Kurt Ohm
Prescott, AZ 86301

Barry Osterlitz
Phoenix, AZ 85029

Tim Owens
Tucson, AZ 85712

Juan Perez-Otero
Tucson, AZ 85711

James Pierce
Green Valley, AZ 85614

Kathryn Richardson
Eagar, AZ 85925

Richard Riley
Sierra Vista, AZ 85635

Bryan Ruth
Scottsdale, AZ 85260

Wil Schaefer
Tucson, AZ 85704

John Schempf
Apache Junction, AZ 85119

Stewart Schrauger
Prescott Valley, AZ 86314

Philip Shook
Tempe, AZ 85281

Richard Skinner
Tucson, AZ 85705

Preston Smith
Dewey, AZ 86327

Marvel Stalcup
Sedona, AZ 86351

Karen Stoutmeyer
Sun City West, AZ 85375

Dave Swihart
Chandler, AZ 85225

Tobey Thatcher
Sahuarita, AZ 85629

James Wilson
Peoria, AZ 85383

Dewayne Wilson
Yuma, AZ 85367

Wayne Andrews
Castle Rock, CO 80104

Douglas Arndt
Colorado Springs, CO 80921

William Bacher
Greeley, CO 80634

GeorgeBacon
Cedaredge, CO 81413

Virginia Baksa
Lafayette, CO 80026

JJ Barrera
Colorado Springs, CO 80901

Vernon Batty
Pagosa Springs, CO 81147

John Beach
Greeley, CO 80631

Jim Beckenhaupt
Colorado Springs, CO 80903

Michael Berry
Durango, CO 81301

Christine Boisse
Colorado Springs, CO 80906

Jim Bolen
Durango, CO 81301

Lloyd Burton
Denver, CO 80220

Ken Calkins
Greeley, CO 80634

David Cantrell
Fort Collins, CO 80521

Jane Clevenger
Loveland, CO 80537

Norvelle Couch
Parker, CO 80134

Kim Croft
Colorado Springs, CO 80907

Lawrence Crowley
Louisville, CO 80027

William Cutts
Colorado Springs CO 80910

Bernie Dahlen
Evergreen, CO 80439

Jim Darby
Longmont, CO 80501

Janver Derrington
Grand Junction, CO 81504

Joanne Dixon
Colorado Springs, CO 80911

Linda Drescher
Golden, CO 80401

Valerie Etter
Clifton, CO 81520

Steve Evans
Denver, CO 80239

Richard Fleck
Denver, CO 80209

Charles Fletcher
Denver, CO 80206

Wayne Flick
Cimarron, CO 81220

Joe Floyd
Denver, CO 80205

Larry Forrest
Denver, CO 80228

Leroy Frankel
Longmont, CO 80501

Thomas Paul Frazier
Denver, CO 80233

Frank Fullerton
Aurora, CO 80013

Allen Fuqua
Denver, CO 80221

Terry Gomoll
Windsor, CO 80528

Dale Goodin
Denver, CO 80227

Gary Granat
Palisade, CO 81526

Rick Hall
Loveland, CO 80538

Ronald Harden
Loveland, CO 80538

Jim Harris
Littleton, CO 80120

Bill Hatcher
Littleton, CO 80124

Thomas Heidger
Montrose, CO 81401

Eric Hughes
Castle Rock, CO 80104

Thomas Hutton
Clifton, CO 81520

Patrick Jacobs
Longmont, CO 80501

Roy Jellison
Aurora, CO 80010

Mark Johannsen
Dolores, CO 81323

Parvin Johnson
Crestone, CO 81131

William Judge
Durango, CO 81301

Bob Justis
Telluride, CO 81435

Joel Kaplan
Loveland, CO 80538

Jane Anne Karl
Evergreen, CO 80439

Larry Kimball
Cotopaxi, CO 81223

Curtis Konkel
Grand Junction, CO 81507

Robert Lajeunesse
Denver, CO 80221

Lisa Jo Laptad
Colorado Springs, CO 80910

Margaaret Latourrette
Denver, CO 80224

Edward Laurson
Denver, CO 80235

Al Lesser
Lakewood, CO 80215

Lloyd Lewis
Colorado Springs, CO 80920

Theodore Link
Littleton, CO 80130

Wilbur Little
DenverCO 80231

John Lundgren
Boulder, CO 80303

Tom Lutes
Bayfield, CO 81122

JD MacFarlane
Denver, CO 80207

Greg Marsh
Arvada, CO 80004

Donald Martinez
Colorado Springs, CO 80906

Michael Mation
Denver, CO 80212

Jordan McCaffrey
Boulder, CO 80304

Judy McDonald
Victor, CO 80860

Larry McLaughlin
Aurora, CO 80016

John Mitchell
Cedaredge, CO 81413

Mark Modine
Morrison, CO 80465

Richard Montoya
Windsor, CO 80550

James Murray
Louisville, CO 80027

Nicole Navratil
Arvada, CO 80002

Murray Neill
Evergreen, CO 80439

Todd Olk
Littleton, CO 80122

Richard Plambeck
Lafayette, CO 80026

David Potocnik
Colorado Springs, CO 80902

Jeanne Puerta
Denver, CO 80227

Laura Ramirez
Golden, CO 80401

Garett Reppenhagen
Jefferson, CO 80456

Paul Ries
Granby, CO 80446

Don Savage
Walsenburg, CO 81089

Ben Schrader
Fort Collins, CO 80524

David Schroeder
New Castle, CO 81647

Liter Spence
Cortez, CO 81321

John Stutts
Erie, CO 80516

John Sulak
Denver, CO 80202

Diane Swanson
Aurora, CO 80017

Samuel Taylor
Wheat Ridge, CO 80033

Don Thompson
Alamosa, CO 81101

Kevin Tong
Golden, CO 80401

Robert F. Tschiemer
Aurora, CO 80013

Frank Turner
Pueblo, CO 81007

David Vigil
Walsenburg, CO 81089

Wayne Wathen
Littleton, CO 80130

Lynn Welch
Monument, CO 80132

Mike Winget
Denver, CO 80229

David Winsett
Boulder, CO 80303

Robert Wise
Eaton, CO 80615

John Crandall
Colorado Springs, CO 80903

Phillip Bateman
Ranchos de Taos, NM 87557

Samuel Bensonhaver
Albuquerque, NM 87122

Patrick Berry
Albuquerque, NM 87112

Barbara Bilbo
Fort Stanton, NM 88323

Philip Ciaffa
Santa Fe, NM 87508

Charles Denk
Albuquerque, NM 87102

Kenf Duerre
Los Alamos, NM 87544

Donald Evans
Albuquerque, NM 87111

Arnold Farley
Corrales, NM 87048

Frank Fisher
Rio Rancho, NM 87124

Robert Fralick
Albuquerque, NM 87123

Glenn Gill
Carson, NM 87517

Jan Gloyd
Rio Rancho, NM 87124

Amanda Graham
Albuquerque, NM 87108

Chilton Gregory
Albuquerque, NM 87106

Elaine Gross
Albuquerque, NM 87187

Richard Gutierrez
Santa Fe, NM 87507

Alexander Hale
Santa Fe, NM 87508

Bob Hayes
Socorro, NM 87801

Dick Hogle
Española, NM 87532

Michelle James
Albuquerque, NM 87111

Carol Kain
Albuquerque, NM 87110

Shirley Kane
Corrales, NM 87048

Lyman Kellstedt
Santa Fe, NM 87507

Marianne Lappin
Las Cruces, NM 88011

Benjamin Luchini
Las Cruces, NM 88011

Paul Lusk
Albuquerque, NM 87105

Bruce MacKay
Albuquerque, NM 87102

George Maloof
Santa Fe, NM 87508

Pepper Marts
Albuquerque, NM 87104

Kenneth Mayers
Santa Fe, NM 87508

Donald Morgan
Los Lunas, NM 87031

Alfred Mosacarella
El Prado, NM 87529

Earl Nissen
Las Cruces, NM 88005

Peter Ossorio
Las Cruces, NM 88005

Reece Parker
Albuquerque, NM 87123

John Roche
Edgewood, NM 87015

Robert Rosas
Albuquerque, NM 87108

Howard Sapon
Albuquerque, NM 87111

John Slattery
Santa Fe, NM 87507

Alicia Spurlock
Albuquerque, NM 87112

Robert J Sunde, Jr.
Rio Rancho, NM 87124

John Turnbull
Santa Fe, NM 87508

Lee Valentine
Santa Fe, NM 87507

Peter Voris
Las Cruces, NM 88007

Clark Walding
Cerrillos, NM 87010

Robert Wells
Roswell, NM 88201

CC: The Honorable Sally Jewell, Secretary of the Interior

CC: The Honorable Tom Vilsack, Secretary of Agriculture

CC: Christy Goldfuss, Managing Director, White House Council on Environmental Quality

LATINO CONSERVATION ALLIANCE



May 17, 2016

Honorable Barack Obama
President of the United States
1600 Pennsylvania Avenue
Washington, D.C. 20050

Dear President Obama,

Our undersigned organizations are members of the Latino Conservation Alliance, a unique coalition that works collaboratively to advocate for our public lands and waters, and the opportunity for all Latino families to access and enjoy them. We write today to express our support for your protection of the Bears Ears area of public lands in Southern Utah as a national monument.

Our organizations believe strongly that it is important for the full diversity of America's history and heritage be protected in our national public lands. The public lands that would be protected by the Bears Ears National Monument contain 100,000 Native American cultural sites including sacred burial grounds, artifacts and petroglyphs – all of which is tragically vulnerable to vandals, looters and grave-robbers. These lands continue to be used by tribes for traditional purposes, and by all families for reconnecting to nature and each other.

We appreciate your designation of the Cesar Chavez National Monument, as well as the California Desert, Organ Mountains Desert Peaks and the Rio Grande Del Norte National Monuments – public lands where Hispanic and Native American history is now protected for the benefit of our children and grandchildren and our local economies. We are also grateful for your investment in the Land and Water Conservation Fund, so that all families can enjoy close-to-home recreation as well as clean water, clean air, and open space. Please continue to ensure that all Americans can benefit from our system of public lands by protecting the Bears Ears National Monument.

Sincerely,

Camilla Simon
Executive Director
HECHO

Mark Magaña
President
GreenLatinos

José G. González
Founder
Latino Outdoors

Maite Arce
President/CEO
Hispanic Access Foundation

José Calderón
President
Hispanic Federation

Cc: Honorable Sally Jewell, Secretary, Department of the Interior
Honorable Tom Vilsack, Secretary, Department of Agriculture
Cecelia Munoz, Director, White House Domestic Policy Council
Christy Goldfuss, Managing Director, White House Council on Environmental Quality

RESOLUTION 15-043

April 15th, 2015

Whereas there is an effort to designate 1.9 million acres in San Juan County Utah, as Bears Ears National Conservation Area/National Monument

Noting on March 12, the Navajo Nation Council's Naabik'iyáti' Committee passed a resolution supporting the designation of Bears Ears National Conservation Area/National Monument

Further Noting that the area is the birthplace of Navajo Headman Manuelito, and that the land in the proposed Bear's Ears National Conservation Area/National Monument is critical to the continued survival of traditional livelihoods and cultural practices for the Navajo, Ute, Zuni, Hopi, and other Native American people

Further Noting the initiative shares collective interest of tribes in the region including Ute, Hopi, Hualapai, and Zuni

Further Noting that the Fort Lewis College has had 10,589 Navajo students since 2000

Further Noting that the Fort Lewis has served a diversity of tribes, listed in Appendix A

Be it hereby resolved that ASFLC endorses the proposal for the Bears Ears National Conservation Area/National Monument by a simple (1/2) majority vote.

Respectfully Submitted,

Alex Thompson, *ASFLC Senator*

Date 4/15/15

YEA 15

NAY 0

ABSTAIN _____

Scott Greenler

4/22/15

Scott Greenler, *ASFLC President*

Date

APPROVED

VETO



APPENDIX A.

All federally recognized tribes have been represented among the student body at Fort Lewis College since 2000

Cherokee	Tuluksak Native Community	Keweenaw Bay Chippewa, MI
Navajo	Swinomish Indian Tribe, WA	Kaw Nation of Oklahoma
Village of Tazlina, AK	Poarch Band/Creek Indians, AL	Crow Creek Sioux
Village of Salamatoff, AK	Nulato Village, AK	Conf Salish & Kootenai Tribes
Village of Ekuk, AK	Mohawks Akwesansne(Other)	Bay Mills Indian Community, MI
Twin Hills Village, AK	Village of Red Devil, AK	Allakaket Village, AK
Tule River Indian Tribe, CA	Tuscaroran	Village of Venetie
Torres-Martinez Band, CA	Tohono O'odham Nation of AZ	Village of Solomon
Suquamish of Port Madison, WA	Tanana	Pauma Band of Mission Indians
Spokane Tribe, WA	Sisseton-Wahpeton Sioux, SD	Kickapoo Tribe of OK
Santa Ysabel of Dieguendo, CA	Shawnee	Hydaburg Cooperative Assoc, AK
Ponca Tribe of Nebraska	Seldovia Village Tribe, AK	Conf Tribes Warm Spgs Res, OR
Org Vill of Kake/Sealaska Reg	Petersburg Indian Assoc, AK	Cheyenne(Other)
Onondaga Nation of NY	Nez Perce Tribe, ID	Washoe Tribe of NV and CA
Native Village of Mekoryuk, AK	Nenana Native Association, AK	Village of Chefornek, AK
Moapa Band of Paiute, NV	Native Village-Napakiaik	Paiute-Shoshone Tribe, NV
Lummi Tribe, WA	Native Village of Ouzinkie, AK	Ohkay Owingeh, NM
Karuk Tribe, CA	Native Village of McGrath, AK	Noorvik Native Community, AK
Gwichyaa Zhee Gwich'in, AK	Native Village of Atka, AK	Lower Brule Sioux Tribe, SD
Flandreau Santee Sioux, SD	Native Village of Afognak, AK	Klamath Indians of Oregon
Chevak Native Village, AK	Native Village Larsen Bay, AK	Holy Cross Village
Village of Old Harbor	Duckwater Shoshone Tribe, NV	Doyon Region (Not Recognized)
Stockbridge-Munsee Mohican, WI	Delaware Nation, OK	Conf Tribes Umatilla Res, OR
New Stuyahok Village	Coquille Tribe, OR	Shoshone(Other)
Hoonah Indian Association, AK	Conf Tribes of Siletz Res, OR	Shoshone-Bannock Tribes, ID
Cook Inlet Region(other)	Arapahoe(Other)	Pyramid Lake Paiute Trbe, NV
Colorado River Tribe	Traditional Village of Togiak	Pit River Tribe, CA
Catawba Indian Nation, SC	Sac & Fox of Mississippi, IA	Native Village of Kiana, AK
Yupit of Andreafsky	Native Village of Stevens, AK	Native Village of Eyak, AK
Village of Lower Kalskag	Native Village of Fort Yukon	Kenaitze Indian Tribe
Stebbins Community Association	Narragansett Indian Tribe, RI	Egegik Village-Bristol Bay, AK
Sisseton-Wahpeton Oyate, SD	Levelock Village, AK	Tonawanda Band of Seneca, NY
Qagan Tayagungin Tribe, AK	Chippewa(Other)	Seneca Nation of New York
Native Village of Teller, AK	Ysleta Del Sur Pueblo, TX	Sandia, Pueblo of, NM
Native Village of Ambler	Yankton Sioux Tribe, SD	Quechan Tribe, Ft Yuma, CA
Native Vill of Pilot Point, AK	Scotts Valley Pomo Indians, CA	Quapaw Tribe, OK
Lesnoi Village (aka Woody Ild)	Pribilof Aleut St Paul Isl, AK	La Jolla Luiseno Mission, CA
King Island Native Comm, AK	Pilot Station Trad Village, AK	Hualapai Tribe, AZ
Ho-Chunk Nation, WI/Winnebago	Native Village of Tununak, AK	Santa Ana, Pueblo of , NM
Haida(Other)	Native Village of Karluk, AK	Native Village of Aleknagik
Fort Independence Paiute Tribe	Match-E-Be-Nash-She-Wish, MI	Native Vill of Barrow Inupiat
Dry Creek Rancheria Pomo, CA	Little Traverse Bay Bands	Beaver Village, AK
Village of Sleetmute, AK	Kokhanok Village, AK	Pueblo of Nambe, NM

Native Village of Tyonek, AK
Native Vill of Shishmaref, AK
Kickapoo Tribe of KS
Fort Sill Apache Tribe of OK
Assiniboine & Sioux Tribes, MT
Native Village of Chignik, AK
Te-Moak Trbs/West Shoshone, NV
St Regis Band of Mohawk, NY
Red Cliff Band, Lake Superior
Pueblo of San Ildefonso, NM
Ponca Tribe of OK
Pascua Yaqui Tribe of AZ
Paiute-Shoshone Bishop, CA
Ninilchik Village
Knik Tribe
Chemehuevi Indian Tribe, CA
Yavapai-Apache, Camp Verde, AZ
Shoshone-Paiute, Duck Valley
Peoria Tribe of Indians, OK
Iowa Tribe of KS and NB
Prairie Band of Potawatomi Ind
Gila River Indian Comm, AZ
Wyandotte Tribe of OK
Village of Aniak, AK
Emmonak Village
Eastern Shawnee Tribe, OK
Bad River Band Chippewa, WI
Sac and Fox Nation, Oklahoma
Pueblo of Pojoaque
Prairie Band of Potawatomi, KS
Big Pine Band/Owens Vly Paiute
Native Village of Unalakleet
Apache(Other)
13th Regional Corporation
Yurok Tribe/Yurok Reserv, CA
Standing Rock Sioux of ND/SD
Chippewa-Cree Ind Rocky Boy MT
Cahuilla Band of Indians, CA
Zia Pueblo
ANSCA(Other)
Tesuque, Pueblo of, NM
Otoe-Missouria Tribe, OK
Apache Tribe of OK
Round Vly Ind Tribes/Covelo/CA
St Belknap Ind Community, MT
Santa Clara, Pueblo of, NM
Inupiat Comm, Arctic Slope, AK
Eastern Band of Cherokee, NC

Caddo Indian Tribe of OK
Salt River Pima-Maricopa, AZ
Miami Tribe of OK
Eskimo Vill At Lrg(Other)
Arapahoe Tribe/Wind River, WY
Aleut(Other)
Ute(Other)
Menominee Indian Tribe of WI
Omaha Tribe of NE
Galena Village (aka Loudon)
Seneca-Cayuga Tribe, OK
Paiute Indian Tribe of UT
Crow
Absentee-Shawnee Tribe, OK
Shoshone Tribe/Wind River, WY
Orutsaramuit Nat Vill-Bethel
Ute Indian/Uintah/Ouray, UT
Tlingit(Other)
Sioux(Other)
Pueblo of San Felipe, NM
Oneida Tribe of Wisconsin
Pawnee
Acoma Pueblo
Turtle Mtn Band Chippewa, ND
Cochiti, Pueblo of, NM
Metlakatla Indian Community
Cheyenne-Arapaho Tribes, OK
Walker River Paiute, NV
Isleta, Pueblo of, NM
Conf Tribes/Bands of Yakama
San Juan Pueblo
Native Village of Kotzebue
Santo Domingo, Pueblo of, NM
Naknek Native Village
Comanche
Minnesota Chippewa Tribe
Northern Cheyenne Tribe, MT
Taos Pueblo
Seminole Nation of OK
Conf Tribes Colville Res, WA
Creek(Other)
Sault Ste Marie Chippewa, MI
Citizen Potawatomi Nation, OK
Other Tribe
Kiowa
Ketchikan Indian Corporation
Blackfeet Tribe, MT
Zuni Pueblo

Jemez, Pueblo of, NM
3 Affil Tribes/Ft Berthoud, ND
Mescalero Apache Tribe, NM
Alaska Native(Other)
Citizens Band Potawatomi Ind
Sitka Tribe of Alaska
Nome Eskimo Community
Laguna
San Carlos Apache Tribe, AZ
Curyung Tribal Coun-Dillingham
Cheyenne River Sioux Tribe, SD
Rosebud Sioux Tribe, SD
Hopi
Osage
Ute Mountain Tribe, CO, NM, UT
White Mountain Apache, AZ
Jicarilla Apache Tribe, NM
Muscogee (Creek) Nation, OK
Chickasaw Nation, OK
Oglala Sioux/Pine Ridge, SD
Southern Ute Ind Tribe, CO
Cent Coun Tlingit/Haida Tribes
Choctaw

**OPEN LETTER FROM THE UNDERSIGNED
PROFESSIONAL & AVOCATIONAL ARCHAEOLOGISTS**

TO

**REPRESENTATIVES ROB BISHOP, JASON CHAFFETZ & JIM MATHESON
SENATORS ORRIN HATCH & MIKE LEE
PRESIDENT BARACK OBAMA**

The greater Cedar Mesa area contains one of America's best-preserved collections of prehistoric dwellings, rock art, artifacts, and sacred Native American ceremonial sites. As archaeologists, we have a particular appreciation for the cultural, scientific, and human importance of this area. We urge you to do everything in your power to protect the exceptional cultural landscape of the greater Cedar Mesa area.

This region would be a treasure worth preserving for future generations, if only for its scenery, wild canyons, immense vistas, and colorful red rock. However, the value of this place goes far beyond its natural beauty. Evidence of twelve thousand years of human occupation in the greater Cedar Mesa area gives us all an **irreplaceable connection with ancient American history**. There's perhaps no better place to experience well preserved Ancestral Puebloan habitation sites in a backcountry setting.

For well over 100 years, **archaeological research in the Cedar Mesa area has contributed greatly** to knowledge of the prehistoric cultures of the American Southwest. It is a revered part of the cultural heritage of present-day Pueblo, Navajo, and Ute people. The Hole-in-the-Rock Trail, over which the Mormon settlers of southeastern Utah made their way in the winter of 1879-80, traverses the area. Ever-increasing numbers of visitors are coming from across the US and even internationally to experience the cultural and scenic treasures of the greater Cedar Mesa area.

The region proposed by Friends of Cedar Mesa for a National Conservation Area or National Monument contains more than **56,000 archaeological sites**. And this is just a part of the vast region of southeast Utah that needs greater protection.

This landscape is filled with exactly the kind of "objects" the 1906 Antiquities Act was created to protect. Yet, unfortunately the mere fact that these archaeological sites are protected by law has done little to stop more than **100 years of looting, grave robbing, and vandalism**. Contrary to public opinion, this looting has not stopped. In just the last year, several serious looting cases have been reported to law enforcement. Increasing visitation combined with a severe lack of resources for effective management creates a newer yet no less menacing challenge to archaeology in the region.

We strongly support Congressional action to designate the greater Cedar Mesa area as a **National Conservation Area**. Such a designation could accomplish the goal of prioritizing protection of cultural resources, while also allowing flexibility in management of other uses of these public lands. This locally driven process could also resolve long-standing wilderness issues, which have been festering for many decades. However, if Congress fails to act quickly to protect this landscape, we urge the President to be ready to preserve this imperiled resource as a **National Monument** before the end of his term. Congressional deadlock or politics should not allow another decade of continued loss of American history.

Sincerely,

Archaeologists meeting at the
Pecos Conference, Blanding Utah, August 2014.

(The Pecos Conference, initiated in 1927, is the longest running meeting of professional archaeologists in the American Southwest.)

James Allison - Provo, UT
 Matthew Aspros - Durango, CO
 David Ayers - Farmington, NM
 Pam & Quentin Baker - Moab, UT
 Erin Baxter - Boulder, CO
 Jeffrey Begay - Farmington, NM
 Ben Bellorado - Tucson, AZ
 Jean Berkebile - Cortez, CO
 Bob Bernhart - Cortez, CO
 Mark Bond - Bluff, UT
 Richard Boston - Berthoud, CO
 Stephen Bowers - Durango, CO
 David Boyle - Aztec, NM
 Michael Braitberg - Boulder, CO
 Robert Breunig - Flagstaff, AZ
 Barbara Brown - Palisade, CO
 Evelyn Christian - Pine, AZ
 Jason Chuipka - Mancos, CO
 Helen Crotty - Sandia Park, NM
 Natalie Cunningham - Delaware, OH
 Dale Davidson - Cortez, CO
 William Davis - Bluff, UT
 Lydia De Haven - Dolores, CO
 Steven Dominguez - Bryce, UT
 Sharon Dubose - Fountain Hills, AZ
 Marietta Eaton - Dolores, CO
 Al Enouen - New River, AZ
 Nancy Evans - Cortez, CO
 Helen Fairley - Flagstaff, AZ
 Richard Feit - Cortez, CO
 T. J. Ferguson - Tucson, AZ
 Jerry Fetterman - Yellow Jacket, CO
 Victor Fisher - Towson, MD
 Lisa Frankel - Grass Valley, CA
 Noreen Fritz - Bluff, UT
 Dale Frost - El Paso, TX
 Dody Fugate - Santa Fe, NM
 Marc Gaede - La Canada, CA
 Erin Gearty - Flagstaff, AZ
 Donna Glowacki - South Bend, IN
 Andrea Gover - Poulsbo, WA
 Robert Gross - Cedar City, UT
 Charly Gullet - Prescott, AZ
 John Hall - Oro Valley, AZ
 Terry Hawks - Washington, UT
 Diana Hawks - Washington, UT
 Bradley Heap - Kanab, UT
 Bud Henderson - Cottonwood, AZ
 Rosalie Hewis - Morrison, CO
 John Hinnant - Wilson, NC
 Emy Hinnant - Wilson, NC
 Amy Holden - Overgaard, AZ
 Rose Houk - Flagstaff, AZ
 Joshua Jones - Cortez, CO
 Jonathan Knighton-Wisor - Tucson, AZ
 James Krebbiel - Delaware, OH
 Patricia Lacey - Cortez, CO
 Donna Rae Larson - Prescott, AZ
 Steven Le Blanc - Bedford, MA
 Stephen Lekson - Boulder, CO
 Bill Lipe - Pullman, WA
 Carol Lorenz - Durango, CO
 Michael Lorusso - Cortez, CO
 Lonnie Ludeman - Las Cruces, NM
 Robin Lyle - Cortez, CO
 Robert Mark - Flagstaff, AZ
 Ellen Martin - Tempe, AZ
 Joan Mathien - Albuquerque, NM
 R. G. Matson - Vancouver, BC
 Diane McBride - Cortez, CO
 Robert McBride - Cortez, CO
 Randall McGuire - Vestal, NY
 Leley McPeck - Ivins, UT
 Raymond McPeck - Ivins, UT
 Robert McPherson - Blanding, UT
 Janet McVickar - Santa Fe, NM
 Julie Michler - Pahrump, NV
 Lance Mikkelsen - Santa Fe, NM
 Barbara Mills - Tucson, AZ
 Krystina Mucha - Camp Verde, AZ
 Helen O'Brien - Tucson, AZ
 Aaron O'Brien - Durango, CO
 Diane Orr - Salt Lake City, UT
 Teri Paul - Bluff, UT
 Dottie Peacock - Cortez, CO
 Ann Phillips - Boulder, CO
 David Phillips - Boulder, CO
 Linda Pierce - Tucson, AZ
 August Potor - Overgaard, AZ
 Sharon Richwine - Columbus, OH
 Chuck Riggs - Durango, CO
 Tim Riley - Helper, UT
 Marcie Ryan - Dolores, CO
 Jessica Savage - Meeker, CO
 Todd Scarbrough - Las Cruces, NM
 Owen Severance - Monticello, UT

Susan Seyden - Fairview, NC
Deb Silverman - Cortez, CO
Rebecca Simon - Cortez, CO
Marcia Simonis - Bluff, UT
Rachel Smith - Grand Junction, CO
Susan Smith - Monticello, UT
Ryan Spittler - Dolores, CO
Paul Stirniman - Cortez, CO
Rebecca Stoneman-Washee - Blanding, UT
Kenneth Thomas - Moab, UT
Kate Thompson - Cortez, CO
Kellam Throgmorton - Cortez, CO
Jonathan Till - Bluff, UT

Peter Trosclair - Palisade, CO
Sharon Urban - Tucson, AZ
Mark Varien - Cortez, CO
Nicholas Walendziak - Moab, UT
Charlotte Walter - Santa Monica, CA
Ryan Washam - Cedar City, UT
James William - Bluff, UT
Tom Windes - Albuquerque, NM
Michael Wolfe - Moab, UT
Tom Wright - Tempe, AZ
Brian Yaquinto - Meeker, CO
Josh Zettel - Clearfield, UT

Supporter: Friends of Cedar Mesa

Citizen Proposal for Protection: A Sacred Landscape in Urgent Need of Protection

Objective: To create a special management area with staff, resources and polices meant to preserve the region's unique cultural resources, history, archaeology, scenery, wildlife, and opportunities for solitude. This would ideally take the form of a National Conservation Area, with designated wilderness. However, a National Monument may be needed to protect the area if Congress cannot act in a timely manner.

Boundary Definition: Rather than using arbitrary agency boundaries or roads, FCM proposes an area defined by geography and a shared density of cultural sites and unique scenic value. In general, this area spans from the Elk Ridge on the north to the San Juan River on the south and from Clay Hills on the west to Cottonwood Wash on the east. These boundaries are not exact and would need to be field checked should NCA legislation on National Monument designation move forward.

Size: Approximately 700,000 acres. Significant thought has gone into creating an area of manageable size, which could be stewarded from a single office, with a reasonable sized staff.

Prehistoric and Historic Site Protection: The Cedar Mesa area is indeed a sacred place to many people, including several Native American tribes. The primary focus of management should be protecting the estimated 56,000 cultural/archaeological sites in the area, as well as the important historical resources, especially the Hole-in-the-Rock Trail.

Scenery and Backcountry Experience Preservation: Perhaps nowhere else can visitors find so many well preserved prehistoric cultural sites in such a dramatic and beautiful setting, which still offers solitude, quiet, and an escape from modern interruptions. NCA/NM management should focus on preserving the solitude and natural beauty of this place for our children and grandchildren.

Wilderness: Within the boundaries, approximately 500,000 acres have been identified by various groups as having wilderness character. This includes a core of four Wilderness Study areas (Grand Gulch, Road Canyon, Fish Creek, and Mule Canyon WSAs), as well as US Forest Service Roadless Areas. Friends of Cedar Mesa encourages a thoughtful process of designating wilderness within the NCA/NM that takes into consideration traditional uses and potential conflicts between wilderness and other uses.

State Lands: FCM envisions trading out state lands in the area for parcels in areas more suitable for development. The current patchwork of jurisdictions is not conducive to good protection for cultural resources.

Roads: With few exceptions, Friends of Cedar Mesa supports the current BLM, NPS, and USFS travel plans for the area and would not support significant access restrictions or openings beyond those plans.

Woodcutting and Grazing: While FCM advocates for better management of grazing and woodcutting to protect cultural resources, we would envision these traditional uses continuing. Grazing improvements on state lands could be grandfathered on federal lands. Some setbacks from wilderness areas could allow for continued woodcutting near existing roads.

Energy Development: Although limited energy development may occur within the area, this kind of industrialization is inconsistent with the natural and archaeological richness of the area. As such, supports a mineral withdrawal from the area and encourages development to be concentrated in other areas of San Juan CO and Utah.

Supporter: Friends of Cedar Masa

Why I Live Where I Live

Author: Josh Ewing (Executive Director, Friends of Cedar Masa)

This piece is produced in full in the Corporation section of the binder.

Supporter: A:shiwí A:wán Museum and Heritage Center

New National Monument Should Come at Bears Ears

Author: Jim Enote (Director, A:shiwí A:wán Museum and Heritage Center)

October 14, 2015

How many times have native peoples recommended the inclusion of long-term traditional knowledge as the primary rationale for managing and monitoring of federal lands? Did we mention our cultural structures are closely linked to environmental conditions? Modern natural resource management has good intentions but the search for best practices has not satisfactorily included constructive and practical native approaches and values.

The effort by five tribes to establish a new national monument west of the Four Corners region is worthy of our attention. The Bears Ears Monument proposal is an assertion that tribes and the federal government will collaboratively co-manage the monument as equal partners. Upper-level policy and decision-making for the monument would be conducted through a monument commission comprised of equally numbered tribal and federal representatives. Tribal authority would *not* be limited to a tribal advisory committee and input would *not* be limited to occasional tribal consultations.

I believe the Bears Ears monument concept will directly address the asymmetry of federal land management authorities and actualize a vision by many whereby indigenous traditional knowledge and science are given equal treatment and application. This is particularly important in this case because the Bears Ears area is dense with cultural resources and is still an operative cultural landscape for several regional tribes. The ancient springs, shelters, shrines, petroglyphs, pictographs, plant and mineral gathering places of the Bears Ears area once consecrated even long ago are blessed in perpetuity and must be protected. Sadly, the area of the proposed monument has been ground zero for looters of cultural resources. As tribal peoples have become increasingly mobile and able to visit the Bears Ears area, what they find is not always pleasant.

Imagine a national monument where your presence is needed to complete a co-existing relationship of people and place. How this sense of home and place is interpreted would be a special task for the monument's tribal and federal staff. Let us not forget, young natives are coming out of universities with new capabilities and eagerness to apply a new stewardship to natural and cultural resources. There would not be a requirement to simulate any other land management planning process. Instead there will be an opportunity to make the monument a place for mediation among experiences and sensibilities, science and traditional knowledges, to create original meaning from a complicated history and with a new relevance, to negotiate and create innovative plans based in new environmental criteria, lexicon, and vision. A Bears Ears monument would signify restoration.

The Bears Ears landscape is a complex of notes and memorials, handmade testaments of hope and resilience in the American southwest. Even without the ability to speak for itself the place called Bears Ears reminds me, I am of this place.

Supporter: The Wilderness Society

Tell President Obama: “Bears Ears” region of Utah needs protection from drilling, mining and vandalism

A stretch of starkly beautiful wildlands in Southeast Utah is at risk due to energy development, looting and vandalism, but with your help, this place could soon be permanently protected as a national monument.

Recently, a partnership of five sovereign Native American nations petitioned President Barack Obama to use the Antiquities Act to proclaim a region known as Bears Ears as a national monument. This would help stop looting, grave robbing, irresponsible off-road vehicle use, energy development and other destructive activities on these sacred lands, and ensure that we preserve this wild landscape for the benefit of all Americans.

Nestled immediately to the south and east of Canyonlands National Park, the region known as “Bears Ears”—named for two sandstone-fringed buttes jutting about 2,000 feet up from the mesa—covers nearly 2 million acres of stunning (mostly) desert dotted with yucca, sagebrush and red-tinged sandstone carved into dramatic mesas, canyons and arches.

Wildlife that calls the area home includes pronghorn antelope, mountain lions, bighorn sheep, black bears and peregrine falcons.

Hiking, camping, rock-climbing and backpacking are staple recreation activities in Bears Ears, which is bordered by the San Juan River along the southern edge. The natural attractions of the region are evident even when the sun goes down, as the relatively remote, wide-open landscape means night skies dark enough to fully showcase the stars overhead.

Bears Ears holds a wealth of Native American culture

The value of Bears Ears isn't only in its natural wonders. In fact, the movement to protect it has been spearheaded by a coalition of tribes concerned about their cultural heritage.

By some estimates, the region contains more than 100,000 Native American archaeological and cultural sites, and some modern tribes in the American southwest trace their heritage back to the area, including the Navajo and Hopi.

In fact, The Navajo Nation and White Mesa Ute Reservation immediately abut Bears Ears and tribal members still use the land as their people have for generations. Bears Ears was also the birthplace of Manuelito, a 19th century Navajo leader who rallied popular opposition to American and Mexican incursion into tribal homeland.

Recently, the Native tribes have led the charge to permanently protect Bears Ears—notably, a coalition of 25 tribes with ties to the region. In October 2015, tribal representatives petitioned President Obama to protect Bears Ears as a national monument. This was thought to be the first time Native tribes had ever joined forces to ask a president to designate a national monument.

As noted by a spokesman of the Hopi Nation, protecting Bears Ears would be an especially apt use of the Antiquities Act. That law originally grew out of a movement to preserve deteriorating archaeological resources, some of which had become targets of vandalism. Numerous Native American sites have since been protected under the Antiquities Act, including New Mexico's Aztec Ruins National Monument, designated in 1923, and Colorado's Canyons of the Ancients National Monument, designated in 2000.

The Antiquities Act has been used on a bipartisan basis by almost every president, serving as an important contingency plan for when Congress won't act swiftly to protect public lands or historic landmarks.

Indeed, the tribal coalition sought out presidential intervention only after it had lobbied for a legislative monument designation and felt excluded from Rep. Rob Bishop's Public Lands Initiative.

A precious and vulnerable wildland

Unfortunately, Bears Ears is as susceptible to human-caused damage as it is spectacular. Among the threats facing this ancient wildland are oil and gas drilling, mining and reckless off-road vehicle use. National monument status would help ensure the area is protected.

Additionally, monument designation would allow Bears Ears to be prioritized for more funding for staff, management and law enforcement. Graffiti and looting have been major problems—including, shockingly, the destruction of a traditional 19th century Navajo structure to use for firewood—with many incidents unreported until well after the fact

Now, allying with everyone from rock-climbers to conservation groups like The Wilderness Society, tribes are working toward permanent status that will ensure Bears Ears is preserved for future generations. This wildland is far too precious to leave unprotected.

**The article provides several pictures of the area. Below are the captions.*

Naturally, the Bears Ears Buttes are the signature attraction of the Bears Ears region. So named because they are said to resemble the top of a bear's head poking over the horizon, these huge formations are prominent in various tribal culture and lore.

Considered a somewhat overlooked treasure due to competition from fellow Utah wildlands like Arches and Canyonlands national parks, Cedar Mesa is an expansive plateau dotted with canyons and sandstone pinnacles.

Cedar Mesa is also known for its ancient ruins, just one example of the precious cultural resources in the Bears Ears region.

Indian Creek is a sandstone canyon corridor that leads from the northern end of Bears Ears to Canyonlands National Park. It is a popular rock-climbing spot (though climbers are obviously prohibited from disturbing the ancient Puebloan and Ute petroglyphs found in the area).

Natural Bridges National Monument is one of Bears Ears' most famous stretches of land. It features the second largest natural bridge in the world, carved from the white Permian sandstone of the Cedar Mesa Formation that gives White Canyon its name. There are three bridges in the park—Kachina, Owachomo and Sipapu—all with Hopi names.

In the southwest reaches of Bears Ears, rocky red canyons dominate the landscape, including Knowles Canyon.

The evocatively named Newspaper Rock is a historic site for good reason. This large slab of sandstone is covered with recorded history, in the form of etched petroglyphs thought to date back about 1,500 years.

Manti-La Sal National Forest covers a large portion of Bears Ears. In addition to the geological wonders and archaeological sites that characterize much of the area, the forest contains Gambel oak, aspen, fir and pine woodland including habitat for elk, black bear and more.

Within Manti-La Sal National Forest, the existing Dark Canyon Wilderness totals some 46,000 acres of craggy land that ranges from sandstone arches to old-growth forest.

The Comb Ridge is a 120-mile-long sandstone fold running through the southwest section of Bears Ears. It was formed by tectonic shifts below the earth's surface tens of millions of years ago and is a popular hiking challenge.

Rock formation near White Canyon. White Canyon, in the western part of the Bears Ears region, is an unusually rugged and untouched example of the region's beauty.

One of Bears Ears most famous attractions is the grandly named Valley of the Gods, to the south of Cedar Mesa. This backcountry stretch is similar to the nearby (much larger) Monument Valley, and both are known for red sandstone buttes, pinnacles and cliffs.

Valley of the Gods' scenery is so unusual and arresting that it has been used as a science-fiction backdrop for television. Unsurprisingly, it is a major destination for photographers.

Goosenecks State Park, south of Valley of the Gods at Bears Ears' southern edge, is renowned for its stunning view of the San Juan River winding through the desert below.

Immediately to the northwest of Goosenecks State Park is Muley Point, another great spot from which to survey the stunning scenery. Moki Dugway, a famed looping dirt road, leads to the overlook.

The land near Nokai Dome, a huge sandstone hump near Glen Canyon National Recreation Area in the southwest of Bears Ears, is sparsely vegetated yet visually incredible, a colorful expanse of rolling earth.

With light pollution obscuring stars for many Americans, a night sky clear enough to see the Milky Way is precious indeed, and Bears Ears fits that bill—it remains stunning when the sun goes down. Areas within the Bears Ears have been specially recognized for their dark-sky vistas.

Supporter: Conservation Lands Foundation, Grand Canyon Trust, National Trust for Historic Preservation, Utah Dine Bikeyah, Crow Canyon Archaeological Center

Unified Coalition Launches Bears Ears Proposal

Author: Josh Ewing

April 28, 2015

For the last three years, several conservation groups have engaged in legislative discussions led by Congressmen Rob Bishop and Jason Chaffetz about protecting remarkable public lands in southeastern Utah. Although groups were in close contact, our organizations had presented a number of different proposals.

Now Friends of Cedar Mesa, Utah Diné Bikéyah, Conservation Lands Foundation, Crow Canyon Archaeological Center, Grand Canyon Trust and the National Trust for Historic Preservation have unified to form what we're calling the Bears Ears Coalition. These groups are working together to support and elevate the voices of Native American people who consider this region sacred. We strongly believe tribes and Pueblos can and should have a greater roll in public lands protection and management. We've launched a new website for the Bears Ears Coalition where you can learn all about the proposal.

Named after twin buttes that form a landmark seen from much of southeastern Utah, the proposed Bears Ears conservation area seeks to protect 1.9-million acres of pristine public lands including Cedar Mesa, more than 100,000 archaeological sites, and a network of mesas and canyons sacred to many Native American Tribes and Pueblos, as well as descendants of early Mormon pioneers.

The cultural landscape proposed for protection spans from the San Juan River and Navajo Nation in the south, the Colorado River to the west, Canyonlands National Park to the north and the White Mesa Ute Reservation to the east (*article provides link to map*).

Tucked within Bears Ears is what FCM has dubbed the Cedar Mesa area, whose iconic canyons and mesa tops contain an estimated 56,000 archaeological sites. Cedar Mesa is also home to historical resources like the Hole-in-the-Rock trail forged by Mormon settlers. The historic, cultural and natural resources of Cedar Mesa and the greater Bears Ears landscape all require immediate protection from mounting threats of development and increasing visitation.

In an unprecedented display of solidarity, 24 Tribes and Pueblos have expressed support for protecting lands within the Bears Ears cultural landscape. This region is sacred to many Native American tribes, including the Navajo, Hopi, Ute, Pueblo, Hualapai, and Apache peoples. The lands within Bears Ears are used to this day by Native American people for hunting, wood gathering, herb collection and traditional ceremony.

Recently, the Coalition hosted an inter-tribal gathering in Bluff, Utah for representatives from seven different Tribes and Pueblos to discuss the Bears Ears proposal. Navajo people extended a warm “welcome home” message to the Hopi, Zuni, Cochiti, Hualapai and Ute Mountain Utes who met to discuss the history and significance of the cultural landscape. Many of the participants were fortunate enough to take a scenic overflight of the area with Eco Flight, which was captured on video. You can read more about the “welcome home” gathering here: <http://www.bearscoalition.org/tribes-gather-to-discuss-protecting-bears-ears/>

With dozens of scenic red rock canyons, alpine peaks, forested plateaus and plentiful opportunities for solitude, the greater Bears Ears cultural landscape is truly a place worth protecting for future generations. As the Bears Ears proposal continues to build support, we encourage you to learn more and take action by visiting: <http://www.bearscoalition.org/action/>

Supporter: Natural Resources Defense Council

In Bears Ears We Trust: Tribally co-managed national monument offers protection and prosperity.

Author: Sharon Buccino, Director of the Land & Wildlife Program

April 4, 2016

Bears Ears — its twin buttes rise over lush green meadows. The green is as surprising in this remote corner of arid southeastern Utah as the gathering of tribal leaders who stand among it, representing the Navajo, Hopi, Uintah and Ouray Ute, Ute Mountain Ute, and Zuni. Never before have so many tribes set aside their differences and come together to protect a landscape. The five tribes have organized in a formal inter-governmental body called the Bears Ears Inter-Tribal Coalition. Supported by more than 260 tribes nationwide, the Coalition exists to promote a common agenda — designation of 1.9 million acres as the Bears Ears National Monument.

For generations, the federal government has held tribal assets, including land, in trust, required by law to manage them for the benefit of Native Americans. History has obliged tribes to trust the federal government, despite a long track record of broken promises. It's time to think about trust in a new way. It's time for the federal government to trust the tribes.

The Inter-Tribal Coalition's proposal provides for co-management of the Bears Ears monument by a Commission made up of eight members — one from each of the five tribes, plus one from each federal agency that manages land within the monument. This would give tribes a seat at the table and a voice in how their ancestral homelands are managed. The Commission would hire a monument manager and set performance standards for the manager. In the end, the Secretary of the Interior or Agriculture would have ultimate authority.

As proposed, the Bears Ears monument would be bounded by the Colorado and San Juan rivers to the west and the Navajo Reservation to the south. On the east and north, the boundary is marked by low bluffs and high mesas and plateaus from White Mesa up to the Colorado River near Moab, Utah. Ancestors of the tribes that have proposed the monument built civilizations on these lands. But their connections to this place are not just a memory. Bears Ears is still home to sacred resources that continue to be vital to tribal communities across the region as a place of subsistence, spirituality, healing, and contemplation. Today, the proposed monument is made up primarily of lands now held by

the Interior Department's Bureau of Land Management, but also Forest Service and National Park Service lands.

The government would not give away the land. The tribes have not asked for it. The lands are federal lands that belong to all of us. Who better to trust with its management than the tribes who have embraced these lands for centuries? As one tribal member has said, "We don't manage land. The land manages us." Under tribal co-management, the American public could expect the same level of conservation — of the land, wildlife, air, water — that federal managers would deliver. Why not include tribal voices in the search for answers when it comes to how best to achieve conservation?

For years, the tribes have had to trust the federal government to look out for their interests. Now, we are looking to the tribes to protect ours. I'm willing to bet that the tribes will do better than the U.S. has done for them.

Supporter: Natural Resources Defense Council

Press Release: Joint Statement on Draft Public Lands Initiative

Joint Statement By: Southern Utah Wilderness Alliance, Grand Canyon Trust, The Wilderness Society, Natural Resources Defense Council, Sierra Club

January 20, 2016

For more than three years we have worked in good faith to reach a compromise on public lands issues in eastern Utah through the Public Lands Initiative (PLI). The proposed legislation released by Representatives Rob Bishop and Jason Chaffetz does not protect the world-renowned redrock scenery of the national public lands in Utah—including the spectacular Bears Ears cultural landscape—and instead imposes unprecedented and controversial proposals that would adversely affect wildlife, recreation, and watersheds in key areas across eastern Utah.

“The draft PLI is an un-wilderness bill,” explained Scott Groene, executive director of the Southern Utah Wilderness Alliance. “Effectively, less wilderness would be protected in Utah if this bill passed than what is currently managed for the public. The wilderness it designates includes unprecedented loopholes and caveats, like enshrining grazing. This proposal does not do justice to these world-class landscapes.”

“The draft PLI weakens existing protections for important natural and cultural resources inside the proposed Bears Ears National Monument,” said Bill Hedden of the Grand Canyon Trust. “It neglects hundreds of thousands of acres of deserving wilderness and turns public lands over to county ownership that have already been subject to looting and grave robbing. San Juan County entirely dismissed local concerns by rejecting a home-grown proposal to fully protect Bears Ears—one that garnered 64% local support. San Juan also excluded everyone living outside the county in crafting their proposal; one which is a wholly inadequate substitute for a Bears Ears National Monument.”

“We are disappointed that after years of good faith effort to identify common ground with counties, conservation organizations, tribes, and others, the proposed bill neither honors important agreements that were forged during the PLI process nor offers a reasonable path forward on many issues of critical importance,” remarked The Wilderness Society’s Paul Spitler. “The draft PLI includes many controversial proposals that lack support and would damage scenic public lands in Utah.”

"This is really a fossil fuels bill," observed Sharon Buccino, director of the land and wildlife program at the Natural Resources Defense Council. "It opens up areas managed as wilderness for coal mining, tar sands, oil shale, and oil and gas and dedicates millions of acres to energy development."

"The draft PLI substitutes easily-modified national conservation area designations for lands deserving and needing wilderness designation," commented Wayne Hoskisson from the Sierra Club. "The draft PLI includes provisions that are incompatible with any real conservation efforts. The delegation is already attempting to undermine the Red Cliffs National Conservation Area in Washington County, created only seven years ago."

We remain hopeful that all sides can find the political will to work together in counties where consensus among stakeholders is within reach. While we are disappointed that consensus compromise has failed here, we know that win-win solutions are possible which truly serve the best interests of future generations and Utah's exceptional landscapes.

Supporter: Southern Utah Wilderness Alliance

Stand Behind tribes to Protect Bears Ears

Led by the Hopi, Zuni, Ute Mountain Ute, Navajo and Ute Indian Tribes, and supported by more than 25 tribes across the Southwest as well as the National Congress of American Indians, the Bears Ears Inter-Tribal Coalition has called on the Obama administration to designate 1.9 million acres of public lands in southeastern Utah as a collaboratively-managed Bears Ears National Monument.

The Bears Ears region ranges in elevation from 3,700 feet to more than 11,300 feet and contains more than 100,000 cultural and archaeological sites, making it the most significant unprotected archaeological area in the United States. Notable bordering features include the Colorado River on the west, the San Juan River and Navajo Nation on the south, and the White Mesa Ute Reservation on the east.

The 1.9 million acres defined in the tribal proposal are comprised of public lands that are currently managed by the BLM, Forest Service, and National Park Service. Much of this land is comprised of BLM Wilderness Study Areas contained in America's Red Rock Wilderness Act and Forest Service Inventoried Roadless Areas. Extending from Lockhart Basin and Hatch Point east of Canyonlands National Park, and continuing south to the San Juan River, the Bears Ears National Monument proposal shares 930,000 acres in common with Greater Canyonlands.

The region is under threat. Rampant looting and destruction of cultural sites continues today, with more than a dozen serious looting cases reported between May, 2014 and April, 2015. Oil, gas and potash companies are making a major push for drilling on Cedar Mesa, Tank Mesa, and the breathtaking reaches of Lockhart Basin, Hatch Point and Harts Point near Canyonlands National Park in the northern part of the proposed monument. Uranium mining and irresponsible off-road vehicle use remains a threat throughout the proposed monument.

The Bears Ears Inter-Tribal Coalition's proposal is unprecedented, and marks the first time that Tribes have petitioned the President to create a national monument using the Antiquities Act. The proposal calls for a collaboratively-managed monument, with the Tribes and agency officials working together as equals to make joint management decisions. Protecting Bears Ears would benefit all people, and would allow for continued Native American practices in the area, including gathering of medicines and herbs, worshipping at sacred areas, holding ceremonies, protecting archaeological sites, gathering firewood and hunting.

SUWA fully supports the Native American-led effort to protect Bears Ears as a national monument. Add your voice and ask President Obama to protect Bears Ears today.

Supporter: National Parks Conservation Association

Editorial: Public Lands Initiative draft undermines Wilderness Act

Author: Erika Pollard, National Parks Conservation Association

March 4, 2016

Since the Utah Public Lands Initiative began, the National Parks Conservation Association, a nearly 100-year-old organization, has been an engaged stakeholder in the process, representing more than a million members and supporters nationwide. We long hoped for on the ground, collaborative solutions to eastern Utah's public lands issues. However, all semblance of compromise is overshadowed in the draft bill by broad policy provisions -- some of which were not shared or discussed with stakeholders, and others that NPCA identified as nonviable compromises from the beginning of the process.

While the discussion draft does include an expansion at Arches National Park, we are shocked by many other policy provisions in the bill and much of the draft bill language.

NPCA is disappointed that our long standing priority of Completing Canyonlands by expanding the park boundaries to reflect the original vision for the park was not addressed. A Bears Ears National Conservation Area, as proposed in the PLI draft, would be adjacent to the park but would not adequately protect the basin and its many natural and cultural resources from irresponsible off-road vehicle use and other potentially incompatible uses. The Bears Ears National Monument, as proposed to the Obama Administration by the Intertribal Coalition, would provide much stronger protections for our Canyonlands Completion area, and we are excited about its prospects.

Though we support new wilderness designation inside the national parks as proposed in the draft PLI, the stipulations attached to the wilderness administration language would essentially reduce the level of protection for lands inside national parks. The draft bill undermines the Wilderness Act, potentially the Clean Air Act, and ultimately the authority of the National Park Service to fully manage wilderness values as well as the parks' natural and cultural resources.

NPCA is also opposed to opening more than 2.5 million acres to expedited energy development. We strongly believe that Master Leasing Plans are more effective at creating certainty on the Utah landscape not only for energy development, but also for recreation and conservation. Prohibiting the

application of this valuable management tool would nullify years of cooperative efforts invested in the Moab MLP and prevent a similar level of consideration at other deserving public lands.

Finally, we are dismayed by the unacceptable giveaway of R.S. 2477 rights-of-ways inside national park boundaries and on the broader landscape. Within park boundaries, travel management by the National Park Service is critical to achieve the flow and volume of visitors into the parks enabling them to meet goals for recreational access and long-term resource protection.

The discussion draft of the PLI does not represent a balanced approach to resolving Utah's public land issues and in fact includes many threats to the national parks and the broader landscape in eastern Utah that we all hold dear.

Supporters: Southern Utah Wilderness Alliance, Grand Canyon Trust, The Wilderness Society, Natural Resources Defense Council, Sierra Club

Press Release: Joint Statement on Draft Public Lands Initiative

January 20, 2016

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“The draft PLI is an un-wilderness bill,” explained Scott Groene, executive director of the Southern Utah Wilderness Alliance. “Effectively, less wilderness would be protected in Utah if this bill passed than what is currently managed for the public. The wilderness it designates includes unprecedented loopholes and caveats, like enshrining grazing. This proposal does not do justice to these world-class landscapes.”

“The draft PLI weakens existing protections for important natural and cultural resources inside the proposed Bears Ears National Monument,” said Bill Hedden of the Grand Canyon Trust. “It neglects hundreds of thousands of acres of deserving wilderness and turns public lands over to county ownership that have already been subject to looting and grave robbing. San Juan County entirely dismissed local concerns by rejecting a home-grown proposal to fully protect Bears Ears—one that garnered 64% local support. San Juan also excluded everyone living outside the county in crafting their proposal; one which is a wholly inadequate substitute for a Bears Ears National Monument.”

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“This is really a fossil fuels bill,” observed Sharon Buccino, director of the land and wildlife program at the Natural Resources Defense Council. “It opens up areas managed as wilderness for coal mining, tar sands, oil shale, and oil and gas and dedicates millions of acres to energy development.”

"The draft PLI substitutes easily-modified national conservation area designations for lands deserving and needing wilderness designation," commented Wayne Hoskisson from the Sierra Club. "The draft PLI includes provisions that are incompatible with any real conservation efforts. The delegation is already attempting to undermine the Red Cliffs National Conservation Area in Washington County, created only seven years ago."

We remain hopeful that all sides can find the political will to work together in counties where consensus among stakeholders is within reach. While we are disappointed that consensus compromise has failed here, we know that win-win solutions are possible which truly serve the best interests of future generations and Utah's exceptional landscapes.

Supporter: Verde

5 Reasons Bears Ears Needs to be a National Monument

Anna Peterson

April 22, 2016

Conservation Alliance grantees – including Verde grant nominee Grand Canyon Trust – are working to support a first-of-its-kind inter-tribal coalition of five sovereign Native American Tribes. The tribes include Hopi, Navajo, Uintah and Ouray Ute, Ute Mountain Ute, and Zuni. Collectively they are calling upon President Obama to designate a 1.9 million acre national monument for the Bears Ears cultural landscape.

Many Verde Voice readers know and love southeastern Utah's Bears Ears region. From world class crack climbing at Indian Creek, singletrack in the Abajo Mountains, backpacking in Grand Gulch, to floating the San Juan River from Sand Island to Clay Hills, adventure abounds here. But it's not just valuable for recreation and scenery, it is a cultural landscape with more than 100,000 cultural sites that many southwestern tribes have known since time immemorial as their ancestral homeland.

Here's why Bears Ears needs to be designated a national monument now.

1. Halt Desecration and Grave Robbing

Bears Ears is actively being pillaged now – rock art panels are being vandalized, gravesites are being dug up, and thousands of years' worth of human history are being erased. At least five serious, recent cases of desecration are under active investigation, and many others go unreported and most go unprosecuted.

2. Protect and Grow Utah's Recreation Economy

An Outdoor Industry Association report shows that outdoor recreation in Utah alone generates \$12 billion in consumer spending, 122,000 direct Utah jobs totaling \$3.6 billion in wages and salaries, and \$856 million in state and local tax revenue. This shows an even greater need to ensure recreation areas like the Bears Ears region are not handed over to private interests or leased for development and mining.

3. Reduce Threats from Irresponsible Development

Oil and gas development and potash and uranium mining threaten to restrict access to and forever destroy beloved recreation sites. Imagine having to breathe the dust and hear the noise from drilling near your favorite climb in Indian Creek, or having to fight for highway space with ore trucks on your way in to canyoneer the White Canyon Black Box. The cultural resources and recreational opportunities here cannot be replaced once they are disturbed or destroyed.

4. An Unprecedented Opportunity for Healing

A new national monument for Bears Ears will bring all people together to study and appreciate the spectacular scenery, the exceptional recreation, and the vibrant living cultures of Native Americans. National monuments protect these values that are important to all Americans, ensuring the future of our shared heritage.

5. Utahns Want a New National Monument

Support for Bears Ears is strong and it's unified. 26 southwestern Native American Tribes support a new national monument, as does the National Congress of American Indians representing an additional 225 tribes. Utahns also support Bears Ears; the recent State of the Rockies poll found 66% of Utahns in favor of a new national monument for Bears Ears.

We're excited about Bear Ears and we hope you are too! You can help make sure 2016 is the "Year of Bears Ears" by signing the petition to President Obama in support of the tribes to permanently protect Bears Ears as a national monument. You can learn more about the effort at <http://www.protectbears ears.org/>.





Outdoor Industry Leaders Denounce Utah Legislature's Short Sightedness on Bears Ears

Protection of this spectacular area would be a boon to the state's economy and preserve important recreation sites

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May 18, 2016

Outdoor industry leaders expressed disappointment following the Utah State Legislature's adoption of a resolution opposing the protection of the Bears Ears region in the Southeastern part of the state. A national monument designation for Bears Ears would protect more than 100,000 archeological sites as well as some of the most sought-after recreational opportunities in the nation. A recent Colorado College poll found 66percent of Utahns support the creation of a Bears Ears National Monument, while a mere 20 percent oppose.

"The Bears Ears region is rich in cultural sites and recreation opportunities, and deserves protection," said John Sterling, Executive Director of The Conservation Alliance, a group of more than 200 outdoor industry companies that support protecting places for their recreation benefits. "The Conservation

Alliance is disappointed by this attempt by the Utah State Legislature to thwart efforts by five sovereign tribal nations and supportive stakeholders to protect this important place," said Sterling in response to the legislature's recently adopted resolution opposing a Bears Ears National Monument. "The area is treasured by the outdoor recreation community for its unparalleled climbing, hiking, mountain biking, canyoneering and camping opportunities."

"Outdoor industry companies depend on wild, scenic and untrammeled landscapes where our customers can escape to find rejuvenation, discovery and inspiration while doing what they love to do. The outdoor industry in Utah alone generates \$12 billion in consumer spending and more than 122,000 jobs," added Peter Metcalf, Founder of Black Diamond Equipment, Ltd., based in Salt Lake City, UT. "Protecting an area like Bears Ears is not only the right thing to do for its cultural values, but it will protect for future generations the activities our customers love and use our products for. As a Utah business leader, it is about time that the legislature embraced an opportunity like Bears Ears instead of throwing up roadblocks."

"While there are many, many reasons to protect Bears Ears, the reason the outdoor industry understands best is the value of this area for recreation and respectful adventure," stated Mark "Roody" Rasmussen of the Petzl Foundation, based in West Valley City, UT. "As outdoor industry leaders, we acknowledge that the Bears Ears region is indeed America's most significant unprotected cultural landscape. I'm deeply disturbed by the actions of the legislature and hope they change course on this issue."

"As a company with a retail presence in Utah for nearly 30 years, Patagonia and its customers know the importance of the cultural significance and recreational potential of the Bears Ears region," said Lisa Pike Sheehy, Patagonia's VP of Environmental Activism, a Ventura, California-based company with a retail store in Salt Lake City. "The Utah legislature is clearly out of touch with its citizens by opposing national monument designation for Bears Ears and we are deeply disappointed by today's actions."

"Once again the Utah State Legislature clearly demonstrates they are not representing the Citizens of Utah who have decidedly come out in favor of the Bears Ears National Monument proposal. The Utah Legislature's actions beyond a doubt show they are representing the private interests of a few individuals and corporations above the overwhelmingly majority," said Kevin Boyle President and Founder of KUHL, a Salt Lake City-based apparel manufacturer.

Supporter: Patagonia, Inc.

Defined by the Line: The Fight to Protect Bears Ears

Josh Ewing began visiting the Bears Ears region of southeastern Utah to climb at Indian Creek and explore the local archaeology. But when he moved to the town of Bluff, he saw degradation from oil drilling, looting, and careless visitors. Ewing knew simply loving a place was no longer enough.

Why I Live Where I Live

By Josh Ewing

"Yucca sandals," I say to myself. "How'd they do this move in yucca sandals?"

The sandstone wall below me plunges 500 feet to the canyon bottom. To my right, I see a "moki step" pecked in the rock 800 years before. But the move to get my toe on that foothold is a legitimate boulder problem with no margin for error.

"I should have gone climbing," I mutter to myself.

Even on the wild, sandy towers of the area, I would have at least had a rope. Here, such safety devices are illegal; no climbing equipment can be used to get to archaeological sites.

Somehow, I convince myself I can reverse this move safely. Smearing my sticky rubber on a less-vertical portion of the wall, I execute a very awkward mantle, just barely reaching the moki step with my right foot.

Sixty seconds later, I'm safely standing on a 30-foot-wide ledge, and I whisper a quiet message to the spirits of the place, expressing my intention to visit with respect. I admire a row of ancient structures arrayed across the ledge in front of me. Pottery fragments litter the sandstone porch. And the view . . . those ancient climbers sure picked a picturesque spot, with the junction of three different red-rock canyons out their front door. A quiet stream trickles in the canyon bottom, passing a 400 foot high unclimbed spire.

After softly exploring the ledge, leaving everything in its place, I sit down in front of the largest structure, feeling the warmth of the sun-heated sandstone contrast with the cool November air.

This is why I do what I do and live where I live.

In 2012, my wife and I moved to Bluff, Utah – population 250. I was burned out from my high-stress job in corporate communications. I was also tired of the long drive from Salt Lake City to climb at Indian Creek, put up new routes in the remote canyons, or explore the archaeology of Cedar Mesa.

Work colleagues shook their heads as I walked away from a six-figure salary. My family thought I was crazy to move my city-girl wife to the middle of nowhere. Climbing friends just laughed at the prospect of having to make a 2.5 hour round trip to Colorado just to get full strength beer.

Yes, we miss friends, climbing partners, and the comforts of the city. But, we've been richly rewarded by our decision. The sense of community in a small town is very powerful. Life is far less complicated. And, you sure can't beat the amazing public lands in our back yard.

From my desert-rat climber perspective, the Bears Ears landscape of southeast Utah has everything I could want. Who wouldn't want their "home crag" to be the perfection of Indian Creek? Plus, there's plenty of adventure to be had on desert classics like Texas Tower and the spires in Valley of the Gods. I have a life-long list of potential first ascents to be done to scratch my itch for rowdy climbing and unclimbed summits. And, perhaps most intriguing is the deep connection I feel to the ancient climbers of the area who built dwellings high on the cliffs and used moki steps to ascend sheer walls.

Not long after arriving in the Four Corners area, I was drafted to become the executive director of a small non-profit that provides stewardship for the public lands in San Juan County, with a particular focus on Cedar Mesa.

Now, I spend about every waking hour fighting grave robbers and looters, organizing service projects, working with the BLM to improve management, and educating hikers about how to visit archaeological sites with respect. I'm learning all about public lands policy and bureaucratic process so we can do practical things like protect access for recreation and require more responsible oil and gas development.

On top of all that, we're working collaboratively with Native American leaders, local people, and conservationists from around the nation on a campaign to protect Cedar Mesa and the larger Bears Ears region. In the next two years, we're aiming for a protective designation, such as a National Conservation Area or even a National Monument.

The Bears Ears landscape stands as a place all Americans can support preserving for future generations, but climbers should take a particular interest in this effort. Our voices are needed to help preserve a proud climbing heritage started thousands of years ago by people who made a life among these sandstone walls, and must have loved this landscape as much as we do today.

Josh Ewing is Executive Director of Friends of Cedar Mesa. His obsessions include climbing, archaeology, and now, landscape photography.

Video about Josh Ewing is on Patagonia's website.

Why Bears Ears is Sacred to the Diné

by Willie Grayeyes

A local Navajo woman and Bears Ears supporter cooked vats of mutton stew, made piles of fry bread, and we all listened to stories at the Mexican Water Chapter House and heard again why the Bears Ears landscape is so important to the people.

We listened to stories about Headman Manuelito. He was born at the "Bears Ears" that sit atop the deep and convoluted red rock canyons above the Colorado River. We know these places as Dark Canyon, White Canyon, and Cedar Mesa today, but Native people have been hunting, gathering and occupying these vast, wild landscapes for millennia. Diné call this area "Náhonidzó," or "the escaping place." Manuelito guided hundreds of Navajo into this maze-like refuge to save them from the Long Walk of 1864, when Navajos were forced by the U.S. army to march from Arizona and Utah into a new reservation in New Mexico. Those who stayed in hiding in these canyons were spared the trauma and death of the Long Walk. Diné were allowed to return home in 1868 and Utah Navajo People joined them to re-occupy what is now the Navajo reservation.

Even today raids continue as pothunters remove Native American cultural objects from these public lands despite legal prohibitions and requests from Tribes that these sites be left undisturbed. The looting of Ancestral Puebloan ruins and gravesites goes on because there is little monitoring or enforcement across this large landscape. The Antiquities Act was designed to set aside important heritage sites by presidential proclamation like the sacred landscapes in southeastern Utah. Tribes are asking that Bears Ears be protected whether it be done legislatively through Congress or through the use of the President's pen. The important thing is that these treasures, as well as plants and wildlife, be secured for future generations.

After finishing his fry bread, Joe Tree told us a story about a sacred site. He grew up in Westwater, Utah, just twenty miles east of the Bears Ears buttes. At the age of seven he and his friends used to climb into the dwellings. There were two buildings, perfectly intact despite their age each with multiple chambers. The ancient pinyon ladders still leaned against the canyon walls. Joe recalls climbing up and into the low entrance with the other kids and marveling at the treasures inside. The floors he remembered were buried in ten inches of wheat chaff that had blown in from the agricultural fields. In the second chamber of one dwelling, Joe found small ceramic jars filled with arrowheads of different shapes and sizes.

The next room beyond held large pottery vases filled to the top with different colors of corn kernels. One pot held yellow corn, another blue, and two more were filled with indian (multi-color) corn. Even as a child, Joe was struck by the power of the objects that surrounded him and by the ancient ones whose spirits were still alive in this place.

In 1968, Joe Tree returned home from Vietnam and visited the Moki ruins where he played as a child. He found the walls had been knocked down and lay in a pile at the bottom of the cliff. Every sacred object he remembers admiring as a child had been stolen. Neighbors told Joe that the white people did it. They came in a truck late at night from across the wash and stole everything. They even knew who it was, but could do nothing.

There are practical and spiritual reasons for people going to visit the land we call "the escaping place." Bears Ears represents our way of life, our spirituality, our language, our culture, and our entire future

Willie Grayeyes, Chairman, Board of Trustees, Utah Diné Bikéyah.

Supporter: State Representative Rebecca Chavez-Houck

Retweeted: Salt Lake City Tribune editorial

Article Title: Editorial: Obama should create a Bears Ears National Monument

April 23, 2016 (published and retweeted)

This article is produced in full in the Other section of the binder.

Rebecca Chavez-Houck Retweeted

 **Salt Lake Tribune** @sltrib · Apr 23

Editorial: Obama should create a Bears Ears National Monument



Editorial: Obama should create a Bears Ears National Monument
Just about everyone who spoke at Wednesday's meeting of the Utah Commission for the Stewardship of Public Lands was arguing for Preside...
sltrib.com

← 14 ❤️ 31 ...

Supporter: Utah State Senator Jim Dabakis (D-UT-2)

Op Ed: Protect Bears Ears, Obama, because Utah leaders won't

By: Jim Debakis

April 9, 2016

I just returned from meetings in Washington, D.C. It is evident that Utah's governor and the entire GOP delegation have been whispering a shameful campaign of disinformation about the historic proposal to protect Bears Ears.

Last July, leaders from five tribes (Hopi, Navajo Nation, Ute Mountain Ute, Pueblo of Zuni and Ute Indian) founded the Bears Ears Inter-Tribal Coalition, representing a historic consortium of sovereign tribal nations united in the effort to conserve the Bears Ears cultural landscape. A total of 26 tribes have expressed strong support. Native American peoples are also seeking active engagement in future management of the area.

The 1.9 million acres of land, some of the most rugged and beautiful in America, is all in San Juan County. It also has an astonishing 100,000-plus archaeological sites.

Shamefully, Utah's GOP elected officials seem to see this sacred land as one big fossil fuel and mineral extraction feeding trough. These politicians are adamantly opposed to ideas that are not rooted in giving top priority to the 19th century economy of coal, fossil fuels and mineral extraction.

The electeds are determined to pick winners and losers. Following the Soviet model, they boldly march in with your money where leery venture capital refuses to go, often to the benefit of their out-of-state, international corporate friends.

For example, the recent decision by the Legislature and governor to throw \$53 million in state dollars into a private developer's fanciful project to build a coal-exporting port in Oakland, Calif.

There is serious talk about doubling down on dumb with an additional \$100 million in public money to build a railroad spur to get this coal to their yet to be built Oakland port.

Isn't it obvious that the future lies not in 19th century coal and extractions but rather in the world's biggest growth industry, tourism? Instead of handing out hundreds of millions in welfare to huge corporations, Utah should recognize the 21st century's gold is in ecologically friendly backpacking, boating, climbing, cycling, fishing, hiking, mountain biking, sensible OHV/off road and geocaching. Utah's sensible future is as the world leader is in outdoor recreation, not with polluting, cyclical fossil-fuel commodities.

Envision planes from Asia and Europe landing every day in St. George and Moab, bringing the world to see the most magnificent places on earth. Right now, Utah does not have the infrastructure to handle a serious step-up in tourism and outdoor recreation.

Building that in a green way should be a top state economic development priority. Protecting Bears Ears and getting facilities and the underlying framework to host tourists in an ecological way work hand-in-hand in creating a bustling economy for Utah's next 100 years.

The state is all talk about caring about parks and outdoor recreation. While there seems to be plenty of bucks for their fossil fuel projects, state funding for our magnificent 43 state parks has gone from a paltry \$12 million in 2008 to \$4 million in 2015. That is shameful. Imagine the neglect if they got their hands on 31 million acres of public land?

Because so many Utah GOP elected officials love billboards along scenic byways and have yet to meet a fossil-fuel corporation that they don't love and want to hug, I urge you to contact the president, and, as a Utahn, ask him with the stroke of a pen to save precious Bears Ears. We certainly cannot depend on the governor, the Legislature and the Utah D.C. delegation to do it.

Jim Dabakis is a Democratic state senator representing Salt Lake City.

Supporters: Gene Davis, Utah State Senator (D-UT-3); Jani Iwamoto, Utah State Senator (D-UT-4); Karen Mayne, Utah State Senator (D-UT-5)

Editorial: Lawmakers Pass Resolution Opposing a Bears Ears Monument

Published by *Today in Utah Policy*

By: **Bob Bernick**

May 18, 2016

Utah State Capitol 23To the surprise of none, by overwhelming votes Wednesday night, the Utah Legislature passed a resolution asking Democratic President Barack Obama not to designate any new national monuments in Utah.

Most especially, Republican legislators – and GOP Gov. Gary Herbert – don't want a 1.9 million-acre monument in San Juan County.

Lawmakers also restored \$4.7 million in various education budget items that Herbert vetoed earlier this year.

But the education money wasn't controversial.

The Bears Ears was, with a just-released UtahPolicy poll on the issue much the talk Wednesday evening in Capitol hallways.

Herbert told UtahPolicy Wednesday, in a quick hallway interview, that he doesn't know if sending Obama a resolution will change anything – although he hopes it may.

Herbert believes working with the Obama administration, Congress and state officials, a "win-win" situation can be found, with Bears Ears becoming a BLM-type conservation district, not a national monument.

More than a few GOP lawmakers believe the resolution may be important in an upcoming court action.

Rep. Ken Ivory, R-West Jordan, said he believes Obama will not only create the Bears Ears National Monument but maybe one or two more monuments in Utah before he leaves office early next year.

"What are we going to do when this happens?" asked Ivory in House floor debate.

Sue in federal courts, said several House Republicans, including Rep. Keven Stratton, R-Orem, sponsor of HCR201.

It was a partisan vote: Only Rep. Brad King, D-Price, voted for it among the House Democrats (he has southern Utah constituents); all Republicans voted for it. All Senate Democrats voted against it (all Democratic senators come from Salt Lake County); all Senate Republicans for it.

Speaking about the new UPD poll results showing only 17 percent of Utahns favor the Bears Ears National Monument, Herbert said he doesn't know if polls and the resolution passed Wednesday will make much difference in D.C.

He said he doesn't want a confrontation with the Obama administration, but Utahns need to have their feelings known.

"Hey, done right, we can have it all" – both sides can win. And ultimately, said Herbert, the president's public land/conservation legacy can be even more enhanced by passing U.S. Rep. Rob Bishop's PLI bill than by Obama creating a Bears Ears National Monument all on his own.

"We can have stream protection, all kinds of things" can be done in the PLI that can't be done just in a national monument, Herbert said.

Plus, there are around 18 million acres dealt with in the Bishop bill, not just 1.8 or 1.9 million acres in the Bears Ears.

"This national monument down there is a new idea – just came up in the last few years. I've been dealing with land issues since 1995. We don't need to rush into" a national monument designation. Haste is never best, Herbert said.

"The president's (conservation) legacy can be much broader than just Bears Ears. It can be a win-win situation for everyone" with just a little time and effort put into it all, Herbert added.

Sen. Jim Dabakis, D-Salt Lake, said passing the resolution and "sticking it under" Obama's nose will actually ensure he will create Bears Ears. "It will be red meat" to the president.

Obama will "put this in the trash," said Senate Minority Leader Gene Davis, D-Salt Lake, talking about the resolution passed Wednesday.

Telling Obama had to get Utah legislative approval before he could create a national monument – as the resolution calls for – is an insult to the president, Davis added.

Rep. LaVar Christensen, R-Draper, was successful in getting House Republicans to amend Stratton's resolution to instruct Utah Attorney General Sean Reyes to prepare for a lawsuit against Bears Ears or any other Utah monument designation coming from Obama.

At one point Christensen amended the bill to say the 1906 Antiquities Act gave Obama (or any president) "alleged" powers of creating a monument.

And as Rep. Mike Noel, R-Kanab, a leader in fighting the BLM and southern Utah federal land officials, went on and on over keeping "alleged" in the resolution (House members took it out), House Majority

Leader Jim Dunnigan actually called for a “point of order” to stop Noel from talking – rarely do you see a GOP leader so correct one of his caucus members on the floor.

There was also a House fight over which native Americans, especially Navajos, oppose Bears Ears Monument and which support it.

“We’re getting transgender bathrooms (for school children, another Obama issue),” said Ivory in an open GOP House caucus. “And we’re getting Bears Ears.”

Still, the question, said several GOP legislators, is how to fight in court what Obama is bringing.

If Obama creates a national monument in Utah, a court fight is clearly coming.

Supporter: State Senator Joel Briscoe

Published by: The Salt Lake Tribune

Lawmakers say tribal support for Bears Ears monument is a 'charade'

By: Brian Maffly

Commission co-Chairman Rep. Keven Stratton of Orem said the commission would take up the Antiquities Act resolution at a later meeting, but after Bears Ears backers left, he put the resolution out for a vote with party-line results. The resolutions are identical to two that Stratton sponsored last session and died in the Senate.

"The [Antiquities Act] resolution has nothing to do with who can speak on [the Bears Ears] issue. It is the spirit of cooperation and working together with the federal legislative and executive branch. This resolution does not have anything to do with whether or not we need to protect Bears Ears or any other area. It is clear we want to do things that are right to protect and preserve the treasures that we have," Stratton said.

The resolution got a strong endorsement from Gov. Gary Herbert, who added the bill to the agenda for a May 18 special legislative session and argued it was "absolutely irresponsible" for Obama to consider a monument without input from Utahns.

"I am asking every member of the Utah State Legislature to go on record and join me in expressing our opposition to another unilateral national monument within the state," he said in a statement. "I call on President Obama to adhere to the commitments made by his staff and engage directly with Utah's elected officials and the general public on any proposed national monument in the state of Utah."

The commission's two Democrats, already angered by the co-chairs' refusal to allow them to question the commission's outside legal advisers, blasted both resolutions, saying they are meaningless and would waste taxpayer money on dead-end lawsuits.

"This is a political game," said Rep. Joel Briscoe of Salt Lake City. "These commission meetings are often set shows. They are carefully orchestrated with particular groups to reinforce a point of view, and they don't have the ethos to conduct a full inquiry into an issue. You saw that today."

Supporter: State Representative Brian King

Published by: Houston Chronicle

Utah lawmakers again decry possible Bears Ears monument

By: Michelle Price

May 18, 2016

This article is produced in full in the Individual section of the binder.

See Leonardo DiCaprio.

Supporter: State Representative Angela Romero

Published by: Deseret News

Utah lawmakers pass resolution against proposed Bears Ears national monument

By: Lisa Riley Roche, Dennis Romboy

May 18, 2016

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Supporter: State Senator Luz Escamilla

Published by: Utah Policy

Lawmakers pass resolution opposing a Bears Ears Monument

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May 18, 2016

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Supporter: Bruce Babbitt

Published by: The Los Angeles Times

Op Ed: It's Time for Obama to make Bears Ears in Utah a National Monument

By: Bruce Babbitt

January 21, 2016

Out west, there's a group proposing alternative ways of managing federal lands. It isn't the one occupying that wildlife refuge in Oregon; it's a coalition of Native American tribes that has proposed a new type of national monument in southern Utah.

Navajo, Hopi, Ute and Zuni tribal members — the original occupants of this region — are seeking, in their words, “to work constructively and respectfully with the Federal agencies” to protect nearly 2 million acres of their ancestral lands.

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Across the centuries native groups have left evidence of their occupancy in the remains of thousands of stone villages, cliff dwellings, hogans, pit houses and granaries. In recent decades an increasing number of visitors have been drawn to the spectacular landscape in this remote corner of Utah, east of the Colorado River and south of Canyonlands National Park. The region also has attracted vandals intent on grave robbing and looting these prehistoric sites. Miners and ranchers have at times denied tribes access to sacred sites and areas for gathering medicinal herbs and plants.

Tribal leaders are not demanding return of these ancestral lands. They acknowledge that public lands are part of our national patrimony, and should be held in perpetuity for the use and enjoyment of all Americans.

The tribes are, however, seeking a larger role in the protection of their sacred sites and access to places of ceremonial importance. Management of the land, they contend, should incorporate traditional knowledge and respect for the spiritual values inherent in the natural world. In the words of a Ute tribal member, Malcolm Lehi, “We can still hear the songs and prayers of our ancestors on every mesa and in every canyon.

For nearly five years tribal representatives met with local residents, state officials and congressman Rob Bishop, a Utah Republican who claimed to be drafting consensus land-use legislation that would address their concerns. Talks failed to reach agreement.

So in October the tribes submitted a petition to President Obama, requesting he designate this area a national monument using his authority under the Antiquities Act. It would be called Bears Ears after a distinctive landform rising above Cedar Mesa in the center of the region.

It's a new model of national monument, however, that the tribes are proposing. Lands currently controlled mainly by the Bureau of Land Management, but also including some held by the Forest Service and the National Park Service, would be jointly administered by a partnership between the tribes and the federal agencies.

The secretaries of the Interior and Agriculture would retain final decision-making authority in the event that management issues could not be worked out at the ground level. Differences would be subject to mediation before final decision by the secretaries. All existing uses and vested rights, including the grazing rights held by local ranchers, would be recognized and protected.

Bishop and the rest of the Utah congressional delegation voiced opposition to the tribal proposal right away. And Wednesday, Bishop finally released a draft of his land-use bill, which would clear the way for accelerated oil and gas leasing and road development.

The Bishop bill then drops a poison pill, by means of a "gag rule" so unusual that it is without precedent in land management legislation. It stipulates that federal agencies cannot consider or take into account any tribal recommendation that has not been endorsed in advance by either the state of Utah or a local county commission.

Bishop's legislation is a disappointing conclusion after five years of negotiations. Native Americans will certainly see it as a diversionary tactic, designed to forestall a monument declaration by the president.

The next move is Obama's. To be sure, he should request and consider responses and suggestions from all sides on the tribes' national monument proposal. He can shape or modify it on many points relating to boundaries, preparation of management plans, dispute resolution and the roles the Forest Service, the National Park Service and the Bureau of Land Management will play.

But these issues of enhanced land and cultural protection have festered long enough in Utah. The president should resolve them now by creating Bears Ears National Monument.

Bruce Babbitt was secretary of the Department of the Interior from 1993 to 2001.

Supporter: Kevin T. Jones

Published by: The Salt Lake Tribune

Op-Ed: Protect Bears Ears before the grave robbers have taken it all

By: Kevin T. Jones

May 7, 2016

I had been told of an alcove that held a small, sheltered archaeological site up a canyon west of Blanding, Utah. One morning I hiked up the bottom of the wash, scrambling over tumbled boulders and slogging through loose sandy gravel in the dry creekbed. Brightening light showed that the canyon widened just ahead, and as I rounded an angular, upturned boulder, the ceiling of an alcove arched above me. I had reached the site.

Images of what appeared to be bighorn sheep pecked into the sandstone seemed to frolic and dance. A crumbling portion of an ancient wall butted against the cliff and came straight out, the only remnant of a former room. And just below the wall, undercutting it, contributing to its ongoing demise, was a gaping wound, a ragged hole torn from the quiet strata that made up this ancient site. Looters had been here. Vandals, thieves, pillagers and plunderers had ripped pieces of the past from this peaceful place. I walked to the edge of the pit, the size of an ATV, and fell to my knees.

Sand grains cascaded down the sloping edges of the hole in miniature landslides. Stones, flecks of charcoal, pockets of powdery ash and clumps of hardened clay protruded from the sides of the crudely excavated gash. Clinging to a small juniper twig was a short length of z-twist cordage, an ancient piece of string. A flake of pink chert, sharp as a knife, lay near the bottom of the hole, evidence of long ago toolmaking. A pointed sliver of calcined bone, probably from a rabbit, stuck straight up from a clump of ash. A bit of a corncob protruded from the side of the hole, and just beneath it a flash of orange caught my eye — a fragment of a feather, with a tiny knot of cordage clinging to its shaft.

And then I saw it. A tiny bone, not much bigger than a small paper clip. I drew in my breath, wondering. And next to it, others, and I knew. Wrist and finger bones. The bones from a person's hand. A small person. A child's hand. The looters had dug into a grave. A child's grave. The place where years ago a family had placed the body of their dear child, perhaps with some special, meaningful family heirlooms to accompany her, to keep her safe. And now thieves had dug her up and stolen from her. Desecrated her. Sadness darkened the entire canyon.

Who was this child? Does anyone remember her? Is her existence completely forgotten? Are the offerings her family placed with her at the end of her short life displayed in someone's living room? This beloved child deserves more than to have her bones scattered by looters lusting for some ancient goodie to show others, or to sell for a pittance.

Looting is a regular occurrence in the Bears Ears region and, according to archaeologists who patrol the area, is on the increase. First protected by the Antiquities Act and later by other statutes, heritage resources lure the lowest of thieves, the worst kinds of profit-seekers — grave robbers. Without increased protection and rigorous pursuit and prosecution of looters and collectors, the legacy of the ancient ones, the heritage of today's tribal people, will be shamelessly destroyed.

Utah's First District Rep. Rob Bishop hates the Antiquities Act and has stated that all who support it should die. He and his colleagues demean the motives of tribes that seek to protect the Bears Ears. They vilify those who wish to protect this unique and immensely beautiful region. They see antiquities as an impediment to development and profiteering, and turn a blind eye to grave robbing and looting.

Unlike their representatives, Utahns support protection and preservation of ancient places. Because of that, I add my voice to the chorus of tribes and citizens imploring President Obama to use his authority under the Antiquities Act to create the Bears Ears National Monument and stop the hateful, purposeful destruction of this anointed place.

Kevin T. Jones is the former state archaeologist of Utah. He lives in Salt Lake City.

Supporters: Walt Dabney, Steve Martin

Published by: The Denver Post

Guest Commentary: Make Bears Ears a national monument

By: Walt Dabney, Steve Martin

November 24, 2015

Anyone who has watched the sun rise over a red mesa in the West, happened upon a thousand-year-old petroglyph, or been deeply inspired by Escalante National Monument, Canyonlands National Park, or any of the vast natural and cultural landscapes between should support the new proposal to establish a Bears Ears National Monument.

This proposal is equally vital for those who have only dreamed of such places, but hope to experience them someday. Bears Ears National Monument would be created in the heart of the Colorado Plateau, cooperatively managed with a coalition of Native American tribes, protecting one of the most remarkable landscapes in the world.

A coalition of five Native American tribes has asked President Obama to establish the 1.9 million-acre Bears Ears National Monument, the first tribally led national monument effort in the 109-year history of the Antiquities Act. These tribes — the Ute Mountain Ute, Uintah and Ouray Ute, Hopi, Navajo and Zuni nations — trace their ancestry to these lands. The proposed monument holds a continuous record of their presence, evidenced by petroglyphs and pictographs, archaic villages, ancient trails and burial grounds. This landscape is essential for maintaining their deep relationship with the earth, and is significant and important to all Americans.

Tribal members are deeply injured when the land that has sustained them and their cultural sites are mistreated. And, although each of these tribes has a unique history, they stand together in their belief that this proposal to protect these lands can heal such injuries — not only for their own tribal members — but for all people and the collective human spirit.

This proposal accomplishes conservation efforts that have been advanced for many years. In the early 1930s, Secretary of the Interior Harold Ickes proposed Escalante National Monument, to span 4.5 million acres, including parts of modern-day Canyonlands and Capitol Reef National Parks, Natural Bridges and Grand Staircase-Escalante National Monuments and Glen Canyon National Recreation Area. The

proposal lost momentum when World War II began. Over time, pieces of that original idea were realized in those smaller parks, but the current designations leave crucial areas unprotected.

In particular, Canyonlands National Park has long been recognized as incomplete. The original Canyonlands designation included 1 million acres. The final boundary was whittled down to the park's current area of 334,000 acres.

Imagine protecting one side of the Grand Canyon, but allowing oil, gas and unrestricted development on the other side, across the Colorado River. Canyonlands National Park is a third of the size it should be to safeguard the ecologically and hydrologically contiguous Canyonlands Basin. The Bears Ears proposal would protect Canyonlands.

We enthusiastically support both the proposal and the designation of Native American tribes as collaborative managers of a national monument where they have been present for time immemorial. The Bears Ears National Monument proposal is unprecedented in its recognition of the importance of tribal involvement. It presents a new model, where tribal representatives and federal land managers will work side by side to manage land for the benefit of all Americans. It has global importance as a model for eradicating inequalities in the management of culturally significant lands.

In pursuing a monument designation of this magnitude and significance, the coalition is aligning itself with the expansive vision of Theodore Roosevelt when he signed the Antiquities Act into law in 1906. Roosevelt used the Act broadly to preserve the nation's cultural and natural treasures including places like Grand Canyon National Park. It is time to add Bears Ears National Monument to this illustrious legacy.

Walt Dabney is a former superintendent of Canyonlands and Arches National Parks. Steve Martin is a former superintendent of Grand Canyon National Park, as well as Denali, Grand Teton and Gates of the Arctic National Parks.

Supporter: Stephen Trimble

Published by: High Country News

To save their homeland, 25 tribes unite in the Southwest

By: Stephen Trimble

February 17, 2016

Native peoples in the Southwest take the long view. They have lived in the redrock canyons of the Colorado Plateau for 12,000 years and have shown astonishing resilience in the face of devastating change in the last 500 years. Now, they bring this ancestral perspective to the management of public lands in the canyons and mesas of southern Utah.

For the first time in conservation history, the primary advocates for a new national monument are the tribes themselves. This historic Native coalition is trying to protect the wildlands that sweep southward from Canyonlands National Park toward the Navajo Nation.

The tribes' allies include travelers, hikers, and river-runners who don't want to see oil rigs and endless networks of off-road vehicle tracks here. But the visitors who gaze awestruck across the buttes of Greater Canyonlands, who boat through the canyons of the San Juan River, and who stand enthralled by rock art and cliff dwellings on Cedar Mesa, may not realize how deeply all of these lands matter in the daily lives of Native people.

The tribes worked for six years with Utah congressmen to find common ground. Native people sought joint stewardship of this landscape. In January, however, when Rep. Rob Bishop, Republican of Utah, revealed the details of a Public Lands Initiative he touted as a grand compromise, the tribes found his draft "woefully inadequate in addressing our needs in the areas of collaborative management and land preservation."

For the Bears Ears Coalition, the unacceptable language in Bishop's proposal confirmed the "inequitable treatment of tribes over the past three years and our need to seek other means of protecting the living cultural landscape we call Bears Ears." The development proposals in Bishop's Initiative have led coalition members to focus on President Obama, who could use the Antiquities Act to proclaim a Bears Ears National Monument in southern Utah.

Led by the Navajo, Ute Mountain, Hopi, Zuni, and Uintah and Ouray Ute nations, a coalition of 25 tribes has asked the president to preserve 1.9 million acres of public lands surrounding the Bears Ears buttes. The Intertribal Coalition proposes co-management of this monument through an eight-member commission. One person would come from each tribe, and one representative could come from each federal agency that manages land within the boundaries – the National Park Service, Forest Service and Bureau of Land Management.

The Native leaders emphasize community over commodity. As Eric Descheenie, Navajo co-chair of the Bears Ears Coalition, says, this land is a “who,” not a “what” or a “that.” It is a living land that Native people “relate to in a religious way,” loving the Bears Ears no differently than they would a family member. He emphasizes this “indigenous truth” as the foundation for all discussions about “healing, a people’s movement, and collaborative management.”

Hopi Tribal Vice Chairman Alfred Lomahquahu Jr. calls this new approach a breakthrough for Native Americans. He sees it as a return to the original intent of the Antiquities Act and an approach that could serve as a template for national monuments elsewhere in the country. Co-management creates a new “tool of self-determination and sovereignty to benefit the tribes,” he said.

This extraordinary landscape deserves protection for all the reasons that we typically think of as imperatives — its ecological and wilderness values, all of which are threatened by destructive oil and gas development. Cedar Mesa, in the heart of the Bears Ears proposal, shelters more than 56,000 cultural sites that reach more than 12,000 years into the past. This unbroken cultural record makes this remote corner of southeastern Utah among the richest archaeological districts in the United States. Yet Bears Ears, the nation’s most significant unprotected cultural resource, is also starkly threatened today by vandals who ransack prehistoric graves.

For all of these reasons, the Bears Ear coalition has urged the president to act. By elevating these lands to national monument status, we protect canyons actively consecrated and blessed by Native prayers and preserve living libraries of indigenous traditional knowledge. All of us, Indian and non-Indian, would benefit as we come to know and participate in these sacred landscapes.

As Willie Grayeyes of the Bears Ears Coalition puts it, the new monument would help us “come to the table of equality.” This historic Native vision of reconciliation and healing nourishes us all, and I hope the president acts boldly in response.

Stephen Trimble is a contributor to Writers on the Range, an opinion service of High Country News. He teaches writing at the University of Utah Honors College and is the author and photographer of The People: Indians of the American Southwest.

Supporter: Kevin K. Washburn

Published by: Albuquerque Journal

Cedar Mesa land proposal good for all

By: Kevin K. Washburn

February 17, 2016

Just on the other side of the Four Corners, in Utah's San Juan County, there is an area known as Cedar Mesa, an amazing plateau that rises to 6,500 feet. It is the site of deep canyons and red rocks.

Just to the north is a strikingly beautiful feature that rises to nearly 9,000 feet called the Bears Ears, so named for the silhouette it produces when viewed from the south.

On Bears Ears are high-altitude forests filled with quaking aspens, tall pines and wild game of all sorts. Surrounding Cedar Mesa and Bears Ears is a landscape with more than 100,000 petroglyphs and numerous ancient Indian dwellings, proving that this land has been visited by Indian tribes, and their predecessors, for thousands of years.

The area is also a dream location for hikers, campers and hunters and other visitors to the public lands.

A coalition of tribes, led by the Hopi and the Navajo, and including the Utes of Colorado and Utah and several of New Mexico's pueblos have asked President Obama to use the Antiquities Act to declare this landscape a national monument to be protected alongside other nearby national treasures, such as Arches, Canyonlands, Bryce Canyon and Zion National Parks. Their request has been joined by national and regional conservation groups.

Protecting this sort of resource is precisely the reason Congress gave presidents this power in the Antiquities Act in 1906.

President Teddy Roosevelt used the law to protect New Mexico's own Chaco Canyon and Gila Cliff Dwellings as well as the Grand Canyon before it became a national park. All of these are national treasures.

The truth is that it would not be economically costly to protect Bears Ears. This area remains undeveloped largely because it has never been viewed as having especially rich mineral resources. Though the archeological resources don't have a measurable price tag like coal, oil and gas, many people agree that the archeology is far richer than any mineral resources that could be extracted. And the ancient art needs much stronger protection from looters.

In addition to approaching the White House for a national monument, interested citizens of the region have also encouraged congressmen Rob Bishop and Jason Chaffetz, both Utah Republicans, to develop legislation to protect the area. Tribes have been outspoken about the need for management of this land

and have expressed frustration that both congressmen have seemed to ignore tribal concerns and have refused to engage with tribes even when they sat in the same room.

After much foot-dragging, Bishop and Chaffetz last month finally released a public land initiative for this area that is focused more on facilitating mineral development and less on protecting archeological resources.

Bishop, who chairs the House Natural Resources Committee, has bristled at criticism from tribes. To punish the Ute Indian Tribe of the Uintah and Ouray Reservation for expressing past frustrations, Bishop has proposed to transfer thousands of acres of federal land within the tribe's Uncompahgre Reservation to the State of Utah in exchange for state lands outside the reservation. His stated purpose was to consolidate within the reservation the scattered parcels of state land held for the state education trust fund to facilitate mineral development and "maximize revenue for Utah's schoolkids."

Of all the federal land that exists throughout Utah, Bishop's decision to focus the consolidation effort on taking the land within the Ute Indian reservation is diabolically genius. It pits the Indian tribe against schoolchildren. Let's hope that our own congressional delegation opposes Bishop's cynical and vindictive strategy.

The fact is, all of us must compromise on the use and protection of federal public lands and resources. If partisan members of Congress are more interested in being vindictive than developing real negotiations, then the White House may have no choice but to lead the effort to develop a sensible plan

President Obama has angered the left for allowing drilling in the Arctic Ocean and angered conservatives – and even Indian tribes – for attempting to reduce our nation's reliance on coal-fired power. The president knows how to hear from all of the constituents and make hard but fair decisions. Bears Ears should be protected.

Kevin Washburn is a law professor at the University of New Mexico.

Supporter: David Roberts

Published by: The New York Times

Saving What's Left of Utah's Lost World

By: David Roberts

April 11, 2015

ST. GEORGE, Utah — CEDAR MESA is one of the most sublime and culturally evocative landscapes on Earth. Since 1987, I've made more than 60 trips to that outback in southeastern Utah, hiking, camping and backpacking on forays lasting as long as 10 days. Nowhere else in the Southwest can you find unrestored ruins and artifacts left in situ in such prodigal abundance. And though roughly 75,000 enthusiasts visit Cedar Mesa each year, that's a drop in the bucket compared with the four and a half million who throng the Grand Canyon. By wending my way into the more obscure corners of the labyrinth, I've gone days in a row without running into another hiker, and I've visited sites that I'm pretty sure very few or even no other Anglos have seen.

Hiking through such slick-rock gorges as Grand Gulch, Fish, Owl and Slickhorn Canyons would immerse the wanderer in breathtaking scenery in its own right, even if those places were devoid of prehistoric human presence. But to stand beneath the dwellings, kivas and granaries of the Ancestral Puebloans, as well as the hogans in which Navajos once lived, and to stare at hallucinatory panels of rock art engraved and painted on the cliffs as long as thousands of years ago, is to plunge into a spiritual communion with the ancients, even if the meanings of those sites and panels lie in the limbo of the lost.

What's still there may soon be lost, as well. Cedar Mesa embraces tens of thousands of archaeological sites that chronicle a 13,000-year history, from Paleo-Indian times until the late 19th century. Administered by the woefully understaffed federal Bureau of Land Management, the mesa is hammered every year by rampant looting that a small number of rangers are powerless to stop. The plateau and canyons remain, in the words of Josh Ewing, executive director of the group Friends of Cedar Mesa, "undoubtedly the most significant unprotected archaeological area in the United States."

More ominously, perhaps, the Utah State Legislature has its eye on the roughly 500,000 acres of pinyon and juniper forests and its twisting sandstone canyons.

Last month, Gov. Gary R. Herbert, a Republican, signed a resolution passed by the Republican-controlled Legislature opposing additional protections for Cedar Mesa and another area, the equally pristine San Rafael Swell, and asserting that livestock grazing and energy and mineral extraction could be done in a way that would preserve the area's "scenic and recreational values." Before it was amended, the measure had declared livestock grazing and "environmentally sensitive energy and mineral development" as the "highest and best use" for those two areas.

Utah lawmakers are worried that President Obama might declare both areas national monuments. Such a move would be in the spirit of Theodore Roosevelt, who as president in 1906 signed the Antiquities Act.

The law empowered presidents to create monuments to protect "objects of historic or scientific interest" and, indeed, two years later Roosevelt created Grand Canyon National Monument. It became a national park in 1919. Roosevelt also used the Antiquities Act to reduce out-of-control looting of prehistoric sites, mining, prospecting and land-grabbing throughout the West.

In that same spirit, President Bill Clinton in 1996 created the Grand Staircase-Escalante National Monument in south-central Utah, in part to forestall an extensive coal-mining operation that had been about to start on top of Kaiparowits Plateau.

In last month's resolution, the Utah Legislature urged Congress to amend the Antiquities Act to curtail the president's free hand to declare national monuments.

The bitter antagonism between the United States government and Utah goes all the way back to 1851, when Brigham Young, governor of the newly formed Utah Territory, declared that "any president of the United States who lifts his finger against this people shall die an untimely death and go to hell." Locals and lawmakers deplored the establishment of Arches National Monument — now National Park — in 1929, and Canyonlands National Park in 1964, both now revered as crown jewels of the park system as well as moneymakers for the nearby communities.

Three years ago, Governor Herbert signed a measure that demanded the return of millions of acres of federal lands in Utah (except five national parks, six national monuments and some wilderness areas) to the state. After the federal government ignored Utah's deadline of Dec. 31, 2014, the Legislature set aside \$2 million of taxpayers' money to prepare a lawsuit, as yet not filed, to force a resolution.

That sort of action by the state government was not unexpected. What's more worrisome is that the United States Senate recently voted 51 to 49 on a nonbinding resolution to sell or give away nearly all federal lands: national forests, Bureau of Land Management land, wilderness areas and wildlife refuges — everything except the national parks and monuments. An earlier House resolution called for reducing federal land holdings.

Against this tide, three environmental and cultural lobbying groups — Friends of Cedar Mesa, the Southern Utah Wilderness Alliance and the Navajo Diné Bikéyah — have put forth proposals to protect Cedar Mesa. But this is not just about preserving wilderness.

Native Americans all over the Southwest still have powerful ancestral links to the mesa. Navajos have hidden out on Cedar Mesa at various times since 1863, when many avoided capture by the United States Army under Kit Carson, during the roundup that forced 9,000 Navajos to walk 300 miles to a genocidal concentration camp on the eastern New Mexico plains.

The alliance advocates protecting the wilderness remaining at the heart of the Colorado Plateau in Utah, about 9.5 million acres now under the aegis of the Bureau of Land Management. In 2009 a similar proposal was presented to a subcommittee of the House Committee on Natural Resources.

Utah's entire House delegation opposed it at the time, though Representative Rob Bishop, a Utah Republican and now the chairman of that subcommittee, has been working to strike a deal that would set aside new wilderness areas while also opening up other lands for such activities as oil and gas exploration. Some wilderness advocates say they are guardedly optimistic about this effort.

I wish I were. In the 28 years I've been visiting Cedar Mesa, I've seen too many sites destroyed by looters, too many others trampled by cattle, too many all-terrain-vehicle tracks in remote canyons, and just last year, a new oil rig drilled deep among Ancestral Puebloan sites on Cyclone Flat on the north end of the mesa.

There's a showdown looming. Congress should designate Cedar Mesa a National Conservation Area, which would provide enhanced protections to the area's natural and cultural treasures, but without the fanfare and throngs of visitors that often accompany the creation of new monuments or parks.

But it seems highly unlikely that the Republican-controlled House and Senate would take such a step. President Obama remains the best hope. He should use his authority to set aside Cedar Mesa as a national monument. Doing so would mean more visitors and new regulations, as happened at Grand Staircase-Escalante. But it would also protect the wonders of the ancients and the environment itself for future generations to explore.

David Roberts is the author, most recently, of "The Lost World of the Old Ones: Discoveries in the Ancient Southwest."

Supporter: Susan J. Tweit

Retweeted and Quoted: Salt Lake City Tribune editorial

Article Title: Editorial: Obama should create a Bears Ears National Monument

April 23, 2016, retweeted April 24, 2016

This article is produced in full in the Other section of the binder.



Susan J. Tweit is the author of Walking Nature Home and is a plant biologist.

Supporter: The Salt Lake Tribune

Editorial: Obama should create a Bears Ears National Monument

April 23, 2016

Just about everyone who spoke at Wednesday's meeting of the Utah Commission for the Stewardship of Public Lands was arguing for President Obama to order the creation of a 1.9 million acre Bears Ears National Monument in southeast Utah.

So that is exactly what Obama should do.

Most of the support for the monument proposal came from the overflow audience, which included regular citizens, environmental activists and, most importantly, representatives of Utah Dine Bikeyah and the Bears Ears Inter-Tribal Coalition which is comprised of five tribes including the Hopi, Zuni, Ute Mountain Ute, Uinta-Ouray Ute and the Navajo Nation.

Most of the opposition came from the members of the misnamed commission. But the attitude of commission members who so fiercely stand against the idea was so dismissive, uninformed and short-sighted that they were actually, if inadvertently, making the case for Obama to unsheath the federal Antiquities Act and make a specific preservation plan for the area that is sacred to so many Native Americans, individually and as members of a collection of nations.

The unreasoning devotion to the idea that the Bears Ears region, and the rest of the 31 million acres of federal land within Utah's boundaries ought to belong to the state of Utah or private developers dominates the commission, the Legislature, the office of Gov. Gary Herbert and the narrow wing of the Republican Party that bestrides its caucus and convention system.

That argument might have some practical and ethical standing if there was even a glimmer of understanding shown by state officials that preservation is, in so many cases, in the long-term interests of Utahans, both native and newcomer.

If there was any appreciation of the fact that the Bears Ears area includes thousands of scientifically and culturally significant sites.

If there was any hint that our leaders grasp the fact that decisions made about this and other national monuments, parks and wilderness areas aren't about Utah. They aren't about the few who rule over the many in the Legislature or on the San Juan County Commission. They aren't even really about the United States of America.

They are about natural and cultural heritage and treasures that belong to all humanity. That the United States, by accidents of history and geography, happens to own that land and owns the duty to care for it in ways that make it available, first to the descendants of those who lived there millennia ago, then to the rest of us.

The borders on the white man's maps — counties, states, nations — matter little except to assign responsibilities. They do not convey or imply the right of those who happen to live on one side of some of those borders to covet and exploit these lands for their own short-term political and economic gain.

The president has held off any plans he may have on protecting Bears Ears or any other portions of Utah in deference to the Public Lands Initiative put together by Utah Reps. Rob Bishop and Jason Chaffetz.

But, after years of back and forth, and much outcry from the Navajo and others that their concerns were not heeded, the PLI has yet to be introduced as a bill. If it were put before Congress, there is little indication that, with so much opposition from the tribes and environmental groups from across the nation, it would have a chance to become law.

Thus should Obama end the delay, the bickering and the suspense and create the Bears Ears National Monument.

Supporter: Creation Justice Ministries

Editorial: Both sides jockeying over possible Bears Ears monument designation

Author: Amy Joi O'Donoghue

May 17, 2016

SALT LAKE CITY — The contentious fight over a new monument designation in Utah is picking up more momentum, evidenced Tuesday with the release of a Sutherland Institute video showcasing Navajo tribal members opposed to the proposed Bears Ears National Monument.

A press conference was also held on the front steps of the Utah State Capitol by Bears Ears opponents, one day before Utah lawmakers meet in a special session to consider adoption of a resolution voicing that opposition.

Several Utah Navajo chapter leaders and representatives spoke out adamantly against the proposed 1.9 million-acre monument designation for the Bears Ears area in San Juan County, saying it would threaten sacred ceremonies and their ability to use the land.

"Bears is like a home to us," said Marie Holladay, fighting back tears. "It is home to the Navajo people."

As the controversy continues to build over a possible monument designation, a pro-monument group released poll results Tuesday tapping opinions of 500 registered voters in Utah that show 71 percent of them favor monument creation. The survey was conducted May 11, 12 and 14 and has a margin of error of plus or minus 4.38 percent.

"This poll demonstrates that Utah voters strongly support designating the Bears Ears area as a national monument," said Shantha Ready Alonso, executive director of Creation Justice Ministries. "Voters value protecting cliff dwellings, Mormon pioneer artifacts, and other unique historic sites from looters. They want to continue enjoying recreational activities, conserve wildlife habitat, and provide opportunities for families and children to spend time together and explore nature."

In addition to the short documentary released by the Sutherland Institute's Coalition for Self Government in the West, the coalition's analyst Matt Anderson fired back at the poll done by Creation Justice Ministries, labeling it a "push poll" designed to produce the results it released.

"When the poll asks about the Bears Ears proposal, it pushes the outcome toward a supportive result by painting an image of a national monument where recreation and grazing are protected, which doesn't square with Utah's actual experience with national monuments," Anderson said. "For example, due to federal management practices that conflict with supposedly protected uses of the land, the number of cattle grazing in and around the Grand-Escalante National Monument has dropped dramatically over the last 20 years."

Anderson also criticized the poll because the majority of those surveyed — 68 percent — either said they knew "not much" or "nothing at all" about the Bears Ears National Monument proposal.

"So the key question of the poll is asking people what they think about an issue that they know little or nothing about. How is that valuable to anyone?" Anderson said.

But monument supporters had their own, sharp criticism for Utah's political leaders chaffing against any new designation for San Juan County.

"I guess the takeaway is that because not every single Native American in the state or region supports a Bears Ears National Monument — the support by the Navajo Nation and other tribes is in question and the monument shouldn't happen or if it does happen would be illegitimate," said Steve Bloch, attorney with the Southern Utah Wilderness Alliance, reacting to press conference organized by Rep. Mike Noel, R-Kanab; Rep. Keven Stratton, R-Orem; and Sen. David Hinkins, R-Orangeville.

"By that same token, since not every single Utahn supports the Utah Legislature and its hair-brained hijinks, they are similarly acting beyond their authority and without support," Bloch said.

The Bears Ears Inter-Tribal Coalition — representing five major Native American tribes — has been joined by environmental groups in their push for President Barack Obama to use his authority under the Antiquities Act to designate the new monument in Utah.

Utah Gov. Gary Herbert, the majority of the Utah Legislature, the San Juan County Commission and Utah's congressional delegation are opposed to a monument creation and instead favor protections that would come with the establishment of a National Conservation Area, which isn't as restrictive for land uses.

May 4, 2016

William H. King
Chair, Utah Native Plant Society
1564 S. Wasatch Drive
Salt Lake City, Utah 84108
801-582-0432
mzzzyt@aol.com



President Barack Obama
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

RE: UNPS Support for the proposed Bears Ears National Monument.

Dear Mr. President,

The Bears Ears Inter-Tribal Coalition has written to you requesting the designation of Bears Ears National Monument, San Juan County, Utah under the 1906 Antiquities Act. Their primary reason for the request is to protect some 100,000 archaeological sites as well as sacred lands.

The Utah Native Plant Society (UNPS) Board of Directors has voted on March 31, 2016 to support the designation of Bears Ears as a National Monument. In addition to protecting the 100,000 archeological sites and sacred lands, Bears Ears would make a wonderful reserve, provide additional protection and collaborative management for the many rare plants, animals and fish that live within the proposed National Monument.

There are nearly 900 species of plants within or near the proposed monument borders of which over 100 are on our UNPS Rare Plant List including one Federally listed as a Threatened species, *Carex specuicola*, Navajo Sedge. In addition, there are 7 plant species of high conservation concern and 34 species on our Watch List. See the list below. Additionally, there are more than 50 plant species of medium conservation concern in or near the proposed park borders.

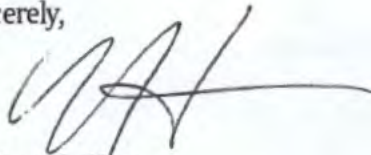
The Department of Natural Resources, State of Utah, in a letter to us dated April 5, 2016 has identified 20 recent records of species of animals and fish that are near or in the borders of the proposed National Monument that they identify as sensitive, species of concern: Allens big-eared bat, American three-toed woodpecker, big tree-tailed bat, bluehead sucker, humpback owl, Colorado pikeminnow, desert night lizard, flamemouth sucker, great plains toad, greater sage-grouse, Gunnison's prairie-dog, northern goshawk, razorback sucker, roundtail chub, southwestern willow flycatcher, spotted bat, spotted owl, Townsend's big-eared bat, Yavapai mountainsnail and yellow-billed cuckoo. They also have a historical record occurrence for common chuckwalla.

The proposed National Monument rises from desert plateaus of 3,700 feet to a nearly alpine level at Abajo Peak of 11,368 feet. There are many underlying geological substrates and unique habitats such as hanging gardens, which sustain diverse and rare species. This is a spectacularly beautiful part of the Western United States, the kind of wide open vistas and endangered habitats that should be preserved for future generations.

The Utah Native Plant Society was formed in 1978 out of a concern for imperiled rare plant species. We operate as a non-profit under IRS section 501(c)3. We have more than 300 members including professional botanists and ecologists, Federal and State agency employees and just plant lovers of all kinds.

Thank you for considering the designation of Bears Ears National Monument.

Sincerely,



William H. King

Utah Native Plant Society Rare Plant List for Proposed Bears Ears National Monument, extracted from:

Calochortiana February, 2016 Number 3 (in process)

Extremely High Priority Species:

Carex specuicola, Navajo Sedge

High Priority Species:

Xylorhiza glaberrimula, Moab wood aster

Lepidium moabense, Moab pepperwort

Astragalus cutleri, Cutler's milkvetch

Sphaeralcea janeae, Jane's globemallow

Aliciella latifolia ssp. *imperialis*, Cataract gilia

Eriogonum racemosum var. *nobilis*, Bluff wild buckwheat

Krascheninnikovia lanata var. *ruinina*, Ruin Park winterfat

Watch List:

Adoxa moschatellina, Moschatel

Oxypolis fendleri, Fendler's cowbane

Arida parviflora, Small-flower aster

Baccharis viminea var. *atwoodii*, Atwood's seep willow

Erigeron religiosus, Religious daisy

Helianthella parryi, Parry's little sunflower
Layia platyglossa, Coastal tidytips
Pectis angustifolia var. *angustifolia*, Narrowleaf pectis
Perityle specuicola, Alcove rock-daisy
Symphotrichum ericoides var. *pansum*, White heath aster
Atriplex obovata, New Mexico saltbush
Carex curatorum, Canyonlands sedge
Cladium californicum, Saw-grass
Astragalus monumentalis, Monument milkvetch
Astragalus naturitensis, Naturita milkvetch
Astragalus piscator, Fisher milkvetch
Pediomelum aromaticum var. *Tuhyi*, Tuhy's breadroot
Nama hispida, Hairy nama
Nama retrorsa, Howell's nama
Allium geyeri var. *chatterleyi*, Chatterley's onion
Plantanthera zothecina, Alcove bog-orchid
Andropogon glomeratus, Bushy bluestem
Imperata brevifolia, Satintail
Eriogonum cernuum var. *psammophilum*, Sand Dune nodding wild buckwheat
Eriogonum scabrellum, Westwater wild buckwheat
Portulaca halimoides, Dwarf purslane
Dodecatheon pulchellum var. *zionense*, Zion shooting star
Primula specuicola, Cave primrose
Trautvetteria caroliniensis, Carolina tassel-rue
Ceanothus vestitus var. *franklinii*, Franklin's desert lilac
Geum aleppicum, Erect avens
Potentilla nivea, Snow cinquefoil
Thymus neomexicanus, New Mexico thimbleberry

Supporter: High Country News

In Utah, the Fight for a Bears Ears Monument Heats Up

Author: Jonathan Thompson

May 3, 2016

In mid-October, the clouds over southeastern Utah loomed cobalt blue behind the glowing pink sandstone cliffs that overlook the San Juan River, on the edge of the little hamlet of Bluff. It was only seven in the morning, but Mark Maryboy was already waiting for me when I arrived at the Twin Rocks cafe on the edge of town.

Maryboy — long a community organizer, activist and leader among the Utah Navajos here in San Juan County — is tall and lean with broad shoulders, a light handshake and dark, thick hair salted with white. He seemed to be in a mixed mood. Just days earlier, five Native American tribes had formally asked President Barack Obama to designate a 1.9 million-acre swath of the canyon-wrinkled land nearby as the Bears Ears National Monument under the 1906 Antiquities Act. Maryboy had helped launch the local effort to preserve the area, and now it had the collective voice of two-dozen tribal governments behind it, as well as the endorsement of the National Congress of American Indians, which seemed enough to give the president the final push toward designation.

Yet there was a hitch. Even as the tribal representatives presented their proposal in Washington, Navajos from the Aneth Chapter in San Juan County were declaring their opposition to the proposal. Though the pushback was coming from just one of seven Navajo chapters in San Juan County, some headlines played it as if outside forces were imposing their monument proposal on universally reticent “local, grassroots Navajo.”

The attacks were especially bruising for Maryboy, who once represented Aneth on the Navajo tribal council and fought for the chapter’s interests as a San Juan County commissioner. Even more disappointing, current San Juan County Commissioner Rebecca Benally — once Maryboy’s ally in facing down exploitative oil companies here — led the opposition.

Over the six months since, the tribal coalition has gained momentum, gathering support from tribes and politicians, as well as a valuable endorsement from the editorial board of the *Salt Lake Tribune*. In an April speech, Interior Secretary Sally Jewell called the Antiquities Act a valuable tool and seemed to be speaking of the Bears Ears proposal specifically when she said: “I do not think the (Antiquities) Act should only be used in places where there is complete agreement, as some are suggesting.”

The opponents, meanwhile, including Benally, Utah State Rep. Mike Noel and others, have grown increasingly strident in their opposition. They’ve gone so far as to allege that tribal proponents were manipulated by “deep-pocketed,” out-of-state environmental groups, and to question whether tribes like the Hopi and Zuni — ancestral ties aside — have a right to participate in the process. “I am not sure where the Bears Ears proposal was created,” wrote Bill Boyle, editor of the *San Juan Record*, “but I know it was not in San Juan County.”

Opponents of monument designation have framed the fight as one pitting locals against non-locals. But in a place like San Juan County, the notion of “local” and “outsider” is rather murky, and the answer to the question of who gets a place at the land management table is anything but clear cut.

The iconic Bears Ears— 9,000-foot twin buttes, studded with ponderosas and aspen — rise above Elk Ridge. They are visible from most of the Four Corners region and mark a remote and spectacular landscape. To the south, the canyon-cut Cedar Mesa sprawls out to its sharp edge, overlooking the San Juan River; to the west, the aptly named Dark Canyon drops from low mountains to the Cataract Canyon of the Colorado River; and the sandstone walls of Arch Canyon, its high nooks and crannies filled with cliff dwellings, reach eastward to Comb Wash, itself overlooked by the vast sandstone wave known as Comb Ridge.

The first human settlement of this corner of Utah probably began around 1,000 BC. For the next two millennia, people built homes and formed communities, captured rainwater to irrigate their fields and hunted on the high plateaus. These waves of people came and went, their culture and architecture evolving, moving their homes from mesa tops to the cliffs, and from Cedar Mesa to some other area and then back again. Finally, beginning in the 1100s, the people gradually migrated to the south and east, eventually landing on the Hopi mesas, in Zuni and in the pueblos along the Rio Grande. But they never “abandoned” Cedar Mesa and many still consider it their homeland, regardless of state, county or reservation lines. “We hope to go to Bears Ears to learn,” said Jim Enote, a Zuni, at one of the Bears Ears coalition’s formative meetings. “Our history lies within the landscape, and when we go there we find missing chapters of our book.”

The Puebloans were followed by the Utes, who included the high mesas and canyons here in their seasonal rounds in the 1500s or earlier, and then the Navajo. In 1864, when U.S. soldiers forced thousands of Navajos to make the horrific Long Walk to Fort Sumner in southern New Mexico, many found sanctuary in southern Utah. Among those was K’aayelii, born near the Bears Ears, who led a group of followers back to his birthplace, never surrendering.

The strip of Utah south of the San Juan River was added to the Navajo reservation in the 1880s. A decade later, when the U.S. government tried to push Utes onto allotments on what is now the Southern Ute reservation in Colorado, many resisted, holing up instead on the Ute Mountain Ute reservation in the far southwest corner of the state. An offshoot of that group settled further west, in Utah, eventually forming the community of White Mesa, just south of Blanding, and now officially part of the Ute Mountain Ute reservation.

Today, about one-quarter of the New Jersey-sized San Juan County is Navajo Nation land, with another 13,000 acres of Ute Mountain Ute land. More than half of the county’s 15,000 residents are Native Americans, though you’d never know it, given the dominance of the descendants of white Mormon pioneers who came via the Hole-in-the-Rock trail to settle Bluff in 1880.

Maryboy was born at the St. Christopher’s Mission, just upstream from Bluff, in 1955, and would go on to challenge that dominance. He grew up in a hogan and, after running away from boarding school,

attended local public schools. As a teenager, he began advocating for Cedar Mesa's protection from uranium mining, extreme pot hunting and looting and other impacts. After attending the University of Utah, he returned home and embarked on a life of community organizing and politics. He was elected Utah's first Native American county commissioner in 1987.

By that time, San Juan County was already a prime battleground in the Western land wars. The majority of land in the county is federally managed, and locals had long had almost unrestrained freedom there to graze cows, build roads, stake uranium mining claims and collect ancient artifacts — a sort of community hobby. So they balked when bureaucrats from Washington — colonizers, in the words of the late county commissioner and sagebrush rebel Cal Black — tried to impinge on those freedoms by kicking cows or vehicles off the land or otherwise “protecting” it.

Black helped launch the 1970s version of the Sagebrush Rebellion, and it flared up again in 1986 after the Blanding homes of suspected pothunters were raided by federal agents using, as Black put it, “gestapo” tactics. Meanwhile, environmentalists, with Maryboy's support, were pushing for wilderness designation for various Utah Bureau of Land Management lands, including on and near Cedar Mesa. The mayor of Blanding at the time, Jim Shumway, responded with a threat of armed resistance. “We will give no more lands,” he said. “We are tired of the wilderness terrorists.”

The Shumways and Blacks mostly won those earlier battles. While there are a handful of primitive areas and wilderness study areas in the region, most of the land remains relatively unprotected.

In 2009, federal agents again descended on Blanding in pursuit of suspected pothunters. Two of the suspects — including prominent local doctor James Redd — would commit suicide shortly thereafter, leading locals again to charge that the feds had acted too heavy-handedly (Redd's family sued the BLM for use of excessive force, but the case was dismissed earlier this year). Just months later, a “secret” Obama administration list of places under consideration for national monument designation under the Antiquities Act surfaced, with Cedar Mesa included. It was enough to spark yet another local rebellion. Incidences of pothunting and looting shot up at around the same time, apparently a reaction to the perceived federal incursion.

In hopes of easing tensions, in 2010 then-Sen. Bob Bennett, a moderate Utah Republican, began a citizen-led process that could result in new wilderness for canyon country, similar to the deal he had helped broker in the southwest corner of the state. A group of local Navajos, including Maryboy, informally created Utah Dine Bikeyah, a group advocating increased protections, to ensure that the Utah Navajos would have a voice in the process. Bennett lost in the primary that year to the Tea Partier Mike Lee, killing prospects for a deal. But Utah Dine Bikeyah continued working for protection, getting the endorsement of the Navajo Nation and all seven Utah Navajo chapters, publishing a book about Navajo ties to the land and formally incorporating as a non-profit. When Rep. Rob Bishop, R-Utah, launched his Public Lands Initiative (PLI) in 2013, hoping to settle Utah's land conflicts with local-led compromises, Bikeyah was ready.

The county formed a citizens' lands council to negotiate a proposal for the initiative, with Maryboy representing Bikeyah. But Bikeyah members, feeling ignored by both the local group and the congressmen, grew disillusioned. Besides, no matter how strong a proposal the local group came up with, it would be at the mercy of a notoriously dysfunctional congress, that may never even vote on it. Rather than an attempt to achieve what Bishop called a "grand bargain," the PLI process began to look like a tactic to ward off monument designation. The sentiment grew darker in May 2014 when San Juan County Commissioner Phil Lyman — the lands council chairman — led an ATV protest ride down Recapture Canyon, which the BLM had closed to motorized vehicles to protect archaeological resources. "I was very offended," says Maryboy. "I wonder how he'd feel if I went to the Blanding Cemetery and led a posse over their graves?"

So Bikeyah decided to lobby the president directly, getting support from other tribes with ties to the region. In July of 2015, leadership was chosen for the inter-tribal coalition, which includes Zuni, Hopi, Navajo, Ute Mountain Ute and Uintah-Ouray Utes, and Bikeyah handed off the effort to the larger group. On October 15 representatives from the five tribes formally announced their Bears Ears National Monument proposal at the National Press Club in Washington.

The proposal is notable for the amount of land it includes (all currently under federal management), which is almost identical to that covered by the Grand Staircase-Escalante National Monument, created by then-President Bill Clinton in 1996 in southwestern Utah. The proposed management structure is truly groundbreaking: A monument manager would be overseen by a commission, made up of one representative from each of the five tribes, and one from each of the three applicable federal agencies, the U.S. Forest Service, BLM and National Park Service. Not only will that give tribes an unprecedented amount of control over a national monument, but it will give people who are not federal bureaucrats, all or some of them local (depending on your definition of the term), more control over the land than they have now.

One might expect local-control advocates to be delighted. They are not. At a Utah Commission for the Stewardship for Public Lands meeting on April 20, most of the state legislators were downright hostile toward monument supporters. They again framed the fight in terms of their idea of "locals" — meaning Utahns and San Juan County residents — vs. "outsiders" — meaning everyone else, even if they have deep roots in southeast Utah. One lawmaker cut off in mid-speech tribal coalition Co-Chair Regina Lopez-Whiteskunk, a Ute Mountain Ute tribal council member, implying that even she had no say in the matter, despite the fact that the tribe's reservation extends into San Juan County.

Benally was there to egg on the lawmakers. She said she supports protection of the land — even wilderness designation for the Bears Ears, themselves — but not a monument, which would be "devastation." "My people do not want a national monument," she said, "they want continued access ... for medicinal plant gathering and wood gathering." (The coalition's monument proposal clearly states that such activities would remain unimpeded).

Benally indicated that tribal coalition members only support the monument because they have been influenced by "intimidation, harassment, bullying and the tactic of divide and conquer" by "deep-pocketed outside groups outside of San Juan County who probably don't even know where Bears Ears butte is." While six of the seven Utah Navajo chapters continue to support the Bears Ears proposal, as do the two Utah delegates to the Navajo tribal council, the Aneth chapter voted last August to oppose it. Benally has said she prefers the compromise hammered out by the Public Lands Initiative group.

The PLI proposal San Juan County sent to Bishop includes protections on 945,389 acres*, half of what the proposed monument covers, in the form of a handful of small wilderness areas, most of which are currently wilderness study areas, and two national conservation areas, or NCA, one on Cedar Mesa and one in Indian Creek, a popular climbing area adjacent to the Needles District of Canyonlands. The Cedar Mesa NCA would be managed collaboratively by federal agencies, the state, the county and the Navajo and Ute Mountain Ute tribes. An NCA doesn't inherently bring with it more or less restriction than a national monument, but the differences in management structure between the PLI and tribal coalition proposals would almost certainly result in divergences.

For monument supporters, though, the mode of protection is less critical than what is actually protected. The county's PLI proposal offers no protection to much of Butler, Cottonwood or upper Comb washes, nor to the archaeological sites or spectacular rock art panels there. It leaves lower Arch Canyon, with its perennial stream and endangered fish, vulnerable to motorized use. Most of White Canyon and some of its tributaries, designated as a "special tar sands area" by the BLM several years ago, are included in the proposal's "energy zone," where development would be expedited. "This group from Aneth should realize that if it's not protected," says Maryboy, these places may suffer the same fate as the lands in the Aneth Oil Field, which have been industrialized, overrun by oil and gas workers and had the springs tainted by more than 50 years of intense development.

After breakfast with Maryboy I headed north, ending up on the old road that once took travelers from Blanding to the mostly un-peopled western side of the county. It was, my parents tell me, a slow and sometimes treacherous journey, serving to keep Cedar Mesa relatively secret to outsiders. Then, in the 1960s and early 70s, the highway was straightened, widened, smoothed and a gorge blasted through Comb Ridge (a moment captured in Edward Abbey's *The Monkey Wrench Gang*). Abbey's descriptions of the place drew the masses, the new highway paving the way for the latest in many invasions.

I pulled off the gravel road near a high point on upper Comb Ridge and set up camp in a place that would be included within the proposed Bears Ears National Monument, but would not fall within the county's proposed National Conservation Area. Opponents of monument designation have often said, quite understandably, that they just want things to "stay as they are" out here. It's not clear, though, that either the NCA or the monument would really change much. At the outset, the monument would not close any roads, limit wood- or herb-gathering or hunting, or even limit camping. But it would most likely draw more funding for enforcement against abuses such as looting or off-trail motorized vehicle use.

Heavy rains had washed over the region, leaving the air so clean and the light so vivid that it felt as if I could almost reach out and touch Ute Mountain, over in Colorado, and Dibe Nitsaa, the Navajo sacred peak of the north beyond that. A grey curtain of rain hung from a cloud over the ominously dark Carrizo Mountains in Arizona, and I could even make out the low silhouette of Black Mesa, long plundered for its coal, rising up from the desert near Kayenta.

From my lofty perch I could take in most of the Four Corners country. That locals want a say in what happens in their backyard makes sense. But in a place like this, where the ties of history, culture and geography easily outweigh the arbitrary confines of a surveyor's lines drawn blindly across the landscape, the notion of "local" transcends county and state boundaries.

"We want to try something a little different," said Lopez-Whiteskunk, "not for the sake of selfishness, but for the sake of healing all people. We all have to come together and ... reach beyond the state boundaries and reservation lines."

**Update: After the county sent its PLI proposal to the Utah congressional delegation, the delegation enlarged the boundaries of the proposed NCAs by about 100,000 acres. The enlarged boundaries would include Arch Canyon and upper Comb Wash, but still do not include White Canyon, Cottonwood Wash and other sensitive and archaeologically rich areas.*

LETTERS ASKING FOR
USE OF THE ANTIQUITIES ACT
AND FOR
ATTENDANCE AT PUBLIC
MEETINGS

MONUMENTS

Mojave Trails, CA Sand to Snow, CA Castle Mountains, CA	DOI Press Release: Feinstein Invited DOI Officials to meetings.	USDA Press Release: Feinstein Invited DOI Officials to meetings
Berryessa Snow Mountain, CA	DOI Press Release: Jewell visited at invitation of Thompson	
Basin and Range, NV	http://www.eenews.net/assets/2015/01/20/document_gw_01.pdf	
Waco Mammoth, TX	The city of Waco asked the DOI to petition Obama to use Antiquities.	http://www.wacotrib.com/news/city_of_waco/national-park-service-chief-to-visit-waco-mammoth-site/article_956a7661-12fd-55ae-8b5e-8c12fc16542d.html
Honouliuli, HI		
Browns Canyon, CO		
Pullman, IL	https://www.nps.gov/indu/learn/news/national-park-service-director-jarvis-to-participate-in-public-meeting-about-pullman-historic-district.htm	
San Gabriel Mountains, CA		
Pacific remote Islands National Marine, SSW of HI	https://www.doi.gov/sites/doi.gov/files/migrated/pmb/ocean/news/newswave/upload/NW-Summer-2014-9-18.pdf	
Organ Mountains- Desert Peaks, NM	Udall and Heinrich invited Jewell to look at the area they wanted to designate, and Jewell went.	Jewell attended meeting with public about land.
Point Arena-Stornetta, CA	Huffman invited Jewell to	Jewell attended a public

	come to CA and see the land; Jewell went.	meeting about the possible designation, at Huffman's invitation.
Tule Springs Fossil Beds National Monument	http://www.eenews.net/assets/2015/01/20/document_gw_01.pdf	
San Juan Islands, WA	http://monumentsforall.org/project/san-juan-islands-national-monument/	http://www.sanjuanjournal.com/news/139481188.html?mobile=true
Rio Grande del Norte, NM	http://www.eenews.net/stories/1059973925/print	Salazar ran the public meeting NEED TO PRINT, Senate site undergoing maintenance.
Harriet Tubman Underground Railroad, MD	Elected officials support letter	http://www.myeasternshorem.com/news/dorchester_county/article_a70161a4-d282-11e1-a709-0019bb2963f4.html
First State, DE	http://monumentsforall.org/project/first-state-national-historical-park/#publicinput	
Charles Young Buffalo Soldiers, OH	Steve Austria	Sherrod Brown
Cesar E. Chavez, CA	President Obama excerpt	http://monumentsforall.org/project/cesar-e-chavez-national-monument/
Chimney Rock, CO	http://blogs.denverpost.com/thespot/2012/05/14/beltway-blog-bennet-corners-residents-national-monument-status-chimney-rock/71066/	
Fort Ord, CA	Salazar visited Fort Ord to meet with the public. While he was there he was asked to get Obama to use antiquities.	
Fort Monroe	Salazar held public meeting at Fort Monroe	Salazar went to Fort Monroe at President's request, but

	http://home.nps.gov/applications/release/print.cfm?id=1177	with overarching bipartisan support and the welcome of the senators.
Stonewall Inn, NY	Invitation from Jerrold Nadler for May 9 public meeting	

PROPOSALS

Grand Canyon Watershed, AZ		
Gulf of the Farallones and the Cordell Bank, CA		

Interior, USDA Officials Join U.S. Senator Dianne Feinstein for Public Meeting on Conservation of Mojave Desert

Officials hear from local and tribal communities on Feinstein's proposals to conserve Southern California's Mojave Desert public lands.

October 13th, 2015

USDA Press Release

WHITEWATER, Calif. - U.S. Deputy Secretary of the Interior Michael Connor and USDA Under Secretary Robert Bonnie today visited the Mojave Desert of California to join a public meeting and hear from the community about its vision for the management of public lands in the region.

Connor and Bonnie visited California at the invitation of Sen. Feinstein, who has introduced legislation to conserve portions of the Mojave Desert and enhance public recreational access. Sen. Feinstein has also asked President Obama to use his authority under the Antiquities Act to designate three new national monuments - Mojave Trails National Monument, Sand to Snow National Monument, and Castle Mountains National Monument.

"The Mojave Desert of Southern California is a resource beloved by millions of Americans for its stark beauty, rich cultural history and outdoor recreational opportunities," said Deputy Secretary Connor. "For more than 20 years, Sen. Feinstein has led the charge to protect the most special

places in the desert, and we support her efforts to preserve these areas for the benefit of future generations. Opportunities like this to hear directly from the local and tribal communities about their vision for conservation and land management are essential to our work as land managers."

"In addition to its diverse tribal heritage, the San Gorgonio Mountain region serves as an important recreational hub for the 24 million people that are within a two-hour drive," said Bonnie. "We appreciate hearing from such a broad range of voices today and we look forward to working with all interested parties as the dialogue continues."

Today's visit builds on U.S. Senator Dianne Feinstein's decades-long effort to protect the most special places of the California desert and San Bernardino Mountain range and contributes to the Obama Administration's ongoing work to support locally-driven efforts to preserve and protect places that hold special meaning to communities across the country.

"In my view, the California desert is an American treasure that is highly worthy of preservation. I think the public meeting today only further proved that," Sen. Feinstein said. "Public input in desert conservation is absolutely vital. I've worked with the desert stakeholders for years, and I know how diverse their views are-which makes discussions like these even more important. I'm especially grateful that Deputy Secretary Connor and Under Secretary Bonnie attended and were able to hear local goals for the desert, and I thank the Obama administration for considering these monuments."

Senator Feinstein's proposal would protect more than one million acres in San Bernardino County as the Mojave Trails National Monument. The area, known for its spectacular vistas and intact stretch of historic Route 66, would connect the Mojave National Preserve to the north with Joshua Tree National Park to the south. The Sand to Snow National Monument would span up to 140,000 acres from the snowy mountain peaks of the San Bernardino National Forest to the desert sands of Joshua Tree National Park, including some of the most biologically and culturally rich areas in southern California. The Castle Mountains National Monument would add 20,000 acres of key desert grassland to be managed by the National Park Service as a part of the Mojave National Preserve while respecting existing mining operations in the area.

Today's public meeting included speakers from area tribes, local governments, off-highway vehicle users, and conservation organizations. The meeting also provided ample opportunity for public comment.

As part of their visit, Deputy Secretary Connor and Under Secretary Bonnie, alongside other state and local community members, toured portions of the proposed monument area within the Mojave Desert. The California desert provides significant recreation opportunities for local communities, for the nearby Los Angeles and San Diego metropolitan areas, and for visitors from around the world. The area contains opportunities for off-highway vehicle travel, hiking, camping, mountain biking, and rock climbing. These uses would be protected under Sen. Feinstein's proposal.

Secretary Jewell Visits Berryessa Snow Mountain Region

Joins Public Meeting hosted by Congressman Mike Thompson to Hear from Community on Proposals to Conserve Public Lands in Lake, Napa, Yolo, Mendocino and Solano Counties

Posted December 19th, 2014

Department of Interior Press Release

NAPA, Calif. – U.S. Secretary of the Interior Sally Jewell today visited the Berryessa Snow Mountain Region of California where she joined Congressmen Mike Thompson and John Garamendi for a public meeting to hear from the community about its vision for the management of public lands in several counties in the north central part of the state. The visit builds on the Secretary's work to support locally-driven efforts to preserve and protect places that hold special meaning to communities across the country.

"This is a beautiful area with cultural history and great opportunities for outdoor recreation and wildlife viewing so it's no surprise that the community wants to make sure that it is protected and passed on to the next generation," said Jewell. "Today's opportunity to get out and see the public lands and to hear directly from the local and tribal communities about their vision for conservation and land management is important. I want to underscore our support of Congressman Thompson's efforts to recognize this region as a National Conservation Area, which could also lead to additional economic benefits to the region."

Jewell visited California at the invitation of Congressman Thompson, who has introduced legislation to establish the Berryessa-Snow Mountain National Conservation Area. She was also joined by USDA Undersecretary for Environment and Natural Resources Robert Bonnie and Chief of the U.S. Forest Service (USFS) Tom Tidwell.

Congressman Thompson's National Conservation Area proposal would conserve and enhance scenic, recreational and culturally significant lands and waters that are managed by Interior's Bureau of Land Management and Bureau of Reclamation, as well as lands managed by the U.S. Forest Service, under the U.S. Department of Agriculture. The legislation includes protections for 350,000 acres of land including three federally-recognized wilderness areas, Berryessa Peak and other key areas.

"We are supportive of Congressman Thompson's effort to solicit public comment on his proposal," said Under Secretary Robert Bonnie. "The Forest Service also met with tribal leaders to discuss the proposal earlier this month. There appears to be significant public support for this proposal and we look forward to working with all interested parties as this process continues."

"Protecting the Berryessa Snow Mountain region will help boost tourism, grow the local economy, improve recreation opportunities and protect important species found nowhere else on earth," said Congressman Thompson. "That is why I've proposed legislation that would permanently safeguard this important region. However, Congress has refused to consider this

bill. If Congress won't act, then I look forward to continuing to work with Secretary Jewell, Undersecretary Bonnie and the Obama Administration on plans to permanently protect the Berryessa Snow Mountain region as a national monument.”

“The Berryessa Snow Mountain Region is a natural treasure at the heart of the 3rd District,” Congressman Garamendi said. “This region's rugged beauty helps sustain outdoor recreation businesses, serves as a valuable source of water, and provides critical habitats for our wildlife. It was vitally important to hear from our friends and neighbors in the community on how we can best preserve Berryessa Snow Mountain now and into the future. I look forward to translating these ideas into sound public policy.”

As part of their visit, Congressmen Thompson took Jewell, USDA officials and other state and local community members to portions of the proposed national conservation area within BLM's Cache Creek Wilderness. The 27,245-acre wilderness contains spectacular scenery, including steep canyons, scenic rivers, rolling oak woodlands and elaborate springtime wildflower displays.

The Berryessa Snow Mountain area provides significant recreation opportunities for people in the nearby San Francisco and Sacramento metropolitan areas, as well as visitors from around the world. The area contains opportunities for hiking, camping, boating, fishing, mountain biking, off-highway vehicle use and other types of recreation.

The area is known as a botanical ‘hotspot’ for its rich diversity of plant species like the Sargent's cypress and serpentine willow and provides habitat for dozens of iconic California birds and animals including bald and golden eagles, black bears, mountain lions and herds of wild tule elk. The landscape rises from near sea level in the south to over 7,000 feet in the north, supporting such diverse ecosystems as the blue oak woodlands near Putah Creek in the south and the sub-alpine habitat within the Snow Mountain Wilderness.

Waco Tribune: Waco Mammoth Site Advocates make National Monument case in D.C.

Posted: Tuesday, October 28, 2014 6:01 pm

By J.B. Smith

Waco leaders are in Washington, D.C., this week to make the pitch for an executive order to make the Waco Mammoth Site a national monument and to invite top federal parks officials to Waco to see it.

Officials with the city, Baylor University, Waco Mammoth Site and the National Parks Conservation Association will meet Wednesday and Thursday with administration staff and elected officials about the site.

They will ask the Interior Department and National Park Service to request an order from President Barack Obama to incorporate the mammoth site into the federal system under the Antiquities Act.

Obama already has used that power for 13 sites across the country. Suzanne Dixon, who is representing the conservation association at the meetings as Texas regional director, said there is a strong case to add the Waco Mammoth Site, whose application has been stalled in Congress for several years.

She said the delegation will show "that the community of Waco wants this, it's nationally significant, and it should be a unit of the parks system."

Dixon said the National Park Service could adopt the mammoth site at minimal cost, given that it already has been developed and run by a nonprofit organization and the city of Waco.

"The public-private partnership is a great story," she said. "The first time I drove up there, I thought, 'Oh, my god, the only thing missing from this is the Park Service logo.'"

She said the heads of the National Park Service and Interior Department will be invited to come to Waco in the next couple of months to see the site and the public support for it.

The site on Steinbeck Bend Road showcases a "nursery herd" of two dozen mammoths that formed a defensive circle before being covered by a mudslide some 60,000 years ago. Dixon said no other national monument site can offer anything comparable.

The National Park Service declared in 2007 that the site met its standards for inclusion.

Gayle Lacy, chairwoman of the Waco Mammoth Foundation, said she feels "very positive" about the chances to get a national monument marker.

"I think the best thing is that we have the perfect model for the future set up, a coordinated effort between the private sector, Baylor, the city and the Park Service," said Lacy, who is part of the delegation to Washington.

Lacy said she expects that the city would continue to operate the site as an educational tourist attraction but turn over the five-acre dig site to the National Park Service. The city owns a total of 100 acres around the bones.

Lacy said the national monument status would give the mammoth site a national profile and increase attendance, which is now about 20,000 a year.

Discovery area

She said the designation also would help with fund-raising for a new \$1 million children's "discovery area," that will encourage families and school groups to stay at the site longer.

Joining Lacy and Dixon for the Washington meetings are Waco City Manager Dale Fisseler, mammoth site supervisor Raegan King and Mayborn Museum Complex director Ellie Caston.

The delegation is scheduled to meet this week with the White House's Council on Environmental Quality, the National Park Service, the Department of the Interior and the offices of U.S. Sen. John Cornyn, R-Texas, and U.S. Rep. Bill Flores, R-Bryan.

Flores sponsored a bill in 2012 that would have brought the mammoth site into the national park system but with a stipulation that no federal funds would be spent on it. That bill passed the House but never came up for a vote in the Senate.

Flores has said he would not oppose the city of Waco's efforts to get federal status for the site through executive order.

Secretary Jewell Visits Iconic New Mexico Landscapes

Joins Public Meeting hosted by Senators Udall, Heinrich to Hear from Community on Proposals to Protect and Enhance Public Lands in Doña Ana County and to Boost Tourism, Outdoor Recreation Economy

January 24th, 2014

Department of Interior Press Release

LAS CRUCES, NM - Secretary of the Interior Sally Jewell today wrapped up a two-day visit to south central New Mexico where she joined Senators Tom Udall and Martin Heinrich for a public meeting to hear from the community about its vision for the management of public lands in Doña Ana County. The visit builds on the Secretary's work to support locally driven efforts to preserve and protect places that hold special meaning to communities across the country.

"This morning I had the opportunity to hike part of Broad Canyon and look back over Las Cruces, and it's immediately clear why New Mexico is known as the 'Land of Enchantment,'" said Jewell. "Doña Ana County is a place rich with history, culture, wildlife and opportunities to enjoy the great outdoors – whether that's hunting or hiking. Over the past few years we've seen a groundswell of support from many in the community to ensure that these landscapes are celebrated and passed on to the generations of New Mexicans to come. Those efforts also have the potential to drive significant economic benefits to the region through a boost in tourism and outdoor recreation."

Jewell visited New Mexico at the invitation of Senators Udall and Heinrich, who have introduced legislation to establish the Organ Mountains-Desert Peaks National Monument. The proposal would conserve and enhance scenic, recreational and culturally significant lands that are managed by Interior's Bureau of Land Management – including the Organ, Doña Ana, Potrillo, Robledo and Uvas mountains surrounding Las Cruces.

A recent independent study estimates that a new national monument could generate \$7.4 million in new economic activity annually from new visitors and business opportunities.

"Passing the Organ Mountains Desert Peaks Conservation Act would help create jobs and build a stronger economy here in Southern New Mexico. I'm very glad we had the opportunity to show off this special area for Secretary Jewell," Udall said. "The Organ Mountains Desert Peaks region is beloved in the community, and it was important for the Secretary to hear from a diverse group of people here in Las Cruces about their vision for the future of this region. I thank the Secretary for taking time out to learn more about this incredible asset and to hear directly from New Mexicans."

"I'm grateful for the opportunity to host Secretary Jewell in our state and to hear directly from the community about their vision for managing our treasured public lands," said Heinrich. "New Mexicans have a deep connection to the outdoors – whether for hunting or hiking or other

traditions both new and old. The Organ, Sierra de Las Uvas, Potrillo, and Robledo Mountains are among some of the most scenic landscapes in our state and define Doña Ana County's rich culture. Designating this natural treasure a national monument would help promote tourism in the region, foster recreational opportunities, and preserve our outdoor heritage for us now and for future generations of Americans to enjoy."

Jewell also participated in a meeting with senior officials at the Bureau of Land Management and the U.S. Border Patrol yesterday to underscore Interior's continued commitment to cooperate in providing law enforcement and border security in the area.

"We appreciate the productive working relationship we have with our colleagues at the Department of Homeland Security and local law enforcement," BLM Principal Deputy Director Neil Kornze said. "I applaud Senators Udall and Heinrich for ensuring that access, flexibility and cooperation with federal and local law enforcement officials are a cornerstone of their proposal."

The BLM Las Cruces District Office currently manages over 500,000 acres in the proposed monument for multiple uses, including conservation of natural and archeological resources and outdoor recreation, such as hiking, biking, camping and hunting. State-wide, BLM-New Mexico hosted 2.9 million visitors at 28 recreation sites in fiscal year 2013. Recreation on BLM-managed lands and waters in New Mexico supported more than 1,600 jobs and contributed more than \$140 million to the state's economy in fiscal year 2011.

The Organ Mountains provide a spectacular backdrop for the City of Las Cruces, with steep, angular rock outcroppings reminiscent of organ pipes rising to nearly 9,000 feet in elevation and extending for 20 miles, running generally north and south. This high-desert landscape within the Chihuahuan Desert contains a multitude of biological zones – mixed desert shrubs and grasslands in the lowlands ascending to piñon and juniper woodlands, and finally to ponderosa pines at the highest elevations.

The area is home to a high diversity of animal life, including deer, pronghorn antelope, mountain lions, peregrine falcons and other raptors as well as rare plants, some found nowhere else in the world, such as the Organ Mountains pincushion cactus. The area also contains more than 5,000 archeologically and culturally significant sites, including a site containing the earliest known cultivated corn in the United States, Geronimo's Cave, Billy the Kid's Outlaw Rock, Spanish settlement sites, and numerous petroglyphs and pictographs, some dating back 8,000 years. The Organ Mountains are a popular recreation area, with multiple hiking trails, a popular campground, and opportunities for hunting, mountain biking, rock climbing, and other recreation.

On the west side of Las Cruces, the Desert Peaks area contains mountain ranges and peaks of the Robledo Mountains and Sierra de las Uvas. These landscapes contain many mesas and buttes interspersed with deep canyons and arroyos. Prehistoric cultural sites of the classic Mimbres and El Paso phases are located throughout this region along with historic sites associated with more recent settlements, including the Butterfield Stagecoach Trail. This area is also home to the unusual Night-blooming Cereus, with a one-night-a-year bloom.

To the southwest of Las Cruces is the Potrillo Mountains Complex, characterized by cinder cones, volcanic craters, and basalt lava flows in the open desert landscape. They too have abundant wildlife, significant prehistoric cultural and historic sites, and serve as a popular destination for outdoor recreation.

The Bureau of Land Management's National Conservation Lands contain some of the West's most spectacular landscapes. They include more than 887 federally recognized areas comprising approximately 27 million acres of National Monuments, National Conservation Areas, Wilderness Areas, Wilderness Study Areas, Wild and Scenic Rivers, National Scenic and Historic Trails, and Conservation Lands of the California Desert.

ProgressNow NM: US Dept of Interior to hold public meeting on Organ Mountains designation with Senators Udall, Heinrich

January 22nd, 2014

The US Department of Interior is inviting the public to join Senators Tom Udall, Martin Heinrich and Interior Secretary Sally Jewell for a public meeting this Friday in Las Cruces.

In 2012, ProgressNowNM joined cohorts in Colorado and Nevada with the “Monumental West” campaign to engage more New Mexicans in the long-standing efforts by national and in-state groups to designate the Rio Grande del Norte and Organ Mountains wilderness areas as national monuments. At least 175 local organizations have joined in support of a national monument designation for the Organ Mountains area.

A number of proposals for monument designation have been introduced in Congress. Tea Party Rep. Steve Pearce introduced a measure to designate a small portion of the area as a monument, but also includes large, and many say unnecessary, carve-outs for continued use of the land.

Senators Udall and Heinrich have jointly sponsored legislation that would designate about a half-million acres of land around the Organ, Doña Ana, Potrillo, Robledo and Uvas mountains as a national monument. DOI’s event Friday is co-hosted with the senators.

In similar fashion, then-Secretary Ken Salazar held a standing room only public meeting in Taos in December 2012 to discuss designations for the Rio Grande del Norte area. The following March, President Obama designated the area a national monument.

Supporters of a similar proposal hope that Friday’s meeting and review by Secretary Jewell continues the Organ Mountains designation down a similar path.

Secretary Jewell to Join Senators Udall, Heinrich in Visit to New Mexico

01/21/2014

LAS CRUCES, N.M. – On Friday, January 24, Secretary of the Interior Sally Jewell will join New Mexico Senators Tom Udall and Martin Heinrich in a visit to the Organ Mountains region of south-central New Mexico. While there, Jewell will spend time exploring the area and will attend a public meeting hosted by Senators Udall and Heinrich regarding the community's vision to preserve, protect and enhance some of the public lands located in Doña Ana County.

The Organ Mountains stand just east of Las Cruces, extending for 20 miles and rising to nearly 9,000 feet in elevation. The area is home to a diversity of wildlife, including peregrine falcons and other raptors, as well as mountain lions and other mammals. The Bureau of Land Management currently manages over one million acres in Doña Ana County which is a popular destination for outdoor recreation, including hiking, camping, hunting and mountain biking. The area also hosts significant prehistoric cultural and historic sites.

At the invitation of the two Senators, Jewell will join Udall and Heinrich, as well as Principal Deputy Director at the Bureau of Land Management Neil Kornze, for a public listening session on the community's conservation priorities in the area. The community meeting will take place Friday at 3pm MST at the Ramada Palms Las Cruces."

Huffman, Secretary Jewell Tour Point Arena-Stornetta Public Lands, Hold Public Meeting

November 12th, 2013

Rep. Jared Huffman Press Release

Huffman: "This is an unmatched opportunity to preserve a pristine stretch of coastline and boost the local tourism industry"

WASHINGTON—Today, Congressman Jared Huffman (D-San Rafael) joined Secretary of the Interior Sally Jewell for a tour of the Point Arena-Stornetta Public Lands on California's North Coast. Huffman and Jewell also held a public meeting to discuss the addition of the public lands to the California Coastal National Monument (CCNM).

"I am very pleased that Secretary Jewell accepted my invitation to the Point Arena-Stornetta Public Lands and was able to see the tremendous support from the local community for adding these lands to the California Coastal National Monument," Congressman Huffman said. "This is an unmatched opportunity to preserve a pristine stretch of coastline and boost the local tourism industry, already Mendocino County's largest employer. I hope Secretary Jewell and the Obama administration find this land as beautiful and worthy of preservation as we do."

"Today I had a chance to hike this spectacular coastline and to see first-hand how important this area is for the community and for its economy – from tourism to outdoor recreation," said Jewell. "And this afternoon I heard from a community who is proud of their incredible landscapes and proud of the work they've done over the years to protect them for current and future generations. We have an opportunity here to not only support the community's vision to conserve this land, but also to create a world-class destination for outdoor recreation and the study of coastal resources, and to strengthen the local economies."

Today's public meeting was one of the last steps before the Obama Administration can use the authority under the Antiquities Act to add the public lands to the CCNM. This designation would be the first land-based addition to the CCNM, currently made up of more than 20,000 small islands, rocks, and reefs along the California coast.

This designation would permanently protect more than 1,660 acres, add 10 miles to the California Coastal Trail and protect other natural jewels such as the Garcia Estuary and two miles of the Garcia River, critical habitat for salmon and steelhead. The land includes habitat for endangered species, including the Point Arena mountain beaver and the Behren's silverspot butterfly.

The designation would keep the current recreational, ranching, and research uses of the land, and provide a boost to the tourism industry, already Mendocino County's largest employer and economic engine.

In July the House of Representatives unanimously passed Rep. Huffman's bill to expand the California Coastal National Monument through the addition of Mendocino's Point Arena-Stornetta Public Lands. This was Rep. Huffman's first bill introduced as a U.S. Congressman. A companion bill, S. 61, was also introduced in the Senate by Senators Boxer and Feinstein.

Secretary Jewell Holds Dialogue on Point Arena Stornetta Public Lands, Applauds Community Commitment to Preserve Coastal Landscape

November 8th, 2013

DOI Press Release

POINT ARENA, Calif. — Secretary of the Interior Sally Jewell today hosted a public listening session in Point Arena, California to hear from the community about their vision to conserve a scenic and significant area of coastal public lands in Mendocino County. Secretary Jewell was joined by Congressman Jared Huffman and the Bureau of Land Management Principal Deputy Director Neil Kornze.

Today's meeting comes on the heels of Secretary Jewell's [major speech](#) on conservation where she emphasized support for locally-driven efforts to preserve and protect places that hold special meaning to communities across the country. Congressman Huffman, along with Congressman Mike Thompson, Senator Barbara Boxer and Senator Dianne Feinstein, has introduced legislation to include approximately 1,255 acres of the Point Arena-Stornetta Public Lands to the existing California Coastal National Monument.

"Today I had a chance to hike this spectacular coastline and to see first-hand how important this area is for the community and for its economy – from tourism to outdoor recreation," said Jewell. "And this afternoon I heard from a community who is proud of their incredible landscapes and proud of the work they've done over the years to protect them for current and future generations. We have an opportunity here to not only support the community's vision to conserve this land, but also to create a world-class destination for outdoor recreation and the study of coastal resources, and to strengthen the local economies."

A Bureau of Land Management report estimates that outdoor recreation on the public lands in California contributed nearly \$900 million to the economy in 2012.

"I am very pleased that Secretary Jewell accepted my invitation to the Point Arena-Stornetta Public Lands and was able to see the tremendous support from the local community for adding these lands to the California Coastal National Monument," Congressman Huffman said. "This is an unmatched opportunity to preserve a pristine stretch of coastline and boost the local tourism industry, already Mendocino County's largest employer. I hope Secretary Jewell and the Obama administration find this land as beautiful and worthy of preservation as we do."

For the past decade the Bureau of Land Management has been working with partners, including the Trust for Public Land, the Conservation Lands Foundation, California Natural Resources Agency, California Coastal Conservancy, The Nature Conservancy and many other partners and private land owners to preserve the coastal bluffs and meadows of the Stornetta and Point Arena ranches.

With completion of several land acquisitions, in part funded by the Land and Water Conservation Fund, the public now has unfettered access to 12 miles of federal and state-managed public lands, from the community of Point Arena north to Manchester State Beach.

The lands provide breathtaking vantage points for the rocks, islands and exposed reefs of the California Coastal National Monument, which was established in 2000. Point Arena community leaders have led efforts for protection and increased recognition of these public lands.

Administered by the Bureau of Land Management, the Stornetta Public Lands, located along the Mendocino County coast just north of the town of Point Arena, include more than two miles of coastline, the estuary of the Garcia River and adjacent beach, and a small island accessible during low tide. Stornetta borders the Pacific Ocean and the historic Point Arena Lighthouse on the west. To the north it is bordered by Manchester State Park. To the east it is bordered by State Highway 1 and Windy Hollow County Road.

In addition to providing recreation access for residents and visitors to the southern Mendocino County coast, the property provides an outdoor classroom setting immediately adjacent to Point Arena schools, and is within easy reach of a community college and a state university. The lands are recognized by several state and federal agencies as containing significant natural resources, including important wildlife habitat, several riparian corridors, extensive wetlands, ponds and other water sources, cypress groves, meadows and sand dunes.

The area is important habitat for migratory waterfowl, shore birds and raptors, as well as several endangered or threatened species, such as the Point Arena mountain beaver, Behren's silver spot butterfly, western snowy plover, California red-legged frog, and salmon and steelhead that live in the Garcia River. The Garcia River is prime Coho and Chinook salmon habitat.

The Bureau of Land Management's National Conservation Lands contain some of the West's most spectacular landscapes. They include more than 887 federally recognized areas comprising approximately 27 million acres of National Monuments, National Conservation Areas, Wilderness Areas, Wilderness Study Areas, Wild and Scenic Rivers, National Scenic and Historic Trails, and Conservation Lands of the California Desert.

Udall, Heinrich & Luján: Protect Río Grande del Norte

February 7th, 2013

Rep. Tom Udall Press Release

WASHINGTON - U.S. Senators Tom Udall, Martin Heinrich and Representative Ben Ray Luján, have reintroduced legislation in the Senate and House to protect the Río Grande del Norte in Northern New Mexico, an area comprised of more than 240,000 acres of BLM-managed lands in Taos and Rio Arriba Counties.

Since 2009, the three lawmakers and former Sen. Jeff Bingaman have worked -- with the support of the local communities -- to pass legislation to designate the culturally and recreationally significant lands as a National Conservation Area.

"Some of Northern New Mexico's most historically and culturally rich treasures can be found in these areas," said Udall. "The residents of Taos and Rio Arriba counties have joined us in an effort to protect their incredible landscapes and ensure the lands remain accessible for the benefit of locals and visitors. I was proud to take up this initiative with Jeff Bingaman and we will work to see that the preservation of the Río Grande del Norte is part of his lasting legacy."

"The Río Grande del Norte is home to a great deal of New Mexico's history and culture," said Heinrich. "There are many important traditional, cultural, and religious sites in the Río Grande del Norte that are still in use today. These lands are also important to residents and visitors who come for the recreation opportunities, like hunting and fishing, and who bring a lot of resources into New Mexico's economy, especially rural communities. I am proud to work with my colleagues on this initiative, especially with former Senator Jeff Bingaman, who championed this cause. We will continue his efforts to preserve these lands for future generations."

"Living in New Mexico we have a special connection with the majestic land we are blessed to live on, and the Río Grande del Norte is one of the crowning jewels in our state," Congressman Ben Ray Luján said. "Whether it is for recreation or farming, sustaining a way of life or finding inspiration, the Río Grande del Norte impacts all those who visit and all those who live off the sustenance it provides. Protecting this land should be a top priority, and Secretary Salazar's visit to Taos in December of last year reinforced that there is overwhelming support by the local community to do so."

The House Natural Resources Committee and the Senate Energy and Natural Resources Committee both held hearings on the legislation last congress.

In an October 2012 letter, Bingaman and Udall asked President Obama to consider designating the area for national monument status. In a separate letter, Luján and Heinrich also asked the administration to make the area a monument.

In December, Secretary of the Interior Ken Salazar hosted a public meeting in Taos to explore possible protection of the area. Residents showed their overwhelming support for protecting the Río Grande Del Norte and the group unanimously spoke out in favor of a monument designation.

The Taos County Commission, Village of Questa, Taos Chamber of Commerce and Mora Valley Chamber of Commerce, along with over 160 local businesses, support permanent protection of the Río Grande del Norte.

ClimateProgress: Californians Ask Salazar: Will President Obama Help Us Make Fort Ord America's Next National Monument?

January 17th, 2012

By PUBLIC LANDS TEAM: Jessica Goad, Manager of Research and Outreach, Center for American Progress Action Fund.

At the invitation of veterans, businesses, and the local community, Interior Secretary Ken Salazar last Friday paid a visit to Fort Ord, a former military base located on the Monterey Peninsula near Salinas, California. At a listening session to discuss the future of the site, local activists called on the secretary and President Obama to designate the Bureau of Land Management-managed lands at Fort Ord as a new national monument using the president's executive authority under the Antiquities Act.

Local support for a new Fort Ord national monument is undisputed. As the Monterey Herald reported:

Before he left to catch a plane, Salazar asked how many in the room wanted 'this land protected and preserved in perpetuity.'

He was met with resounding applause.

Speakers at Friday's public hearing discussed in detail how the former Fort Ord Military Installation played a key role in our country's history. From its founding in 1917 until its formal closure in 1994, the fort served as a training center and staging area for troops, and thus was home to 1.5 million soldiers fighting in every war from World War I to Desert Storm. The Vet Voice Foundation and a group of California veterans noted in a letter to Secretary Salazar that:

A National Monument designation will **serve as a reminder of the triumphs and sacrifices that have shaped the United States** and honor the legacy of the millions of soldiers who trained on these lands.

In addition to its place in military history, the public lands managed by the Bureau of Land Management around Fort Ord are some of the finest for outdoor recreation in the area. The fort's 86 miles of hiking, biking, and horseback trails on more than 7,000 acres are enjoyed by 100,000 visitors every year, who spend money in and around the area creating economic impacts. National monument status would likely increase visitation and associated economic impacts; a case study on protecting Fort Ord's public lands authored by economic consulting group Headwaters Economics found that:

The counties in the West with protected public lands, like national monuments, **have been more successful at attracting fast-growing economic sectors** and

as a result grow more quickly, on average, than counties without protected public lands.

The president has the authority under the 1906 Antiquities Act to designate places of "historic or scientific interest" as national monuments. Unfortunately, the 112th Congress has thus far failed to pass any legislation that would protect public lands and provide more recreation and economic opportunities. Local supporters of a national monument at Fort Ord made it clear last week that the president can't wait for Congress—now is the time to make sure that Fort Ord and its surrounding public lands are protected for all Americans to enjoy.

As Salazar said Friday: "Our best places in the United States...are those where you have the kind of united community support that I see here today."

Fort Monroe Public Support Assessment

July, 2011

National Park Service Press Release

The public is welcome to provide comments on the potential establishment of a unit of the National Park System at Fort Monroe in Hampton, Virginia. Legislation has been recently introduced to establish the park.

Secretary of the Interior Ken Salazar held a public meeting at Fort Monroe on June 29, 2011 to solicit public comments. Should you wish to provide written comments based on that meeting, please feel free to do so on this web site.

The National Park Service will conduct two public meetings on July 19, 2011 to provide opportunities for additional comment. The meetings will be conducted at the Hampton Roads Convention Center, 1610 Coliseum Drive, Hampton, Virginia.

The first meeting will be held from 2:00 p.m. until 4:00 p.m. The second meeting will begin at 6:30 p.m. and end at 8:30 p.m.

There are several ways to provide us with your comments: 1) Participate in the July 19, 2011 public meetings - comment cards will be available at the meeting or you may bring your written comments. 2) You may submit comments through this website - click on the "Open for Comment" tab on the left side of this screen, select "Fort Monroe Public Support Assessment" and follow the instructions on the screen to complete the comment form. 3) Send us your comments by mail at National Park Service, (Attn: Megan Lang), 200 Chestnut Street, Philadelphia, PA 19106 or by email at megan_lang@nps.gov.

Public comments will be accepted through July 26, 2011.

The Virginian-Pilot: Fort Monroe gets push as a national park

June 30th, 2011

By Kate Wiltrout

FORT MONROE

This historic Army post may have won over a most important ally on Wednesday: Cabinet member Ken Salazar, secretary of the interior. Salazar toured the 570-acre base in Hampton before meeting with about 150 citizens, almost all of whom indicated strong support for making Fort Monroe a national park after the Army departs in September.

As head of the federal agency that oversees the National Park Service, and as President Barack Obama's point man on preserving and protecting the nation's heritage and natural resources, Salazar could be pivotal in making that happen.

He was clearly impressed with what he saw inside and outside the moated stone fort at the heart of the property.

"This is an incredible place," he told the audience gathered at Bay Breeze Community Center on the fort's easternmost beach.

Later, at a meeting with The Virginian-Pilot editorial board, Salazar said Fort Monroe could become a great example of an urban national park, and it is clearly in line with Obama's great outdoors initiative.

He also commented on the fort's pivotal role in emancipation, beginning with Union Army Gen. Benjamin Butler's decision to allow three escaped slaves sanctuary during the opening days of the Civil War in 1861.

That decision sparked an exodus as thousands of slaves flocked to what became known as Freedom's Fortress.

Although his initial decision was tactical - Butler needed the men's labor and wanted to deny it to Confederate forces - he quickly decided to allow women, children and elderly slaves to claim the fort's protection, too.

Historians say the mass migration, and the practical issue of what to do with a flood of humanity in Hampton, helped spur President Abraham Lincoln to issue the Emancipation Proclamation in 1863.

Salazar called Fort Monroe "the crucible" where Lincoln's legacy was born.

"I don't know that I've been to another place that has the history Fort Monroe has," he said..

But creating a national park is usually a slow process, Salazar said, often requiring a decade or more to win the approval of Congress and complete the needed studies.

Legislation making part or all of Fort Monroe a national park has been proposed and has bipartisan support locally, in Richmond and among members of Virginia's congressional delegation.

But with just 2-1/2 months remaining until the Army turns the property over to the state - in compliance with the 2005 Defense Base Realignment and Closure Commission's recommendation - a quicker option has become a priority: getting the president to declare the fort a national monument using powers granted to him by the Antiquities Act.

Salazar indicated that Obama is considering that option. He told the audience that the president asked him to visit the base, and said Obama is familiar with its unique role in history.

He also said it's important for local communities and regional officials to broadly support the creation of a park through the Antiquities Act.

On Wednesday, the mayor of Hampton, two U.S. representatives, state officials and staff members representing both Virginia's senators spoke in support of using the act to create a national park.

So did the crowd.

At the end of the public meeting, Salazar asked everyone in attendance to vote for one of three scenarios: no national park, a national park designated by the president, and a national park created by Congress.

There were no votes for the first scenario; the second option won in a landslide.

Jon Jarvis, the director of the National Park Service and a career employee, told the audience he doesn't recall any potential park unit having this level of bipartisan support.

Democrats and Republicans might be feuding over the budget in Washington, but U.S. Reps. Bobby Scott, D-Newport News, and Scott Rigell, R-Virginia Beach, made it clear they're united on this issue.

Multiple speakers noted that Fort Monroe has an especially strong link to slavery because the first enslaved Africans brought to the New World arrived on the island that became the fort.

Rigell said some parts of the nation's history fall painfully short of the ideals set out in the Declaration of Independence, but they cannot be ignored: "This story needs to be told. It needs to be told right here."

Also, both of Virginia's U.S. senators introduced a bill Wednesday that would make Fort Monroe a national park.

One tidbit from the morning's tour seemed to stick with Salazar: the Algernourne oak, a stately live oak on the perimeter of the parade ground inside the moat.

According to historian John Quarstein, one of Salazar's tour guides, the tree dates to 1569.

It witnessed Native Americans hunting nearby, the arrival of English colonists and African slaves, Butler's decision, and the Civil War, Quarstein noted.

Salazar mentioned the oak during the public meeting, saying it has seen the entire history and evolution of our country.

What happened around that tree over more than 400 years cannot be forgotten, he said, and he borrowed a phrase from the Preamble to the Constitution:

"The preservation and the telling of that story is part of making a more perfect union."



United States Senate

WASHINGTON, DC 20510-0504

<http://feinstein.senate.gov>

August 3, 2015

The Honorable Barack Obama
President of the United States of America
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500

Dear President Obama,

I write to request your administration use its authority under the Antiquities Act of 1906 to designate three national monuments in the California desert: the Mojave Trails National Monument, the Sand to Snow National Monument and Castle Mountains National Monument.

My request is based on my enduring commitment to protect California's magnificent desert landscapes. Two decades ago, I was proud to author the California Desert Protection Act, which raised the protection level for nearly 9.6 million acres of public lands, established Death Valley National Park, Joshua Tree National Park and the Mojave National Preserve, and designated over 7.6 million acres of public lands as wilderness. At the time this bill was signed into law by President Bill Clinton on October 31, 1994, it was the largest land conservation legislation enacted in the history of the continental United States.

As time went on, it became evident that substantial land within the desert remained at risk due to the checkerboard ownership of private lands granted to the railroads during westward expansion in the later 19th century. These lands, owned by the Catellus Corporation, spanned across the desert, covering hundreds of thousands of acres within and south of the Mojave Preserve. Thanks to generous support from private citizens and federal Land and Water Conservation dollars, approximately 600,000 acres of Catellus lands were acquired or donated to the federal government between 1999 and 2004 for the purpose of permanent conservation and the enjoyment of the American public. However, in the absence of specific statutory authority or executive action to preserve these lands in perpetuity, they face continued threats from solar and wind energy development.

Since 2009, I have introduced legislation three times to establish the Mojave Trails National Monument to protect these former railroad lands as well as create the Sand to Snow National Monument, designate wilderness areas and preserve existing off-road recreation areas. The legislation has received broad support from diverse stakeholders because it has always been premised on carefully balancing conservation, recreation, energy, military and other land use needs in the California desert. Additionally, both state and federal agencies involved in developing the Desert Renewable Energy Conservation Plan have concurred with the conservation of proposed monument lands.

While I intend to continue to work with my colleagues in the Senate and House to advance this important bill and the national park additions, recreation area designations and other conservation provisions that cannot be implemented through the Antiquities Act, I request that the administration begin conducting the necessary due diligence to designate the Mojave Trails, Sand to Snow and Castle Mountains as national monuments.

The Mojave Trails, Sand to Snow and Castle Mountains monument proposals are truly deserving of Antiquities Act protections. Though all three areas are within the California Desert Conservation Area, they are quite distinct from one another in terms of their topography, ecology and history, meriting their independent consideration.

- **Mojave Trails** - The proposed Mojave Trails monument would encompass sweeping desert landscapes in the East Mojave along historic Route 66. Monument designation would protect prized Bureau of Land Management (BLM)-administered public land such as Sleeping Beauty Valley and the Cady Mountains, as well as critical wildlife corridors between Joshua Tree National Park and the Mojave National Preserve. The Mojave Trails area includes iconic desert vistas, majestic mountain ranges, prehistoric lava flow areas, extinct volcanoes and fossil beds. It is home to desert tortoise, bighorn sheep, fringe-toed lizards, a portion of California's largest cactus garden and rare plants, such as the crucifixion thorn that dates back to the ice age. The BLM currently manages much of this area to protect the desert environment through administratively-created Areas of Critical Environmental Concern and Desert Wildlife Management Areas protecting the habitat of the threatened desert tortoise and many other listed and sensitive species.

- Sand to Snow - As proposed in the legislation, the Sand to Snow National Monument would cover 135,000 acres of BLM and Forest Service land between Joshua Tree National Park and the San Bernardino Mountains, from the desert floor in the Coachella Valley to the top of Mount San Gorgonio, the highest peak in Southern California. Located at the convergence of the Mojave and Sonoran deserts, this area would be among the most biologically national monuments in the country, and is one of the most important wildlife corridors in Southern California. The area is home to approximately 250 species of migrating and breeding birds, mule deer, desert bighorn sheep, mountain lions, black bears, raccoons, bobcats, coyotes, and numerous reptiles and amphibians. Approximately 24 miles of the Pacific Crest Trail are included within the proposed monument boundaries. Serrano Indians inhabited this area centuries, including in Big Morongo Canyon which was designated as an Area of Critical Environmental Concern by the BLM in 1982.
- Castle Mountains - Proposed as an addition to the Mojave National Preserve in the legislation, this area northeast of the current Preserve boundary was left out of the 1994 California Desert Protection Act due to an active gold mine which ceased operations in 2001. This landscape has unique geology, highly scenic vistas, and grasslands formed by volcanic and granitic mountains. The area is also home to the historic mining town of Hart, which in the early 1900's had up to 1,500 residents; relics from the township can still be found on these lands. This is an ecologically important area as well, with spectacular examples of Yucca, Joshua Tree Woodland and juniper forests, important habitat for desert tortoise, resident and migratory herds of desert bighorn sheep and endemic plants, such as a species of penstemon. Because these lands are not contiguous with either the proposed Mojave Trails or Sand to Snow monuments, I urge you to consider designating the Castle Mountains as its own national monument.

In addition to these areas, I request the administration consider designating adjacent public lands in order to protect resources consistent with the purposes of the Antiquities Act. These include the following areas:

- Black Lava Butte and Flat Top Mesa – This area northeast of the proposed Sand to Snow National Monument includes two volcanic rock formations unique in the geology of southern California. Approximately 1,700 petroglyphs and other important cultural sites within this area are threatened by potential development. There are several springs in the area, which

provide habitat for the endangered Least Bell's Vireo and Southwestern Willow Flycatcher, along with a host of other resident and migratory birds. These lands are proposed as an Area of Critical Environmental Concern in the legislation; however, I urge you to consider including them as part of the Sand to Snow National Monument.

- Cadiz Valley – The lands south of the proposed Mojave Trails National Monument provide important desert tortoise habitat and serve as a critical wildlife corridor between the Joshua Tree National Park and the Mojave National Preserve. The area also contains unique Aeolian dune features, as well as lands used by General Patton's Armored Divisions during World War II for desert warfare training, making it both scientifically and historically significant. I urge you to consider including this area as part of the proposed Mojave Trails National Monument.
- Sacramento Mountains - Lands east of the legislative boundary for the proposed Mojave Trails National Monument are sacred to many Mojave and Lower Colorado River tribes. Sadly, vandalism has led to the destruction and even theft of petroglyphs in this area. Protection of these important cultural resources is precisely the purpose of the Antiquities Act. Such protection would also protect critical habitat for the desert tortoise as well as the Le Conte's thrasher, prairie falcon and pallid bat. I urge you to consider including this area as part of the proposed Mojave Trails National Monument.

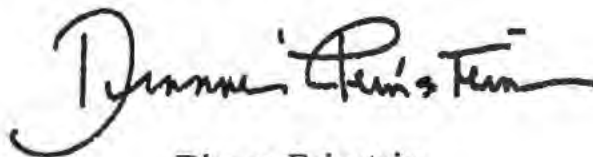
Designating these national monuments will not only ensure the protection of important natural and cultural resources, but provide significant economic benefits to the region. Tourism and recreation spending related to nearby national park lands provide enormous economic benefits to the region. For example, recently released data from the National Park Service found that last year, the 3.2 million visitors to Death Valley and Joshua Tree National Park and the Mojave National Preserve spent \$191 million in communities near the parks. That spending supported 2,751 jobs in the local area and had a cumulative benefit to the local economy of nearly \$214 million. Similarly, the Santa Rosa San Jacinto National Monument in Riverside County has contributed to the multi-billion dollar tourism economy in the Coachella Valley since bipartisan legislation established that monument in 2000.

As you consider this request, I encourage you to seek input from all the stakeholders that have worked diligently with me and my staff for years to craft

and continually improve the legislation. These include state and local officials, tribes, off-highway recreation advocates, local and national conservation organizations, California's public utilities, renewable energy companies, hunters, ranchers, mining interests, local businesses and community members. I would also urge you to seek broader public input and would welcome the opportunity to jointly host a public meeting with administration officials on the proposed monuments.

Thank you for considering my request. I look forward to working with you to protect California's majestic desert.

Sincerely,

A handwritten signature in black ink that reads "Dianne Feinstein". The signature is written in a cursive, flowing style with a large initial "D".

Dianne Feinstein
United States Senator

M-general
H60214
6375.1

Congress of the United States
Washington, DC 20515

January 28, 2015

President Barack Obama
The White House
1600 Pennsylvania Avenue
Washington, DC 20500

Dear President Obama:

Upon visiting the Grand Canyon, President Theodore Roosevelt famously stated: *"Leave it as it is. You can not improve on it. The ages have been at work on it, and man can only mar it."*

Roosevelt meant what he said – he took action to protect this natural wonder. In 1906, he established the Grand Canyon Game Preserve, Two years later, he proclaimed the 800,000-acre Grand Canyon National Monument.

Today, it is time for a new monument to protect the greater Grand Canyon region. North and south of Grand Canyon National Park is the Grand Canyon watershed region. The heart of this proposed national monument is the Kaibab Plateau, where the Colorado River carves its way through the Grand Canyon and provides water for millions of people in Arizona, Nevada, and California, as well as further downstream in Mexico.

The Kaibab Plateau is home to sensitive plants and animals found nowhere else in the world. The area is a corridor for iconic wildlife such as mountain lions and mule deer, and it is a habitat for imperiled species such as the California condor and desert tortoise. South of the Grand Canyon, the Coconino Plateau contains deep groundwater that supplies life-giving seeps and springs. This area is also culturally rich and contains sites, including Red Butte, that are special and sacred to Native American tribes.

Not only is the Grand Canyon region an environmental treasure, it is also an economic driver for northern Arizona and our entire state. In 2013, 4.5 million visitors spent nearly a half a billion dollars in the region, supporting more than 6,000 local jobs.

The Grand Canyon and its watershed deserve permanent protection from several existing and future threats. Uranium mining, for example, continues to threaten the water quality, wildlife, and intact habitat of the watershed. The region also lacks safe habitat connections between Grand Canyon National Park and Grand Staircase-Escalante National Monument in Utah. And the old-growth ponderosa pine forests of the North Kaibab Plateau lack permanent protections from logging, which threatens native wildlife diversity and climate resiliency.

Protecting this region as a national monument will not only protect ancient forests, corridors for migratory wildlife and thousands of archeological sites, it will also support clean drinking water,

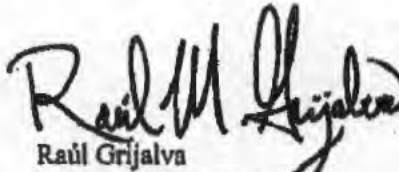
cultural heritage, and recreation. Native American tribes in the region have a deep connection to these lands and waters, so tribal consultations should be an important part of any efforts to establish a national monument.

We respectfully ask that you use your authority under the Antiquities Act to protect the Grand Canyon's watershed as a national monument. Thank you for your consideration.

Sincerely,



Ann Kirkpatrick
Member of Congress



Raúl Grijalva
Member of Congress



Ruben Gallego
Member of Congress

THOMPSON: ALL COUNTIES WITHIN BERRYESSA SNOW MOUNTAIN REGION ENDORSE PERMANENT PROTECTION

Dec 2, 2014

Press Release

WASHINGTON D.C. – U.S. Rep. Mike Thompson (CA-5) today announced that all five counties within the Berryessa Snow Mountain Region have endorsed permanent protection for the area. Today, Mendocino unanimously voted to endorse permanent protection for the Berryessa Snow Mountain Region. Napa, Lake, Yolo and Solano Counties have all previously voted in support of permanent protection for the region.

“There is overwhelming public support for protection of this national treasure,” said Thompson. **“If Congress won’t pass my legislation to permanently protect the Berryessa Snow Mountain Region then President Obama should step up where Congress hasn’t and permanently protect the region as a national monument.”**

In May 2013, Thompson introduced H.R. 1025, the Berryessa Snow Mountain National Conservation Area Act. U.S. Senator Barbara Boxer (D-CA) introduced S.483 the companion bill in the Senate. The legislation would designate the 350,000 acre Berryessa Snow Mountain region as a National Conservation Area (NCA). Under this designation the region would be permanently protected, ensuring continued recreational opportunities while safeguarding the region’s natural beauty, wildlife, rare plants, and waters - which include important sources of drinking water and irrigation for nearby communities.

Additionally, President Obama can use his executive authority to designate the region as a national monument. Such action would achieve the goals of Thompson’s legislation. Napa, Lake, Yolo, Solano and Mendocino Counties all support a national monument.

The Berryessa Snow Mountain region stretches more than 100 miles from the lowlands of Putah Creek below Lake Berryessa, across remote stretches of Cache Creek, and up to the peak of Snow Mountain. It encompasses more than 350,000 acres across Napa, Mendocino, Lake, Solano and Yolo Counties. The area is rich in biodiversity, including bald and golden eagles, black bears, mountain lions, tule elk, and rare plants found nowhere else on Earth.

The Berryessa Snow Mountain region also includes numerous trails, open spaces, lakes and rivers. These resources provide recreation opportunities for hikers, bikers, hunters, campers, off-highway vehicle users, and both motorized and non-motorized boaters.

A national monument designation would also provide a boost to our local economies. Protected public lands are major contributors to our country’s \$646 billion outdoor recreation economy. In California alone, more than half of all residents participate in outdoor recreation each year, supporting more than 700,000 jobs and generating more than \$6 billion for our state’s economy.

In addition to the five counties that support a national monument designation, more than 100 businesses in areas surrounding the Berryessa Snow Mountain Region also support a national monument designation.

Thompson’s legislation has been referred to the House Committee on Natural Resources. Despite hearings in both the House and Senate, it has not received a vote.



E&E Publishing: Nev. congressman says document points to massive designation

Phil Taylor, E&E reporter
E&E Daily: Friday, May 8, 2015

President Obama is planning to designate a 700,000-acre national monument in rangelands of east-central Nevada, according to a document obtained by Rep. Cresent Hardy (R-Nev.) .

The six-page [draft proclamation](#) was prepared by the White House and has been circulating among federal agencies the past week, Hardy's spokesman said, according to a [report](#) in the *Las Vegas Review-Journal*.

The so-called Basin and Range National Monument in portions of Lincoln and Nye counties would be Obama's largest land-based designation yet under the 1906 Antiquities Act, a conservation law that has been a target of Republicans in Congress including Hardy.

An Interior Department spokeswoman did not reply to an email last night. It's unclear if, or when, the monument would be declared.

In January, Hardy co-sponsored a [bill](#) by Rep. Mark Amodei (R-Nev.) to prohibit the president from designating national monuments in Nevada without approval from Congress.

Hardy said the Basin and Range monument would lie under the airspace of the Nevada Test and Training Range and include one of the most heavily used military operating areas in the country. The Air Force and its partners flew nearly 20,000 aircraft sorties in the area last year, exercises that would be "drastically impaired as a result of this monument designation," Hardy said.

"If the president presses forward with this initiative, it will be at the cost of national security measures and military preparedness, and will be done in direct opposition to the residents and visitors that respectfully make recreational use of this area as is," Hardy wrote in an [op-ed](#) on his website yesterday. "His initiative smacks of a lack of transparency, and is devoid of meaningful local input."

But Kristen Orthman, a spokeswoman for Senate Minority Leader Harry Reid (D-Nev.), who has introduced legislation to withdraw more than 800,000 acres of the Basin and Range area from future mineral development, said Hardy is "getting a little bit ahead of himself."

"We will not allow those who have no interest in the protection of the Basin and Range area to demagogue it with a misinformation campaign built heavy on partisan rhetoric but short on actual facts," she said in an email to reporters last night. "Sen. Reid believes this area deserves protection — that is why he introduced legislation to do so in 2014. But in lieu of legislation, Senator Reid fully supports President Obama if he decides to designate this area, which he has the legal authority to do so."

Orthman said the Basin and Range is "uniquely Nevada" and deserves protection as "one of the most beautiful places on earth."

Reid, in fact, has been seeking the Obama administration's help in protecting public lands in Nevada since as far back as last October, according to a letter obtained by E&E Daily ([Greenwire](#), Jan. 20).

Reid on Oct. 24, 2014, sent a [letter](#) to Interior Secretary Sally Jewell asking her to convene a public stakeholder meeting in Las Vegas to discuss various conservation efforts in southern Nevada, including his legislation to protect Basin and Range as well as Gold Butte and the Tule Springs Fossil Beds National Monument.

The letter appears to have paid off. In February, Interior Deputy Secretary Michael Connor attended a public meeting in Las Vegas with Reid and Rep. Dina Titus (D-Nev.) to discuss their proposals to protect more than 1 million acres of Nevada public lands.

That visit suggests monument designations for those areas are on the president's radar. Past Obama monuments have been preceded by secretarial visits.

Reid's bill, and the alleged monument, would also protect artist Michael Heizer's "City," an earth sculpture that has taken decades to build and will be as large as the National Mall, according to media reports.

Heizer has used bulldozers, cranes and other heavy machinery "to reshape a slice of desert into his vision," according to the *Review-Journal*.

Museums including the Los Angeles County Museum of Art, the Museum of Modern Art in New York and the Institute of Contemporary Art in Boston have rallied to protect the federal lands surrounding Heizer's work.

It's also a top campaign of conservation groups including the Center for Biological Diversity and the Conservation Lands Foundation.

Permanent protection would "not only [safeguard] recreational opportunities for Nevadans but will also secure outdoor laboratories for future generations of scientists, academics and adventurers," CLF wrote in a [blog entry](#) last month.

Washington Post: With Obama's help, Harry Reid leaving an indelible mark in the Nevada desert

By [Juliet Eilperin](#) July 7, 2015

When President Obama and Sen. Harry M. Reid (D-Nev.) flew to Las Vegas in November to tout the president's plan to block the deportation of millions of undocumented immigrants, Reid took the opportunity to broach an unrelated subject, one that tied together his childhood love of Nevada's desert with his political legacy.

Reid asked Obama if he would be willing to designate a huge swath of desert in central Nevada as a [national monument](#), in part to protect a mammoth, unconventional art installation constructed over the past half a century by one man.

"Explain it to me," Obama said, Reid recalled.

"I can't," Reid replied.

He was referring to [Michael Heizer's "City,"](#) a series of sculptures reminiscent of a ceremonial Mesoamerican city stretching across an expanse of desert nearly the size of the Mall. But the request also included a much larger section of the [Basin and Range](#), an arid landscape marked by caves, ancient bristlecone pines and walls where petroglyphs — rock engravings — testify to the presence of vanished ancient people.

Reid was asking for a measure that would infuriate conservatives in a state where [rancher Cliven Bundy won acclaim](#) for refusing to pay federal grazing fees, and another set of ranchers defied grazing restrictions that the Bureau of Land Management imposed because of a recent drought.

As soon as Friday, according to people briefed on the decision, about 704,000 acres in central Nevada will receive federal protection, in no small part because Harry Reid loves the desert, thinks it's beautiful and pictures it in his mind when he's trying to fall asleep at night. It also demonstrates the political power Reid has amassed over more than three decades in office and the important relationship he has with a president whose legacy he has helped to build.

"It is only due to Harry Reid that this is getting done," said a former Obama adviser who was close to the process.

When Reid first took office in 1982, his home state had less than 67,000 acres of federally protected wilderness. It now has nearly 3.4 million acres, all of which he brokered, along with 600,000 acres of other protected areas.

For more than a decade, conservationists have sought to protect the area, which bridges the Mojave Desert and the sagebrush steppe, an important environmental ecosystem stretching across the Western

United States. It serves as a migration corridor for large mammals such as mule deer and pronghorn, as well as habitat for imperiled species including the hoary bat and the flowering White River catseye.

Brian O'Donnell, executive director of the Conservation Lands Foundation, said it is remarkable for its "intact and unspoiled expanse," whose valleys have not been split up by extensive roads and transmission lines.

But in a state where the federal government owns about 87 percent of the land and most local officeholders are Republican, the push for additional protection has rankled.

News of the potential monument designation [leaked in May](#), when Rep. Crescent Hardy (R-Nev.), who represents the two affected counties, received a copy of [a draft proclamation](#) and posted it on his Web site. Hardy said he was concerned that the move could interfere with the Pentagon's battle training exercises at the Nevada Test and Training Range. Other local officials questioned how it would affect grazing and other activities.

The proposed site includes land in two counties, Nye and Lincoln. Nye County Commissioner Lorinda Wichman said the terrain under consideration is "no more unusual than the rest of the state."

Any restrictions would translate into "an economic loss," she said, adding that she had made her opposition clear to Reid's staff a couple of years ago. "We actually thought we had put this to bed," she said.

On Tuesday night, Hardy offered an amendment to the Interior Department's annual spending bill that would block the use of federal money to carry out the presidential designation of a national monument under the Antiquities Act in 17 counties in Arizona, California, Colorado, New Mexico, Nevada, Oregon and Utah, where local opposition exists. Democrats objected to the measure, which will now be subject to a vote of the full House.

An administration official, who spoke on the condition of anonymity because no formal decision has been announced, said the administration had taken into account the Pentagon's input as well as feedback from a Feb. 18 listening session in Las Vegas.

The Basin and Range Province is a vast region spanning several Western states as well as the U.S.-Mexico border, an area of mountains and valleys that writer John McPhee described as having "reached a state of precarious and temporary truce with God, physics, and mechanical and chemical erosion."

Reid said the soon-to-be protected land is a part of the American landscape that is often overlooked. Others have done their share of protecting "mountains and beautiful places," he said. "But for me, the most beautiful parts of nature, it's the desert."

He added: "When you have a time when you're sitting back and thinking, and you're trying to go to sleep, and you're thinking what is really the best thing you'd like to see, I can see the desert. To me

that's such starkness, that's such beauty. And there's no place in America that represents what I think is beauty more than this Basin and Range."

[READ: Desert artist Michael Heizer returns to NYC with pair of S2M rocks]

As a child, Reid fell in love with Piute Springs, the site of an old cavalry fort in California that he remembers as a place with lily pads and gushing water. "It was like going to Disneyland from Searchlight," he said, referring to his Nevada hometown. After seeing how degraded it had become years later, Reid recalled, "I said to myself, 'I'm going to do something about this and other places so this doesn't happen again.'"

In the span of two years he secured \$495,000 for the site. The fort has been rebuilt, the trees replanted.

Reid has been "masterful, by using all the various options within the legislative process, at protecting special places," said League of Conservation Voters President Gene Karpinski, whose group gave the senator a lifetime achievement award last month. Karpinski added that the senator also "put his foot down" by [blocking three coal plants in Nevada](#) in 2007 — one in the same part of the state that is being eyed for protection.

Those initiatives irritate Lincoln County Commissioner Ed Higbee, who is angry that Reid blocked energy projects in his county while he has backed development in the more populous and Democratic-leaning county including Las Vegas.

"He stopped it, black, dead in its tracks," Higbee said.

Reid, who served as Senate majority leader for eight years until Democrats lost control of the chamber in 2014, excelled at cutting deals across the aisle. He was crucial to the passage of some of Obama's most important agenda items. But having unsuccessfully sponsored legislation to protect the Basin and Range for two Congresses in a row, Reid was left with only one viable option to preserving this stretch of the desert before he leaves office in 2017: Obama's pen.

Although Obama has shown an increased willingness to use his authority under the Antiquities Act this term, some of his aides were initially surprised by the push to protect the Basin and Range. There were other proposals that had been vetted for a longer period of time, such as ones to safeguard California's Lake Berryessa and the Waco Mammoth site in Texas.

"This was on nobody's radar screen, and it certainly wasn't part of the plan," said one person close to the president who has been involved in the discussions. When the question of possible controversy was broached, Obama said: "I don't care. I want this done."

Reid visited Heizer's art installation and its remote environs in 2007. He said went "to check off a box." But the visit changed him. "I became a convert. . . . You have this magnificent work of art that this man spent half a century working on. And that's quite a story."

Waco Tribune: Waco to ask Obama to make mammoth site national monument

Posted: Monday, September 15, 2014 7:01 pm

By J.B. SMITH jbsmith@wacotrib.com

Advocates for the Waco Mammoth Site are taking their case for a national monument to the White House, after years of trying in Congress.

Waco City Council today will consider passing a resolution in favor of adding the archaeological site to the national park system under the Antiquities Act of 1906.

Under the act, presidents can designate national monuments without congressional approval.

About 140 sites, including the Grand Canyon, Statue of Liberty and Muir Woods, have become national monuments through the act.

President Barack Obama has used that power 11 times, bypassing congressional stalemates over park system funding.

Officials with the National Park Conservation Association, the leading nonprofit advocate for national parks, recently told city officials that the city-owned Waco Mammoth Site is among four sites for which it will seek national monument status.

The association plans to present the city's resolution and a letter of support from Baylor University to the U.S. secretary of the interior and National Park Service director.

Gloria Young, who headed the fundraising effort for the mammoth site and now serves as treasurer of the Waco Mammoth Foundation, said the latest effort may be a long shot, but it's worth a try.

"I think this site is of major importance, not just to us locally, but nationally," she said. "It's a wonderful thing that Baylor and the city have worked together and that private citizens have been tremendously supportive, but we could certainly, with more national recognition, become much more of a tourist attraction."

The 100-acre mammoth site at 6220 Steinbeck Bend Drive includes a climate-controlled pavilion that displays mammoths and other prehistoric animals that lived up to 65,000 years ago. Baylor University scientists discovered 24 mammoths at the site during three decades of archaeological digs.

The site is on track to attract 20,000 visitors this year, up about 2,000 from the first few years, parks officials said.

The site was developed according to National Park Service standards, and city officials say they are willing to continue operating it at the city's expense. City parks director Rusty Black said it should be an attractive addition to the national parks system.



"When you have public and private funding of more than \$4 million in construction, that means that instead of saying, 'We have a nice boneyard,' we can say, 'We have a nice place already built and ready to go,'" he said.

Congress in 2001 ordered the National Park Service to study the site's suitability for the national park system. In 2007, the agency reported that the site met all criteria for inclusion.

A bill sponsored by then-U.S. Rep. Chet Edwards, D-Waco, to add the site to the national park system passed the U.S. House in late 2010 but died in the Senate. A bill by Edwards' successor, Rep. Bill Flores, R-Bryan, passed the House in 2012 but never came up for a vote in the Senate.

Flores' bill stipulated that the mammoth site would be added to the system but without federal funding. The National Parks Conservation Association at the time decried the bill, saying it set a bad precedent and would prevent the National Park Service from exercising its necessary oversight.

Young agreed that the proposed funding restrictions went too far.

"Major funding at this time is not required, and that's the point we've tried to make to Washington," she said. "What killed us is that they put in a phrase that no funding ever could take place. How can we agree to no funding ever? We don't know what's in the future. If we make a phone call to the National Park Service to ask a question, or if they should check to make sure it's maintained as it should, that's an expenditure."

In an interview Monday, Flores said his legislation wouldn't have prohibited the National Park Service from exercising routine oversight or promoting the site.

"I think that's a straw horse," he said. "The folks in the Senate want parks to be totally federally funded so the federal government has complete control."

Flores said he was concerned about a \$10 billion maintenance backlog for the national park system and didn't want to strain the agency's budget with new designations.

Flores said he has not given up on getting a national designation for the site, and he thinks there could be an opportunity next year in Congress.

The congressman said he thinks Obama and other presidents have "abused" the Antiquities Act in creating massive new federal lands with an act that was intended to protect cultural and natural resources.

But he said he wouldn't oppose the act being used for the mammoth site, as long as city officials know that federal funding might not be available for it.

"I'm not against the city council making a vote like this," he said.

Waco Tribune: Waco Mammoth Site Advocates make National Monument case in D.C.

Posted: Tuesday, October 28, 2014 6:01 pm

By J.B. Smith

Waco leaders are in Washington, D.C., this week to make the pitch for an executive order to make the Waco Mammoth Site a national monument and to invite top federal parks officials to Waco to see it.

Officials with the city, Baylor University, Waco Mammoth Site and the National Parks Conservation Association will meet Wednesday and Thursday with administration staff and elected officials about the site.

They will ask the Interior Department and National Park Service to request an order from President Barack Obama to incorporate the mammoth site into the federal system under the Antiquities Act.

Obama already has used that power for 13 sites across the country. Suzanne Dixon, who is representing the conservation association at the meetings as Texas regional director, said there is a strong case to add the Waco Mammoth Site, whose application has been stalled in Congress for several years.

She said the delegation will show "that the community of Waco wants this, it's nationally significant, and it should be a unit of the parks system."

Dixon said the National Park Service could adopt the mammoth site at minimal cost, given that it already has been developed and run by a nonprofit organization and the city of Waco.

"The public-private partnership is a great story," she said. "The first time I drove up there, I thought, 'Oh, my god, the only thing missing from this is the Park Service logo.'"

She said the heads of the National Park Service and Interior Department will be invited to come to Waco in the next couple of months to see the site and the public support for it.

The site on Steinbeck Bend Road showcases a "nursery herd" of two dozen mammoths that formed a defensive circle before being covered by a mudslide some 60,000 years ago. Dixon said no other national monument site can offer anything comparable.

The National Park Service declared in 2007 that the site met its standards for inclusion.

Gayle Lacy, chairwoman of the Waco Mammoth Foundation, said she feels "very positive" about the chances to get a national monument marker.

"I think the best thing is that we have the perfect model for the future set up, a coordinated effort between the private sector, Baylor, the city and the Park Service," said Lacy, who is part of the delegation to Washington.

Lacy said she expects that the city would continue to operate the site as an educational tourist attraction but turn over the five-acre dig site to the National Park Service. The city owns a total of 100 acres around the bones.

Lacy said the national monument status would give the mammoth site a national profile and increase attendance, which is now about 20,000 a year.

Discovery area

She said the designation also would help with fund-raising for a new \$1 million children's "discovery area," that will encourage families and school groups to stay at the site longer.

Joining Lacy and Dixon for the Washington meetings are Waco City Manager Dale Fisseler, mammoth site supervisor Raegan King and Mayborn Museum Complex director Ellie Caston.

The delegation is scheduled to meet this week with the White House's Council on Environmental Quality, the National Park Service, the Department of the Interior and the offices of U.S. Sen. John Cornyn, R-Texas, and U.S. Rep. Bill Flores, R-Bryan.

Flores sponsored a bill in 2012 that would have brought the mammoth site into the national park system but with a stipulation that no federal funds would be spent on it. That bill passed the House but never came up for a vote in the Senate.

Flores has said he would not oppose the city of Waco's efforts to get federal status for the site through executive order.

United States Senate

August 22, 2013

Jonathan B. Jarvis
Director
National Park Service
1849 C Street, NW
Washington, DC 20240

Dear Director Jarvis:

Thank you for meeting with me earlier this year to discuss the forthcoming special resources study of Honouliuli Gulch. I am writing to reiterate my support for designating this site as a unit of the National Park System and encourage the National Park Service to complete this important study.

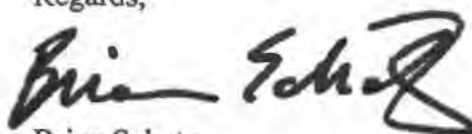
As you know, Hawaii's vital role in the Second World War is evidenced by locations like the World War II Valor in the Pacific National Monument. While all of Hawaii's residents were affected by the events of World War II, in particular more than 1,000 Japanese-Americans and approximately 100 local German-Americans and Italian-Americans were unjustly incarcerated at eight known sites across the State of Hawaii. These sites include: Honouliuli Gulch; Sand Island; the U.S. Immigration Station; the Kilauea Military Camp; the Haiku Camp; the Wailuku County Jail; the Kalaheo Stockade; and the Waialua County Jail.

In 2009, Senator Daniel K. Inouye introduced the Honouliuli Internment Camp Special Resources Study Act of 2009. The bill ordered a special resources study of the Honouliuli Gulch and associated sites within the state in order to determine the suitability and feasibility of these sites as national historic sites. It passed as a part of the Interior Appropriations bill in 2009.

Senator Inouye was a member of the 442nd Regimental Combat Team, one of the most decorated units of the Second World War. The unit was composed of American soldiers of Japanese descent who were initially banned from joining the military following the bombing of Pearl Harbor. Although Senator Inouye's own country mistreated many Japanese-Americans by imprisoning many in internment camps, Senator Inouye voluntarily joined with many other Japanese-Americans to serve in the U.S. military.

I respectfully ask that you work to complete the special resource study of Honouliuli Internment Camp in order to help ensure that future generations learn from this regrettable part of our nation's history and honor those Americans who were forced to live in internment camps. I am confident that the study will rightly find that the site is nationally significant, suitable for inclusion in the National Park System, and feasible for National Park Service management.

Regards,



Brian Schatz
United States Senator

Honouliuli
Gulch

United States Senate

WASHINGTON, DC 20510

November 25, 2014

President Barack Obama
The White House
1600 Pennsylvania Avenue, NW
Washington, D.C. 20500

Dear Mr. President:

We write to request that the Administration begin the process of evaluating whether Browns Canyon should be designated as a National Monument by your authority under the Antiquities Act of 1906. Browns Canyon is located on federal land that the Bureau of Land Management and Forest Service manage in Chaffee County, Colorado.

We are strong supporters of S. 1794, which is our legislation to make Browns Canyon a National Monument. We are nevertheless interested in exploring other possible avenues to achieve National Monument recognition for this remarkable area. To that end, community leaders in the area have suggested the possibility of you using your authority to achieve the same goal as our bill in Congress.

Our bill would designate nearly 22,000 acres of land on either side of the Arkansas River as a National Monument. This area is a unique natural and economic resource with national significance. Hundreds of thousands of people visit the canyon every year to raft or fish the Gold Medal trout waters of the Arkansas River. The rugged and remote lands to the east feature quiet canyons and rock formations, which provide an outstanding habitat for deer, elk, and bighorn sheep and have sweeping views of the Collegiate Peaks and the Arkansas Valley. The upper Arkansas River is one of the nation's most popular areas for whitewater rafting, generating more than \$20 million in direct expenditures and \$52.6 million for the local economy. The landscape supports thousands of jobs, from river outfitters and ranchers to the Main Street businesses of Salida and Buena Vista. Research indicates that a National Monument designation would further stimulate the local economy in the near-and long-term.

The current community-based dialogue about how best to protect Browns Canyon began nearly three years ago at the request of local residents and businesses. They asked us to develop a bill after Congress failed to pass any of the previous bipartisan efforts to protect the area. The most notable of these was led by former Representative Joel Hefley and co-sponsored by the entire Colorado delegation in 2006. That bill had a wide base of community support, as S.1794 does today. Over 200 local businesses, many land- and water-based recreation and sportsmen organizations, the Chaffee County Visitors Bureau, the Colorado River Outfitters Association,

Browns Canyon

the Arkansas River Outfitters Association, the Vet Voice Foundation, the Hispanic Access Foundation, and many others support protecting Browns Canyon. The Town of Buena Vista and the City of Salida passed resolutions of support, and a majority of Chaffee County Commissioners support the legislation with its carefully crafted conditions.

S. 1794 received a favorable hearing in the Senate, including support from the U.S. Forest Service and the Bureau of Land Management which stated, "we look forward to its swift passage." While we remain committed to the legislative process, the gridlock in Congress has stymied this proposal and many others. We feel the future economic benefits of a national Monument designation are significant for the region, and we should not allow Congressional gridlock to deprive Colorado of those benefits. Therefore, we believe it is necessary to begin discussing the possibility of a National Monument designation under the Antiquities Act. As part of this process, we hope that Administration officials can visit Chaffee County to hear directly from Coloradans about the future of Browns Canyon and its value to their community.

Sincerely,



Mark Udall
U.S. Senator



Michael Bennet
U.S. Senator

CC: The Honorable Thomas Vilsack, Secretary of Agriculture
The Honorable Sally Jewell, Secretary of the Interior

DeGette Urges President Obama to Protect Browns Canyon

Nov 26, 2014

Press Release

WASHINGTON – Today, U.S. Rep. Diana DeGette (CO-01) urged President Obama to consider designating Browns Canyon as a National Monument and closely examine community support for protecting the area. Rep. DeGette expressed her support in a letter to the President as the 113th Congress draws to a close.

“Browns Canyon has been a top priority for protection in Colorado for decades, and a National Monument designation would receive broad local support, offer permanent environmental benefits, and help the local economy,” DeGette wrote in the letter. She added that Browns Canyon “stands out for its unique geologic features, its important wildlife habitats, and the broad recognition that this area is best served by maintaining its pristine condition.”

Rep. DeGette has been the primary sponsor of the Colorado Wilderness Act since 1999. In that time, she has worked with partners across Colorado to identify suitable areas for wilderness designation and build necessary support from local communities for such a change. Browns Canyon has always been a part of Colorado Wilderness Act proposals and has stood out with its strong local support.

With her letter to President Obama, Rep. DeGette joined Colorado Senators Michael Bennet and Mark Udall, who have both urged President Obama to use his authority under the Antiquities Act to designate Browns Canyon as a National Monument.

Full text of Rep. DeGette's letter to the president is available below:

November 26, 2014

President Barack Obama
The White House
1600 Pennsylvania Avenue, NW
Washington, D.C. 20500

Dear Mr. President:

I write to encourage your Administration to consider Browns Canyon, located in Chaffee County, Colorado, for designation as a National Monument by your authority under the Antiquities Act of 1906. Browns Canyon has been a top priority for protection in Colorado for decades, and a National Monument designation would receive broad local support, offer permanent environmental benefits, and help the local economy.

Over the past 15 years, I have worked to pass the Colorado Wilderness Act with partners from across the state, and one of my highest priority areas for wilderness designation in that legislation has been Browns Canyon. This area stands out for its unique geologic features, its important wildlife habitats, and the broad recognition that this area is best served by maintaining its pristine condition. Surrounding communities have benefitted tremendously from the fishing and rafting activities nearby on the Upper Arkansas River, and the unique topography in Browns Canyon offers challenging hiking and stunning views.

As you may know, both of Colorado's Senators support National Monument designation for Browns Canyon and have developed legislation to do so. Like Senators Udall and Bennet, I remain committed to legislative action to protect wild areas across Colorado, but the time has come for your administration to hear from Chaffee County stakeholders and consider a National Monument designation. In the short and medium term, Congress will most likely fail to act legislatively, but citizens in the nearby area and across Colorado cannot wait. A National Monument designation will provide environmental and economic certainty and security that Colorado needs.

I have heard many different opinions as I have traveled the state to build support for new Colorado wilderness areas, but those opinions are often rooted in a set of shared statewide values. Coloradoans want to preserve their history, their special quality of life, and their opportunities. I believe designation of Browns Canyon as a National Monument would do just that, and I look forward to working with the Administration and my colleagues in Congress to make this happen.

Colorado's beautiful lands are one of our state's greatest resources. They not only provide clean air, clean water and critical wildlife habitat, they help drive tourism as our state's number one economic engine. It is critically important we protect our remaining wild areas so that future generations have access to the same benefits we enjoy today.

Sincerely,

Diana DeGette
Member of Congress

Congress of the United States
Washington, DC 20515

September 30, 2014

The Honorable Barack H. Obama
President
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear Mr. President:

We write to encourage you to designate a portion of the Pullman Historic District in Chicago, Illinois as a unit of the National Park System using your authority under the Antiquities Act. This unique site represents an extraordinary chapter in American history. It touches on labor, industry, and the fight for racial equality, and it deserves national recognition.

The significance of the Pullman Historic Site cannot be understated. Built by founder George M. Pullman to be a "model industrial town", the Pullman site was home to hundreds of workers and their families. It was also home to the Brotherhood of Sleeping Car Porters, the first African American labor union. The efforts of these workers, many of whom were former slaves, earned them respect for their exceptional work ethic and skill. At Pullman they helped to build the black middle class and laid the groundwork for the Civil Rights movement of the mid-20th Century.

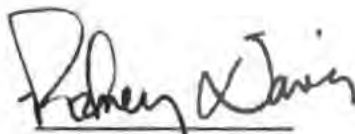
The ripple effects from the labor unions at the Pullman site affected not only the social fabric of our nation, but also the industrial norms. The railroad strike of 1894 that crippled the entire rail industry and led directly to the creation of a National Labor Day began with Pullman factory workers who were fighting for better working conditions and improved safety. That strike provided workers across America with a blueprint for how to achieve a better working environment and secure fair wages and rights in the workplace.

In light of the national significance of the Pullman Historic Site, it has been recognized as an Illinois State Landmark, a City of Chicago Landmark District, and registered as a National Historic Landmark District. We ask that you add National Park designation to that list, making it Chicago's first National Park and one of the few urban units of the National Park system. The story of Pullman deserves to be shared with every American, and we request that you use your authority under the Antiquities Act to ensure the preservation of this iconic site will continue.

Respectfully,



Mark Kirk
U.S. Senator



Rodney Davis
Member of Congress



Aaron Schock
Member of Congress



Adam Kinzinger
Member of Congress

Congress of the United States
Washington, DC 20515

September 26, 2014

The Honorable Thomas J. Vilsack
Secretary
U.S. Department of Agriculture
1400 Independence Ave., S.W.
Washington, DC 20250

Dear Secretary Vilsack,

Thank you for considering our request for an outcomes-based approach to establishing a San Gabriel Mountains national monument. We sent a letter on August 19 urging you to direct the U.S. Forest Service to prioritize critical goals for protecting the many values present in the mountains, and enhancing the experience of resident and visitors to the area. In particular, we underscored that the U.S. Forest Service must be prepared to make tangible improvements to persistent challenges, such as graffiti and trash, and engage urban communities and stakeholders in a robust manner.

As a result, Undersecretary Robert Bonnie has expressed a strong commitment to realizing these goals. In addition, the U.S. Forest Service has been working with communities and stakeholders in the San Gabriel Valley and surrounding areas to address outstanding concerns and gather public input. We are informed that meetings have taken place with homeowners associations, off-highway vehicle groups, several meetings with representatives from the water community and Southern California Edison, and meetings with elected officials from the local cities and counties. We appreciate these efforts and encourage the U.S. Forest Service to continue its outreach throughout the region.

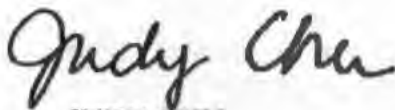
We also urge the U.S. Forest Service to carefully consider the concerns of the wide range of stakeholders that we represent, and use language from the San Gabriel National Recreation Area Act (H.R. 4858) as a blueprint for monument proclamation language. This language was carefully coordinated to protect and preserve rights, land uses, and other critical priorities for all stakeholders. These same assurances are needed in a national monument proclamation to strike a balance between conservation and access. Specifically, we would like to request that proclamation language include protections for – but not limited to – the following:

- Protection of public and private water rights, infrastructure, facilities, and operations.
- Protection of agreements with any public agencies' rights, infrastructure, facilities, and operations.
- Protection of fire management capabilities, infrastructure, facilities, and operations.
- Protection of private property rights and land use agreements, permits, regulations, plans, and laws, especially for homeowners and businesses in the San Gabriel Mountains.

- Protection of agreements with cabin owners in the San Gabriel Mountains, such as recreational residence programs.
- Protection of utilities' rights of way.
- Protection of existing recreational opportunities, access, and future enhancements for off-highway vehicle use.
- Protection of existing recreational opportunities, access, and future enhancements for bicycle use, rock climbing, winter recreation including skiing and snowboarding, hang gliding and paragliding, hiking, equestrian activities, camping, hunting, fishing, and all other forms of recreation available and feasible in the San Gabriel Mountains.
- Protection of sanitation rights, infrastructure, facilities, and operations.
- Protection of tribal rights, access agreements, artifacts, and cultural heritage.
- Establishment of Public Advisory Council with robust local representation.

We believe these protections help to advance the goals we previously shared with you, which should be at the heart of any potential designation for the San Gabriel Mountains. Therefore, again, we urge that you take these vital protections, and others that you hear from the affected communities, into careful consideration, and include them as appropriate in a monument designation. While we must act quickly to protect all the invaluable resources in the San Gabriel Mountains, these protections will help give the public the opportunity to experience these mountains in the most sustainable, empowering, and fulfilling way.

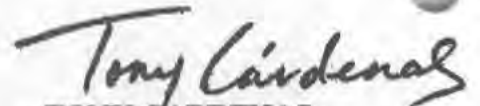
Sincerely,



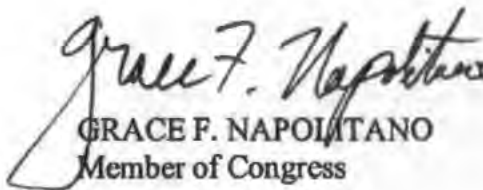
JUDY CHU
Member of Congress



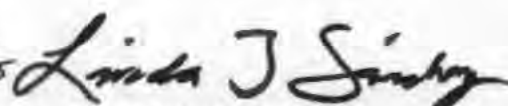
ADAM SCHIFF
Member of Congress



TONY GARDENAS
Member of Congress



GRACE F. NAPOSITANO
Member of Congress



LINDA SANCHEZ
Member of Congress

Heinrich Calls Upon President for Organ Mountains-Desert Peaks National Monument Designation in Doña Ana County

Statement

By: [Martin Heinrich](#)

Date: March 23, 2012

Location: Washington, DC

U.S. Representative Martin Heinrich (NM-1) sent a letter to President Barack Obama earlier this week urging him to designate an Organ Mountains-Desert Peaks National Monument in Doña Ana County. In his letter to the president, Rep. Heinrich cited the multiple cultural, economical and environmental benefits this monument designation would provide for New Mexicans.

"This proposed monument includes part of the original route of the Camino Real de Tierra Adentro, which took settlers and traders from Mexico City through Las Cruces and continuing north all the way to Ohkay Owingeh Pueblo," said Rep. Heinrich in the letter. "For more than 300 years, this road served as the sole route from Mexico City into New Mexico. Some of the most vivid characters in New Mexico's history were active in this area, including Geronimo and Billy the Kid. The Butterfield Stagecoach Route ran right through the Sierra de las Uvas Mountains, which also contain some of the most distinctive Native American petroglyphs and pictographs in the Southwest. The Organ Mountains continue to provide critical cultural resources for the growing Mesilla Valley population."

"Moreover, protecting these resources will help boost the economy of southern New Mexico," Rep. Heinrich continued in the letter. "Recent research done by the New Mexico Green Chamber of Commerce shows that the state's 10 national monuments established through the Antiquities Act account for 1.3 million annual tourist visits and \$54 million in annual tourist spending that supports 1,061 New Mexico jobs."

United States Senate

October 25, 2012

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

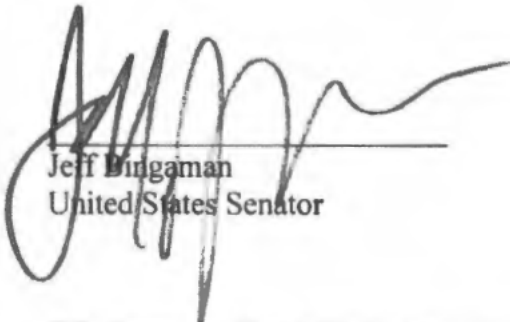
As cosponsors of S. 667, the Rio Grande del Norte National Conservation Area Establishment Act and S. 1024, the Organ Mountains--Doña Ana County Conservation and Protection Act, we write to voice our support for you to use your authority under the Antiquities Act to designate these areas as National Monuments.

New Mexicans on every level, from grassroots campaigns to Mayors and County Commissioners, have expressed their support for the protection of these special places. Community leaders, business owners, student groups, and conservation advocates from across New Mexico have traveled to Washington, D.C. to meet with your staff and representatives at the Department of Interior to lend their support for the protection of the Rio Grande del Norte in Taos County and the Organ, Potrillos, Robledo Mountains and related areas in Doña Ana County. Still, there is much work to be done to ensure these areas are protected this year.

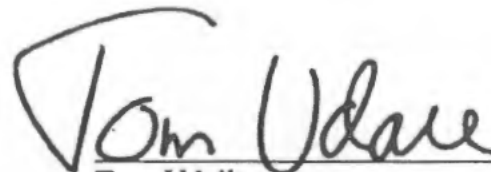
We will continue to work to advance legislation in the Senate to conserve these important areas in New Mexico, but in the absence of any certainty about the passage of legislation, we believe you should work with local communities to explore how a National Monument designation would protect the archeological and cultural resources in these two regions. Since the legislation has been carefully crafted to secure broad support, we request that you carefully consider these proposals.

Thank you for your continued commitment to preserving our valuable places in New Mexico for future generations.

Sincerely,



Jeff Bingaman
United States Senator



Tom Udall
United States Senator

CC: Secretary Ken Salazar, Department of Interior
Chair Nancy Sutley, Council on Environmental Quality
Acting Director Mike Pool, Bureau of Land Management

ES 43080 ✓

Congress of the United States
Washington, DC 20515

February 8, 2013

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OFFICE OF THE
EXECUTIVE SECRETARIAT

President Barack Obama
The White House
1600 Pennsylvania Ave.
Washington, DC 20500

Dear Mr. President,

We write to respectfully request your designation of the Point Arena-Stornetta Public Lands as a part of the California Coastal National Monument using your authority under the Antiquities Act.


As you know, the California Coastal National Monument, designated by President Clinton in 2000, protects small islands, exposed reefs, and pinnacles off the 1,100 miles of California coastline as well as the critical habitat it provides for an abundance of marine life. The Point Arena-Stornetta Public Lands would expand upon this designation by being the first land-based connection to the California Coastal National Monument. Beyond the natural benefits the Point Arena-Stornetta Public Lands provide to our families and our communities, the region has a significant economic impact as well. Tourists drawn to Mendocino County to visit Stornetta and Mendocino's south coast support nearly 5,000 jobs and generate more than \$110 million in economic activity annually.

Importantly, the inclusion of the Point Arena-Stornetta Public Lands into the Monument is strongly supported by the local stakeholders, including the cities of Point Arena and Fort Bragg, the Mendocino County Board of Supervisors, the Mendocino County Chambers of Commerce, the Manchester-Point Arena Band of Pomoos, local tourism boards, and numerous conservation organizations.

For all of these reasons, we respectfully encourage you to use your authority under the Antiquities Act of 1906 to include these unique public lands in the California Coastal National Monument. The preservation of these lands will ensure that local residents and visitors from around the world can enjoy California's spectacular beauty - and one of the most beautiful coastal areas in the country - for generations to come.

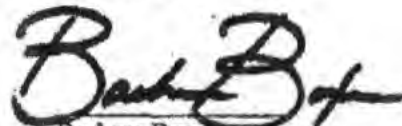
Thank you for your consideration of our request. We look forward to working with you on this matter, and appreciate your leadership.

Sincerely,


Jared Huffman
Member of Congress


Mike Thompson
Member of Congress


Dianne Feinstein
U.S. Senator


Barbara Boxer
U.S. Senator

PRINT AREA

New no-drilling ocean preserve off Sonoma coast pushed by California Democratic lawmakers

By Paul Rogers

12/6/2012

California lawmakers are quietly mounting a campaign to persuade President Barack Obama to protect a 50-mile stretch of California coast along Sonoma and Mendocino counties by the end of this month -- a move that would permanently ban offshore oil drilling there and create California's largest ocean preserve in 20 years.

The group, led by Rep. Lynn Woolsey, D-San Rafael, and Sen. Barbara Boxer, is asking Obama to sign an executive order establishing a new offshore national monument extending from Bodega Bay near the Marin County-Sonoma County border north to Point Arena in Mendocino County.

The area is one of the West's most scenic coastal landscapes, famous for its steep cliffs, rugged wind-swept bluffs and long sandy beaches. In the late 1970s and early 1980s, oil companies showed interest in sinking new rigs off the area, which includes the communities of Jenner, Sea Ranch and Gualala, along with Fort Ross, a former Russian fur-trading outpost dating back to 1812.

The proposed monument, which Obama could create without a vote of Congress, would effectively enlarge the Gulf of the Farallones National Marine Sanctuary and the adjacent Cordell Bank National Marine Sanctuary by adding 2,771 square miles of newly protected ocean -- more than doubling the 1,811 square miles of waters the two sanctuaries now encompass.

"This is one of the most pristine areas in the world," Woolsey said. "It isn't only the romantic part of it; it's about protecting fishing and tourism. Those industries depend on the coast."

At a White House Christmas party Monday night, Woolsey discussed the issue with Vice President Joe Biden and briefly with the president as he was posing for photos with members of Congress. Last month, she talked with U.S. Interior Secretary Ken Salazar about the issue when he visited Marin County.

Meanwhile, 12 California House members sent Obama a letter last week seeking the new preserve. The signatories included Northern California Democrats Jackie Speier, Zoe Lofgren, George Miller, Barbara Lee, John Garamendi, Mike Thompson, Anna Eshoo and Sam Farr.

"Unfortunately, the hazards faced by our coast area are real and imminent," the letter said. "That is why we respectfully request that you create a marine monument that includes the expanded boundaries of the Gulf of the Farallones and the Cordell Bank sanctuaries."

Woolsey has tried to pass bills in Congress since 2004 with the same goal. But her most recent effort, HR192, has been blocked by House Republican leaders who oppose new limits on oil and gas production. And Woolsey is retiring from Congress when the current session ends Jan. 3.

White House spokesman Brandon Lepow declined to comment on the sanctuary proposal.

Oil industry officials, who have in the past opposed efforts to limit drilling off the California coast, downplayed the issue.

"I know there were some prior assessments that suggested there might be a small amount of oil there," said Tupper Hull, a spokesman for the Western States Petroleum Association. But "it has never been an area to my knowledge that has been considered a significant source of energy."

Still, he said, "we do ask that the nation's energy security and energy future get careful and thoughtful consideration whenever there are proposals like this."

The creation of the new protected area has been endorsed by Gov. Jerry Brown, along with fishing groups. Environmentalists say Obama could use the 1906 Antiquities Act, which allows presidents to create national monuments by executive order, to help boost his conservation legacy.

"This is a national treasure that needs to be protected," said Richard Charter, a senior fellow with the Ocean Foundation in Washington, D.C.

Noting that both "George W. Bush and his dad did a lot," Charter said: "I think the Obama administration is feeling it's time for the White House to start building a legacy with protecting the oceans."

George H.W. Bush established the Monterey Bay National Marine Sanctuary in 1992, banning offshore oil drilling off a 276-mile stretch of the California coast from Hearst Castle to the Marin Headlands. His son signed an executive order in 2006 creating an even larger protected ocean area, the Papahānaumokuākea Marine National Monument, which stretches for about 1,000 miles from Hawaii to Midway.

The younger Bush used the 1906 Antiquities Act to create the Hawaiian ocean monument, and the law has been used by nearly every president in the past century.

Theodore Roosevelt used it to set aside the Grand Canyon and Muir Woods, Herbert Hoover to protect Death Valley and Arches, Utah. And Jimmy Carter used it to protect Denali and other Alaska lands.

Obama has used the law four times since becoming president, establishing new monuments at Fort Ord in Monterey County; at the home and former headquarters of farmworker leader Cesar Chavez in Kern County; at Chimney Rock in southwest Colorado; and Fort Monroe, in Virginia.

"We have been working for years in Congress on this legislation and talking to the administration about ways to expand these sanctuaries," Boxer said. "I am hopeful we can finally get it done."

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42552 ✓

MIKE THOMPSON
1ST DISTRICT CALIFORNIA



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217 Third Street, Suite 1
Larkspur, CA 94031
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(707) 467-6943
102 Main Street, Suite 201
Windsor, CA 94590
(916) 662-5271
1000 Main Street, Suite 600
Marina, CA 94039
(415) 224-9900
1000 Main Street, Suite 600
Marina, CA 94039
(415) 224-9900

COMMITTEE ON WAYS AND MEANS
SUBCOMMITTEE ON HEALTH
SUBCOMMITTEE ON AFFAIRS
REVENUE ALIEN RES.

PERMANENT SELECT
COMMITTEE ON INTELLIGENCE
REPUBLICAN MEMBER SUBCOMMITTEE ON TERRORISM,
INTELLIGENCE, AND SECURITY AND
SUBCOMMITTEE ON OVERSIGHT

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515

October 25, 2012

President Barack Obama
The White House
1600 Pennsylvania Ave
Washington, DC 20500

Dear Mr. President,

I respectfully request your designation of the Point Arena-Stornetta Public Lands in my district as a part of the California Coastal National Monument using your authority granted by the Antiquities Act.

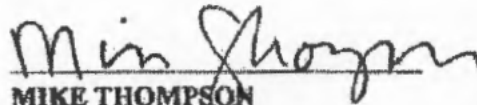
As you know, the California Coastal National Monument was designated by President Clinton in 2000. The Monument protects small islands, exposed reefs, and pinnacles off the 1,100 miles of California Coastline as well as the critical habitat it provides for an abundance of marine life.

The Point Arena-Stornetta Public Lands would expand upon this designation by being the first land-based connection to the California Coastal National Monument. These public lands encompass miles of coastline with natural bridges, tide pools, waterfalls, and blowholes. It is home to the endangered Point Arena Mountain Beaver and Behren's Silverspot Butterfly, houses salmon and steelhead trout in the Garcia River, and supports abundant bird life and harbor seals.

Importantly, the inclusion of the Point Arena-Stornetta Public Lands into the California Coastal National Monument is strongly supported by a wide variety of local stakeholders including the cities of Point Arena and Fort Bragg, the Mendocino County Board of Supervisors, the Mendocino County Chambers of Commerce, the Manchester-Point Arena Band of Pomo, local tourism boards, and a half-dozen conservation organizations.

For all of these reasons, I respectfully encourage you to use your authority under the Antiquities Act of 1906 to include these unique public lands in the California Coastal National Monument. The preservation of these lands will ensure that local residents and visitors from around the world can enjoy California's spectacular beauty -- and one of the most beautiful coastal areas in the county -- for generations to come.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Thompson", written over a horizontal line.

MIKE THOMPSON
Member of Congress

cc: Nancy Sutley, Chair, Council on Environmental Quality
Kenneth Salazar, Secretary, U.S. Department of Interior
Mike Pool, Acting Director, Bureau of Land Management, U.S. Department of Interior

Boxer, Feinstein Introduce Bill to Add Point Arena-Stornetta Public Lands to National Monument in Mendocino County

Legislation Would Expand California Coastal National Monument by 1,225 Acres, Including More than Three Miles of Coastline

Friday, September 21, 2012

Washington, D.C. – U.S. Senators Barbara Boxer (D-CA) and Dianne Feinstein (D-CA) yesterday introduced legislation to expand the boundary of the California Coastal National Monument to include the Point Arena-Stornetta Public Lands, located in Mendocino County, California. Congressman Mike Thompson (D-CA) introduced similar legislation in the House earlier this year.

Senator Boxer said, "Expanding the National Monument to include the Point Arena-Stornetta Public Lands will preserve this spectacular area for future generations and help boost the local tourism economy in Mendocino County, which supports 5,000 jobs."

Senator Feinstein said, "Including Point Arena-Stornetta Public Lands in the expansion of the California Coastal National Monument will benefit the local tourist economy and ensure this magnificent piece of coastline is preserved and protected for generations to come."

Congressman Thompson said, "Preserving the Point Arena-Stornetta Public Lands is good for our environment and economy. This legislation will support travel and tourism jobs, and will make sure this wonderful stretch of coast is around for our kids and grandkids to enjoy."

This legislation would help preserve and protect the Point Arena-Stornetta Public Lands, which contain many natural formations such as bridges, waterfalls, sinkholes, blowholes, and the Garcia River estuary.

The current National Monument includes more than 20,000 small islands, rocks, reefs, and pinnacles located off the California coastline. The Point Arena Stornetta Public Lands would be the first on-shore addition to the National Monument.

Senators Boxer and Feinstein also sent a letter to President Obama urging him to expedite the process by using his executive authority to include these public lands in the National Monument.

United States Senate

WASHINGTON, DC 20510-7010

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October 24, 2014

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OFFICE OF THE
SECRETARIAT

The Honorable Sally Jewell
Secretary of the Department of the Interior
1849 C Street NW
Washington, DC 20240-0001

Dear Secretary Jewell:

I am writing to request that the Department of the Interior host a public stakeholder meeting in Las Vegas in December to discuss various conservation efforts in Southern Nevada. Among those discussed could include the proposed Tule Springs Fossil Beds National Monument, Gold Butte, Michael Heizer's 'City', and others.

Growing up in Searchlight, I developed a deep appreciation for our public lands and spent countless hours hunting and hiking in the deserts and mountains of southern Nevada. From those experiences, I have determined that our dramatic landscapes need to be protected for our children and grandchildren to experience as I have. Throughout my time in congress and now as Nevada's senior Senator, I have worked hard to conserve Nevada's special places. I appreciate the Department of Interior's partnership in working with me and the Nevada delegation to protect natural and cultural resources while allowing for the responsible growth of our economy.

Thank you for your consideration of my request to host and participate in a conversation of these efforts in southern Nevada. Please feel free to contact me or have your staff contact Sara Moffat of my staff at (202) 224-0441.

Sincerely,



HARRY REID
United States Senator

TIME
SENSITIVE

Congress of the United States
House of Representatives
Washington, DC 20515-4702

DISTRICT OFFICES
113 N. COMMERCIAL STREET, SUITE 1150
BELLINGHAM, WA 98225
(360) 733-4300

2930 WETMORE AVENUE, SUITE 9F
EVERETT, WA 98201
(425) 252-3188

E-Mail: RickLarsen@mail.house.gov
<http://farsen.house.gov>

January 23, 2013

The Honorable Ken Salazar
Secretary
Department of the Interior
1849 C Street, NW
Washington, DC 20240

Dear Secretary Salazar:

Thank you for your four years of dedicated service as Secretary of the Interior. Your leadership and perspective as a Westerner have been critically important in advancing our country, and I sincerely appreciate your service.

Before you leave, I urge you to finish an effort you have been critical in supporting: designating a National Monument in the San Juan Islands. As you know, the Bureau of Land Management manages approximately 1,000 acres in these islands, which are important wildlife habitat and draw thousands of tourists every year. I appreciated your personal visits to the San Juans to discuss these lands and how best to protect them.

I introduced legislation to protect these lands in the 112th Congress, and plan to reintroduce that legislation in the 113th Congress. Because of continued legislative delays, my colleagues and I wrote to you last year urging a National Monument designation for these lands. I now ask that as you consider your final weeks as Secretary of the Interior, you continue your push to protect these lands.

This approach has been endorsed by the volunteer community group that first developed the idea of a National Conservation Area. Stakeholders within local, state, and tribal government, including the San Juan County Council and the Skagit County Board of Commissioners, are also supportive. I believe such an approach will best serve the conservation needs of these important areas. I ask that you continue to cement your legacy as a champion of public lands by announcing a National Monument designation for the San Juans.

Sincerely,



Rick Larsen
US Congressman
Washington, 2nd District

Congress of the United States

Washington, DC 20515

January 28, 2013

President Barack Obama
The White House
1600 Pennsylvania Avenue NW
Washington, D.C. 20500

Dear Mr. President:

As the 113th Congress and your second term commence, we write to renew our support for the dual-track approach to conserving certain federally-owned land parcels in the San Juan Islands that are managed by the Bureau of Land Management (BLM). While we intend to reintroduce legislation to protect these cherished lands permanently through a Congressional National Conservation Area designation, we fully support your alternative efforts to conserve these same lands through a Presidential National Monument designation (an authority that Congress granted as part of the Antiquities Act of 1906) if such a designation ensures the same level of community involvement as the legislative effort.

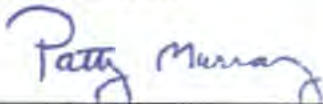
The BLM manages approximately 1,000 acres in the San Juan Islands that are important wildlife habitat and draw thousands of tourists every year. Secretary of the Interior Salazar has been particularly helpful to our efforts to preserve these lands. We greatly appreciated his visits in April 2011 and February 2012 to engage local stakeholders and discuss the best way to protect and preserve public access to these unique federal parcels. His willingness to listen to our local constituents and their concerns about the legislation and National Monument designation was instrumental in gaining local support for the dual-track approach. The volunteer community group that first developed the idea of a National Conservation Area, in addition to local, state and tribal stakeholders, now supports a National Monument designation as well. While we will continue to push for the swift passage of our legislation to conserve these areas, we want to make clear that we believe a National Monument designation offers another pathway that could expedite our shared goals.

Before Secretary Salazar leaves office, we urge you to consider designating a National Monument in the San Juan Islands, bringing his and our efforts to fruition. Thank you for your interest in the San Juan Islands. We look forward to working with you to protect these areas for future generations.

Sincerely,



Maria Cantwell



Patty Murray



Rick Larsen



Suzan DelBene

JAY INSLEE
Governor



STATE OF WASHINGTON
OFFICE OF THE GOVERNOR

P.O. Box 40002 • Olympia, Washington 98504-0002 • (360) 902-4111 • www.governor.wa.gov

February 14, 2013

The Honorable Barack Obama
President of the United States
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear Mr. President:

I am writing to urge your support for the designation of a National Monument in Washington State's San Juan Islands. Such a designation enjoys overwhelming support from the local community, and will afford important protections for these treasured natural resources.

While serving in the 112th Congress, I proudly co-sponsored legislation to permanently protect as a National Conservation Area the lands in the San Juan Islands managed by the Bureau of Land Management (BLM). The approximately 1,000 acres of BLM lands in the islands provide important recreational opportunities, wildlife habitat and spectacular scenery to the residents of those islands and to thousands of visitors each year.

Secretary of the Interior Salazar has been very helpful to the locally-driven effort to protect these lands including a significant investment of his time and talents in two meetings with the local community. That community, with the backing of the San Juan County Council, Senators Cantwell and Murray, Representatives Larsen and DelBene, former Governor Christine Gregoire, and over 150 local businesses, continues to drive this effort to protect these lands as a National Conservation Area or, if congressional gridlock has obstructed that path, as a National Monument.

I strongly support the permanent protection of these lands and urge you to consider using your authority under the Antiquities Act of 1906 to designate a National Monument in the San Juan Islands before Secretary Salazar leaves office.

Protecting these lands and involving the community in their management will be a lasting tribute to Secretary Salazar's work and will help preserve what makes the San Juan Islands a spectacular part of our great state.

Very truly yours,

Jay Inslee
Governor

BEN RAY LUJAN
3rd District, New Mexico

Washington Office
230 Cannon House Office Building
Washington, D.C. 20515
PHONE: 202-225-6190
FAX: 202-225-1866

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811 SAINT MICHAEL'S DRIVE SUITE 104
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COMMITTEE ON NATURAL RESOURCES

SUBCOMMITTEE ON
INDIAN AND ALASKA NATIVE AFFAIRS
WATER AND POWER

COMMITTEE ON SCIENCE AND TECHNOLOGY

SUBCOMMITTEE ON
ENERGY AND ENVIRONMENT
TECHNOLOGY AND INNOVATION

Congress of the United States
House of Representatives
Washington, DC 20515
June 18, 2012

The Honorable Barack Obama
President of the United States
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20502

Dear Mr. President:

It is with great pleasure that we present to you: *The Rio Grande del Norte: One Hundred New Mexicans Speak for a Legacy.*

This book is a product of the great efforts over many years that have gone into protecting the area known as the *Rio Grande del Norte*, located in northern New Mexico's Taos and Rio Arriba counties. It showcases the faces and voices of 100 New Mexicans who work, play, cherish and live near the Rio Grande del Norte; and they share, in their own words, why these public lands must be protected.

The Rio Grande del Norte is in New Mexico's Third Congressional district, and we are proud to be the sponsors of the Rio Grande del Norte National Conservation Act (H.R. 1241) to ensure that present and future generations of Americans will be able to enjoy these lands.

The Rio Grande del Norte has much value in protecting. It encompasses the iconic Rio Grande gorge, mountainous volcanic cones, vast mesas, and abundant wildlife including elk, bighorn, sheep, pronghorn antelope, eagles, and falcons. The area is rich with archeological and other historical resources and is widely known for recreation including hunting, fishing, whitewater boating, hiking, camping, rock climbing, and bird watching.

Traditional uses of these public lands go back centuries and still continue today including livestock grazing, firewood gathering, and gathering of piñon pine nuts and medicinal plants. There are also many important traditional, cultural and religious sites in the Rio Grande del Norte that are in use today.

More than 160 local businesses support permanent protection for the Rio Grande del Norte, as do the Taos County Commission, The Village of Questa, Taos Chamber of Commerce, Mora Valley

TUCUMAN OFFICE
404 W. Rt. 68 Blvd
TUCUMAN, NM 88401
PHONE: 575-461-3028
FAX: 575-461-3195

SALLUP OFFICE
110 WEST ANTEC AVE.
GALLUP, NM 87301
PHONE: 505-863-0682
FAX: 505-863-0678

RIO RANCHO OFFICE
3200 CIVIC CENTER CIRCLE NE
SUITE 330
RIO RANCHO, NM 87144
PHONE: 505-894-0489
FAX: 505-894-0660

FARMINGTON OFFICE
800 MUNICIPAL DRIVE
FARMINGTON, NM 87401
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FAX: 505-324-1026

LAS VEGAS OFFICE
P.O. Box 1368
Las Vegas, NM 87701
PHONE: 505-484-3028
FAX: 505-484-3968

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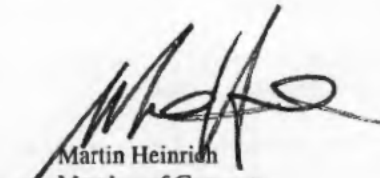
Chamber of Commerce, San Antonio del Rio Colorado Land Grant, Hondo Mesa Community Association, and the Latino Sustainability Institute.

H.R. 1241 has had a hearing in the House Natural Resources Committee and currently awaits further action by the Committee. Its Senate companion bill S. 667 (introduced by Senators Bingaman and Udall) has been reported out of the Senate Energy and Natural Resources Committee. We appreciate the Department of Interior's expressed support for this legislation and the inclusion of the Rio Grande del Norte in the Department of Interior's Crown Jewels report.

Despite overwhelming support by the local community and our best efforts to move legislation through the congress, we are concerned that moving this legislation may be currently unattainable. Thus, we ask that you consider formally recognizing the national significance of the Rio Grande del Norte as a National Monument under the Antiquities Act of 1906. Such a designation is warranted and would be a fitting way to help our state celebrate New Mexico's centennial anniversary this year as well as support local business, wildlife, habitat, traditional uses, and historical and archeological sites associated with the proposed El Rio Grande Del Norte Conservation Area.

Sincerely,


Ben Ray Lujan
Member of Congress


Martin Heinrich
Member of Congress

United States Senate

October 25, 2012

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

As cosponsors of S. 667, the Rio Grande del Norte National Conservation Area Establishment Act and S. 1024, the Organ Mountains--Doña Ana County Conservation and Protection Act, we write to voice our support for you to use your authority under the Antiquities Act to designate these areas as National Monuments.

New Mexicans on every level, from grassroots campaigns to Mayors and County Commissioners, have expressed their support for the protection of these special places. Community leaders, business owners, student groups, and conservation advocates from across New Mexico have traveled to Washington, D.C. to meet with your staff and representatives at the Department of Interior to lend their support for the protection of the Rio Grande del Norte in Taos County and the Organ, Potrillos, Robledo Mountains and related areas in Doña Ana County. Still, there is much work to be done to ensure these areas are protected this year.

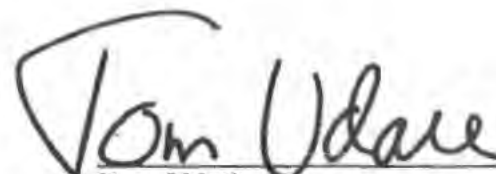
We will continue to work to advance legislation in the Senate to conserve these important areas in New Mexico, but in the absence of any certainty about the passage of legislation, we believe you should work with local communities to explore how a National Monument designation would protect the archeological and cultural resources in these two regions. Since the legislation has been carefully crafted to secure broad support, we request that you carefully consider these proposals.

Thank you for your continued commitment to preserving our valuable places in New Mexico for future generations.

Sincerely,



Jeff Bingaman
United States Senator



Tom Udall
United States Senator

CC: Secretary Ken Salazar, Department of Interior
Chair Nancy Sutley, Council on Environmental Quality
Acting Director Mike Pool, Bureau of Land Management



July 20, 2012

Ken L. Salazar
Secretary
U.S. Department of the Interior
1849 C Street, N.W.
Washington, D.C. 20240

Dear Secretary Salazar:

We write to express our strong support for the establishment of a unit of the National Park System on the Eastern Shore of Maryland, either through the use of Presidential authorities or through action by Congress, in order to preserve and interpret resources associated with the life of Harriet Tubman and the Underground Railroad.

Harriet Tubman is an iconic American. Born in 1822 as an enslaved person in Dorchester County, Maryland, she escaped her bondage in 1849, returned on many occasions to Dorchester and Caroline Counties to free others including members of her family, and remains known as "The Moses of her People." She was a leading "conductor" along the Underground Railroad guiding the enslaved to freedom at great personal risk.

Harriet Tubman served honorably during the Civil War as a cook, nurse, scout, and spy for Union forces in Virginia, South Carolina, and Florida. In June of 1863 she guided Union troops in South Carolina for an assault along the Combahee River resulting in the emancipation of hundreds of the enslaved.

At the invitation of then U.S. Senator William H. Seward, Harriet Tubman purchased land from him in Auburn, New York where she lived and cared for members of her family and other former slaves seeking safe haven in the North. She became active in progressive causes including efforts for women's suffrage. An intensely spiritual person, in 1903 Tubman donated land to the African Methodist Episcopal Zion Church in Auburn for the establishment of a home "for aged and indigent colored people." She died on March 10, 1913 at this home and was buried with full military honors at Fort Hill Cemetery in Auburn.

In 2008, the National Park Service (NPS) completed a Special Resource Study (SRS) to determine the most appropriate way to recognize the life of Harriet Tubman. The NPS concluded that a Park should include two geographically separate units.

Harriet Tubman Underground Railroad National Historical Park: Located on Maryland's Eastern Shore would include large sections of landscapes that are evocative of Tubman's life as a slave and the conductor of the Underground Railroad. The National Historical Park in Maryland would include a regional land-and-waterscape which is home to Tubman's birthplace, Jacob Jackson home site, the Brodess Farm, the Bucktown Village store, the landscape of portions of the Choptank River, and other sites in Dorchester, Caroline, and Talbot Counties.

Harriet
Tubman

Harriet Tubman National Historical Park: Located in Auburn, NY would focus on her later years where she was active in the women's suffrage movement and in providing for the welfare of aged African Americans. This park would include important historical structures like Tubman's home, the Tubman Home for the Aged, the William Seward House, the African Methodist Episcopal AME Zion Church and the Fort Hill Cemetery where she is buried.

With the centennial of Tubman's death approaching next March, the time is ripe to commemorate her life and works. We are particularly supportive of the *Harriet Tubman National Historical Parks Act* (S. 247), a bill sponsored by us two senators from Maryland and our colleagues Senators Schumer and Gillibrand, to establish the two National Historical Parks, one in Maryland and one in New York. We also look forward to the U.S. House of Representatives' consideration of H.R. 4007.

Maryland is strongly committed to the establishment of both parks, and has begun steps to protect and commemorate the important resources and stories on our Eastern Shore. We have designated the Harriet Tubman Underground Railroad State Park that would begin to commemorate Tubman and be the gateway to the National Historical Park. Further, our State has gathered all funding needed to construct the Harriet Tubman Underground Railroad Visitor Center, proposed for joint management by the Maryland Park Service and NPS, pending Congressional designation of the National Historical Park. NPS has provided technical and financial assistance in programming and designing the visitor center, for which we are most appreciative. The Maryland Office of Tourism Development and local partners are actively developing the Harriet Tubman Underground Railroad Byway—a designated All-American Road. The Maryland Department of Natural Resources, along with national and local land trust partners, is working to protect top-priority historic properties including Tubman's birthplace.

In Maryland, the National Historical Park would comprise nationally significant historic landscapes which the NPS has determined to meet the criteria for National Historic Landmark (NHL) designation. The area is the actual location and historic setting for important events in Tubman's life. It represents the early 19th century working landscape based on agriculture, lumbering, and maritime activity. The NHL determination states that "the landscape of the Eastern Shore in the portion of Dorchester County is outstanding. The natural features of the land area exhibit a compelling interface of marsh, open water, woodland, cultivated land, and sporadic development. The cultural history blends antebellum farming, fishing, and logging, followed by long periods of more or less stagnant development. All roads lead to water in this part of the world and it was the water, as much as the dark woods and the North Star that led Harriet Tubman to freedom."

The essence of the historic landscape that Harriet Tubman lived in remains, but the landscape continues to be threatened by development pressures. The establishment of the Blackwater National Wildlife Refuge in 1933 fortuitously preserved important parts of the Tubman landscape on the Eastern Shore. The acquisition of conservation easements by the Federal and state governments over the past decade have helped, and other conservation efforts can further

these efforts. The Conservation Fund has acquired and is willing to donate the Jacob Jackson Home Site to the National Park Service to begin to commemorate the Underground Railroad and the life of Harriet Tubman.

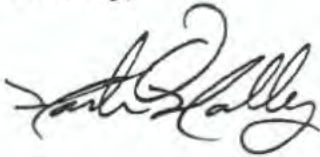
So again, with the centennial of Tubman's death approaching, commemoration is timely; and with the inexorable threat of development, resource protection is imperative. We ask you to explore the possibility of using the Antiquities Act to declare a national monument for the portion of the proposed park in Dorchester County. Such a national monument could include the Jacob Jackson Home Site, Stewart's Canal, the Harriet Tubman Underground Railroad State Park, and other sites within the nationally significant historic landscape in Dorchester County that are evocative of Tubman's life on the Eastern Shore. This is the landscape that she was born in, lived in as an enslaved person, escaped from, and came back to many times to emancipate others. The Jacob Jackson Home Site and the state park would anchor such a monument and allow the NPS to work collaboratively with Maryland, Dorchester County officials, and members of the community to interpret and protect the anchor sites as well as her story and that of the Underground Railroad within that landscape.

Declaring a national monument now would preserve the legislative option, which we recognize and support as the best eventual option. Through the Antiquities Act the President has the authority to help preserve portions of this landscape now and, through the National Park Service, provide the technical and financial assistance to preserve and interpret the landscape and the many significant sites within it.

Maryland will provide whatever assistance needed to achieve the designation of a national monument. Our staff will update community and stakeholder representatives, whom have long been supportive of the effort to establish a national park dedicated to the life and achievements of Harriet Tubman and the Underground Railroad. The designation would be a step towards fulfilling the vision expressed in the special resource study and pending federal legislation.

We believe that the time to act is now. Thank you for your consideration of this important matter.

Sincerely,



Governor Martin O'Malley



Senator Benjamin Cardin



Senator Barbara Mikulski



Representative Andy Harris



October 5, 2012

The Honorable Ken Salazar
Secretary
Department of the Interior
1849 C Street, N.W.
Washington, D.C. 20240

Dear Secretary Salazar:

We are writing to express our strong support for the establishment of a unit of the National Park System in the state of Delaware, either through the use of Presidential authorities or through action by Congress, in order to preserve and interpret resources associated with early Dutch, Swedish, and English settlement of the Colony of Delaware, as well as with the role of Delaware in becoming the first state to ratify the Constitution. We specifically ask that you consider including in that unit properties included in S. 323, the First State Historical Park Act, as well as property to be donated by The Conservation Fund along the Brandywine River, referenced hereafter as the Woodlawn Trustees property.

You may recall attending a town hall meeting in historic New Castle, Delaware in May of 2009 and discussing the potential for a national park in Delaware. We greatly appreciated the very supportive comments you made that day and your commitment to establishing a national park in Delaware—the only state without a National Park Service (NPS) unit.

As you heard in that town hall meeting, Delaware played an important role in the birth of this great nation. Delaware was the first state to ratify the Constitution; the first state in which Swedes and Finns came ashore to America; the place where William Penn first landed in America; and the place where the Dutch built an ill-fated settlement nearly 400 years ago. Unfortunately, these important stories for our nation's history are not being told within the National Park System.

For nearly ten years, we have been working with federal officials, state officials, community leaders and activists to identify a theme and a park concept that fits well within our small state and is worthy of designation as a national park. Starting in 2002, Senator Carper established a citizens' group to work with the public in all three counties of Delaware in exploring ideas for a possible national park. After two years of public meetings and outreach, the group identified a number of possible themes and resources that people throughout our state felt could be appropriate for designation as a park unit.

EX-101
OCT 10 2012

In 2006, the National Park Service was authorized by Congress to conduct a Special Resources Study to determine if a national park should be established in Delaware and, if so, to determine the park's scope. The study's recommendations were built upon the work done by the citizens' group and upon additional meetings with the public, affected property owners, and community leaders. In January 2009, the Park Service finalized its study concluding that a park should be established in Delaware. In the study, the Park Service recommended a national park that celebrated Delaware's early Dutch, Swedish and English Settlements and the events leading up to our state's role in the founding of our nation by becoming the first state to ratify the Constitution.

Using the scope and a majority of the suggestions from the NPS's Special Resources Study, Senators Carper and Coons introduced S. 323, the First State Historical Park Act, to authorize the establishment of a national park within Delaware. Congressman Carney introduced a House companion bill, H.R. 624. These legislative efforts have included the following historically significant sites, all of which we hope you will consider incorporating in Delaware's first national park unit:

- *Fort Christina National Historic Landmark* – Here visitors can learn about the first Swedish and Finnish American settlers whom landed and settled along the Delaware shores of the Christina River in Wilmington, Delaware. In May, 2013 Delaware is looking forward to hosting Swedish and Finnish dignitaries to commemorate the 375th anniversary of these first settlers' arrival.
- *Old Swedes Church National Historic Landmark* – In 1699, the Swedish settlers finished building what is now called the Old Swedes Church, located within walking distance of Fort Christina in Wilmington, Delaware. Much of the original church stands today and is celebrated as the oldest church in America still used for worship. Church records of life of early settlers and many settlers' burial sites remain, as well.
- *The Old Sheriff's House and Old New Castle Courthouse* - Both of these properties reside in historic New Castle, Delaware. Established in 1651, New Castle boasts great examples of colonial, Dutch and Federal architecture. It is here where William Penn landed in the New World in October, 1682. The Old Courthouse, built in 1732, was the place where the state's colonial assembly met from 1732 until 1777 when New Castle was Delaware's capital. Court is still held occasionally, making it the oldest continuously used chamber of justice in the United States. The cupola of the Courthouse serves as the center of the "12-mile arc," which established the original border between Pennsylvania and Delaware. At these sites, visitors can learn more about early settlement, about William Penn, and about local Delawareans who played an important role in American independence, such as two signers of the Declaration of Independence, Thomas McKean and George Read.
- *John Dickinson Plantation National Historic Landmark* - The John Dickinson Plantation in Dover, Delaware was home to John Dickinson, known as the "penman of the Revolution." His writings helped inspire colonial opposition to Great Britain. Dickinson

was also a member of the Colonial Congresses that wrote the Declaration of the Independence and the Constitution.

- *Dover Green* - At the Dover Green, visitors can learn about the days of debates at the Golden Fleece Tavern that led to Delaware becoming the first state to ratify the Constitution on the Green. Visitors can also learn about Dover native Caesar Rodney, who famously rode from Dover to Philadelphia to cast the tie-breaking vote in favor of our nation's independence.
- *Ryves Holt House* - The Ryves Holt House was built around 1665 in what is now Lewes, Delaware by Dutch settlers thirty years after the destruction of the nearby ill-fated Zwaanendael colony (which was one of the first Dutch settlements in America and first European settlement in Delaware). The house is thought to be one of the few that survived attacks from Lord Baltimore raids. It is the oldest house in Delaware and one of the oldest in America. The house was purchased in 1723 by its namesake, Ryves Holt, who served as the first Chief Justice of Delaware from 1745 until his death in 1763.

In addition to these sites listed in S. 323, we also ask that you consider including the Woodlawn Trustees property into Delaware's first national park unit. In February 2011, The Conservation Fund entered a purchase agreement to acquire 1,100 acres of land from the Woodlawn Trustees in Brandywine Hundred, Delaware along the Brandywine River and in nearby Pennsylvania. The Conservation Fund has secured a private funding commitment in excess of \$20 million to acquire the Woodlawn Trustees property and must donate the property by the end of the year.

The property was purchased in the early 20th century by Woodlawn's founder and Wilmington industrialist, William Poole Bancroft. Speculating that Wilmington and Philadelphia might one day be bridged by urban development, Bancroft began amassing this land for a future park beyond the boundaries of Wilmington in both Delaware and Pennsylvania. Bancroft foreshadowed at a 1909 meeting that "it may take a hundred years to work out. Perhaps I may be able to so arrange things that it will work out, even if it should be very far in the future." The Woodlawn Trustees has managed and preserved the property as open space since that time and today—through the establishment of a national park unit—we have the extraordinary opportunity to honor Bancroft's vision. The property is currently serving as a wildlife preserve and open space used by a diverse constituency for hiking, bird watching, picnicking, canoeing, biking, and horseback riding, but before The Conservation Fund secured a purchase agreement, there was an imminent threat that it could be sold for commercial and residential development. More than five million people live within 25 miles of the Woodlawn Trustees property, making it readily accessible to the public and a possible conservation centerpiece for the state and region.

Because this property was under long-term private ownership at the time, it was not included in the 2009 NPS' Special Resources Study. However, The Conservation Fund, in conjunction with the National Park Service, has provided historical analysis that concludes this property is historically significant and falls within the theme of early settlement in Delaware. The property straddles and contains the demarcation line known as the "12-mile arc," which is a part of a circle drawn from the Old New Castle Courthouse establishing the boundaries of the British

colonies of Pennsylvania and Delaware in the 17th century. In addition, the property still contains homes dating back to some of the first Quakers that settled the area with William Penn.

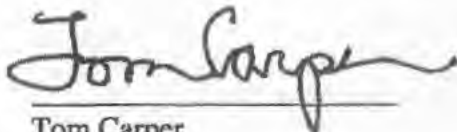
William Penn originally acquired Rockland Manor, which includes the Woodlawn Trustees property, from the Duke of York in 1682. It has stayed within Quaker ownership, including William Bancroft and the Woodlawn Trustees, until now. Because the property has been off of the market for more than one hundred years, it is likely that landscape patterns of these original Quaker settlement patterns can be established and identified within the cultural landscape.

On August 28, 2012, the Delaware's Congressional delegation held a public meeting in northern Delaware to further gauge interest in Delaware's national park idea and to discuss including the Woodlawn Trustees property into the park. National Park Service Director Jon Jarvis also attended and participated in this meeting which was attended by over 300 people. As Director Jarvis witnessed, there is strong support not only for establishing a national park unit within Delaware, but also including the Woodlawn Trustees property in that concept. Director Jarvis also heard from many individuals who currently enjoy the Woodlawn Trustees property and the services currently being provided on that property. As we move forward, we are hopeful that if part of a National Park unit, the access and services currently provided on the Woodlawn Trustees property would continue. Since our public meeting, we have received more than a thousand letters of support for the idea. In short, we believe the time for a national park unit in Delaware has come, and the time to act is now.

We will provide whatever assistance is needed to achieve the designation of a national monument or a national park in Delaware. Our Congressional delegation continues to work tirelessly on passing a legislative option for a Delaware national park. While we recognize and support legislation as the best eventual option, a declaration of a national monument now would allow the NPS to begin providing the technical and financial assistance needed to preserve and interpret the sites within Delaware.

Again, we greatly appreciate your commitment to a national park unit being established within Delaware. Thank you again for your service and for your leadership on these issues and for the wonderful support that the National Park Service has provided during this decade-long journey.

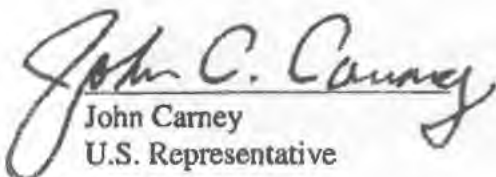
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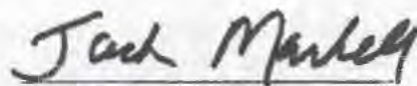
Tom Carper
U.S. Senator



Chris Coons
U.S. Senator



John Carney
U.S. Representative



Jack Markell
Governor of Delaware

SHERROD BROWN
OHIO

COMMITTEES:
AGRICULTURE, NUTRITION,
AND FORESTRY
APPROPRIATIONS
BANKING, HOUSING,
AND URBAN AFFAIRS
VETERANS' AFFAIRS
SELECT COMMITTEE ON ETHICS

United States Senate

WASHINGTON, DC 20510

August 31, 2012

The Honorable Ken Salazar
Secretary of the Interior
1849 C Street NW
Washington, DC 20240

Jonathan Jarvis
Director
National Park Service
1100 Ohio Drive SW
Washington, DC 20242

Dear Secretary Salazar and Director Jarvis:

I write regarding the condition and urgent need to preserve a National Historic Landmark in my home state: the home of Colonel Charles Young. Located in Wilberforce, Ohio, this home has unfortunately fallen into disrepair and its future remains uncertain due to a lack of resources. I request your assistance in helping provide the resources necessary to preserve this home by designating it as a unit of the National Park System.

The home of Colonel Charles Young stands as a proud reminder of Colonel Young's military, academic, and diplomatic accomplishments. As the son of ex-slaves, Colonel Young became the third African American to graduate from West Point in 1889. His accomplishments are considerable. He served as a Buffalo Soldier, was the first black superintendent of a National Park overseeing the construction of roads in Sequoia National Park, and served as an American military attaché in Haiti and Liberia. For his achievements in Liberia, Colonel Young earned the NAACP's prestigious Springarn Medal. By the outset of World War I, he was the highest ranking African American officer in the U.S. Army.

Colonel Young was also a talented linguist, musician, and Professor of Military Science at Wilberforce University – the nation's oldest private, historically-black university. During his tenure as a professor, he lived in a historic, two-story home that had been a way station on the Underground Railroad. Today, the home is owned by the Psi Phi Fraternity, Inc. – of which Colonel Young was a member. Designated as a National Historic Landmark in 1974, the home is scheduled to become the future site of the National Museum of African American Military History.

However, the home currently faces severe structural problems and remains threatened by further deterioration if adequate care is not provided. Moisture has corroded much of the foundation, sections of the roof are collapsing, and rodents have burrowed their way into the walls.

In April 2011, I introduced legislation directing the Secretary of the Interior to conduct a special resource study of the Colonel Charles Young home to determine the suitability and feasibility of designating the home as a unit of the National Park System. I believe that you possess the authority to act now to help preserve this landmark. By designating the home as a unit of the National Park System, this historic home could receive the urgent care it desperately needs. It is only fitting that the home of the first African American superintendent of a National Park now be part of the very park system he helped support and strengthen.

Thank you for your attention to this important matter. I look forward to receiving your response.

Sincerely,



Sherrod Brown
United States Senator

PRINTED ON RECYCLED PAPER

COLONEL
CHARLES
YOUNG

STEVE AUSTRIA

7TH DISTRICT, OHIO

WASHINGTON OFFICE

100 Cannon House Office Building
Washington, DC 20515

(202) 225-4324



CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES

August 24, 2012

COMMITTEE ON APPROPRIATIONS

SUBCOMMITTEE ON COMMERCE,
JUSTICE, SCIENCE, AND RELATED AGENCIES

SUBCOMMITTEE ON MILITARY CONSTRUCTION,
VETERANS AFFAIRS, AND RELATED AGENCIES

SUBCOMMITTEE ON STATE, FOREIGN
OPERATIONS, AND RELATED PROGRAMS

The Honorable Ken Salazar
Secretary of the Interior
Washington, DC 20240

Dear Secretary Salazar:

I write today to express my strong support for the designation of the Colonel Charles Young Home in Xenia, Ohio as a unit of the National Park System. This site has storied history that honors and celebrates Colonel Charles Young, a Buffalo Soldier and West Point Military Academy graduate, who enjoyed a long and decorated military career.

Upon graduation from the U.S. Military Academy at West Point, Charles Young would become noted as the third African-American to graduate from the highly distinguished military school. His first assignment was to serve with the Army's first all African-American regiment, the Buffalo Soldiers, in the 10th Cavalry in Nebraska. During the Spanish-American War, Charles Young was promoted to Major in the 9th Ohio Volunteer Infantry and eventually commanded a squadron of Buffalo Soldiers in Cuba.

In addition to his accomplished military career, Colonel Young was a professor of Military Science and Tactics at the historically-black Wilberforce University in Ohio. There he became close long-life friends with fellow faculty member and accomplished author, W.E.B. DuBois. After being forced to retire from military service, Charles Young proved that he was physically fit for duty by riding 500 miles on horseback from Ohio to Washington, D.C. Because of this demonstration, Young was awarded the rank of Colonel during World War I, becoming the first African-American to achieve this rank in the United States Army. Colonel Charles Young died in 1922 after being appointed the United States military attaché to Liberia.

Along with the support of 25 Members of Congress, I introduced legislation that authorizes the Secretary of the Interior to conduct a resource study to determine the suitability and feasibility of designating the Colonel Charles Young Home in Xenia, Ohio as a unit of the National Park System. Similar legislation has also been introduced with support in the Senate, as well as during the 111th Congress.

I hope that Colonel Charles Young's illustrious history, including significant military service, provides adequate grounds for this designation. I would be happy to assist you and will provide any resources necessary to facilitate the project.

SPRINGFIELD OFFICE

5 West North Street
Suite 200
Springfield, OH 45504-2544

(937) 325-0474

LANCASTER OFFICE

207 South Broad Street
Lancaster, OH 43130-4307

(740) 664-5149

Sincerely,

A handwritten signature in blue ink, appearing to read "Steve Austria", written in a cursive style.

Steve Austria
Member of Congress



JOHN R. KASICH
GOVERNOR
STATE OF OHIO

September 24, 2012

Dear Secretary Salazar:

I am writing today to express support for the establishment of the Col. Charles Young Home in Wilberforce, Ohio as a unit of the National Park System (NPS). As you know, the home was listed on the distinguished National Register of Historic Places and was designated as a National Historic Landmark in 1974; thereby establishing a long history of significance to our nation.

As an African American, Col. Young achieved many "firsts" during a time when our nation did not appreciate the accomplishments and contributions of African Americans. Col. Young became the highest ranking black officer in the military during World War I and for much of his 28-year career in the U.S. Army. Col. Young was the third African American to graduate from the United States Military Academy at West Point in 1889.

In 1903, while serving as a Captain of a black company at the Presidio in San Francisco, Young was appointed as the Acting Superintendent of Sequoia National Park, becoming the first black superintendent of a national park. One of his greatest accomplishments at Sequoia was the supervision of a road construction project that enabled the park to welcome a growing number of visitors.

In 1904, Young became one of the country's first military attaches. He was a distinguished black officer in the U.S. Army, a pioneer of techniques in military intelligence, as well as a commander of the "Buffalo Soldiers" in combat in the Spanish-American War and the Mexican expedition against Pancho Villa. Later in Young's military life, he was due for a physical, around the age of 54, but his blood pressure was too high and a doctor recommended that Young retire. Although the Army retired him, he did not want to accept this and he rode a horse 500 miles from his Ohio home to Washington, D.C. where he met with the Secretary of War who looked into Col. Young's reinstatement. Eventually he was reinstated and promoted to full Colonel.

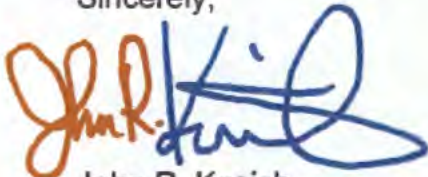
Colonel Young's life is a stellar example of love and service to one's country. The youth of our nation need to learn about Colonel Young in order to see how far one can go in life with hard work and dedication. Colonel Young is a role model for many generations to come, as evidenced by the support of the local community regarding his childhood home becoming a part of the National Park Service system. Support has come from Members of Congress, United States Senators, local elected officials, and a host of public and private organizations. Additionally, there is great potential for new partnerships and collaborations, particularly with the local universities, should the Young home receive designation as a NPS site.

I understand that the NPS has studied the potential economic impact and tourism potential that the Colonel Young Home, as a NPS site, could add this region of Ohio. In this time of high unemployment, the Colonel Young home's designation as a NPS site would be a welcomed opportunity for possible job creation and would have a positive impact on the local economy.

Should the home be designated as an official unit of the NPS system through Congressional or Executive action, my administration is available to assist the NPS and stakeholder representatives with efforts to stabilize, position, and promote the Colonel Young home and Wilberforce, Ohio. If I can be of further assistance in this process, please feel free to contact me or my Director of Minority Affairs, Lynnette Stevens.

Thank you for your consideration and I look forward to hearing from you.

Sincerely,

A handwritten signature in blue ink, appearing to read "John R. Kasich", with a large, stylized flourish at the end.

John R. Kasich
Governor

Bennet, Udall, Tipton Ask President to Consider National Monument Designation for Chimney Rock

Monday, April 23, 2012

Letter to President Most Recent Effort by Bennet, Udall and Tipton to Give Chimney Rock the Recognition and Protection It Deserves

Washington, DC – Colorado U.S. Senators Michael Bennet and Mark Udall and U.S. Representative Scott Tipton have asked President Obama to explore all options to give Chimney Rock the recognition and protection it deserves by making it a national monument in a letter sent Friday.

Specifically, they are asking the Administration to engage in a discussion with the local community to determine whether it should use its authority under the Antiquities Act of 1906 to declare Chimney Rock a national monument.

"Chimney Rock is considered by many to be the most significant cultural site managed by the Forest Service nationwide, yet it lacks a designation equal to that stature," **the Senators and Congressman wrote in a letter to the President.** "A National Monument designation would not only give Chimney Rock the true recognition it deserves, but would also help secure the economic future of the region."

A number of local stakeholders support this request to have the President explore exercising his authority to declare Chimney Rock a national monument. Ross Aragón, mayor of the Town of Pagosa Springs, wrote a letter to the President expressing the community's strong support for national monument designation for Chimney Rock. The Board of County Commissioners of Archuleta County also sent a letter to the President expressing their unanimous support for protecting Chimney Rock as a national monument.

"Despite its well-recognized historic and cultural values, and the generous efforts of our community's volunteers, Chimney Rock lacks the protection it deserves," **Mayor Aragón wrote in his letter to the President.** "National monument designation would provide that protection, and help to ensure the area's stewardship into the future. In addition, the recognition provided by national monument designation would provide a much-needed boost to our community, which continues to suffer from one of the highest unemployment rates in Colorado."

"Chimney Rock is a treasure of national significance, offering visitors a window into early Pueblo people's culture, architecture, and astronomical understanding," **the Archuleta County Commissioners wrote in their letter to the President.** "The greater recognition and visibility associated with national monument designation for Chimney Rock will add heritage tourism to the list of key economic drivers, bolstering our County's tourism businesses that continue to struggle with the lagging recession. Accomplishing National Monument designation in the near future will benefit Archuleta County's businesses, residents and ultimately help to secure the regional economy for the future."

Chimney
Rock

"The Pagosa Springs Chamber of Commerce hopes that the community and federal agencies can come together on a bi-partisan level to discuss moving this very important designation of Chimney Rock as a National Monument under the Antiquities Act," said **Mary Jo Coulehan, executive director of the Pagosa Springs Chamber of Commerce.** "While we had hoped that the designation process would have made it through the legislative process, we would encourage President Obama to set up a dialogue to consider moving this Southwest Colorado treasure to a protected status as a National Monument."

Chimney Rock is located West of Pagosa Springs in southwest Colorado's Archuleta County. The 4,700-acre site located on San Juan National Forest land is recognized as perhaps the most significant historical site managed by the entire U.S. Forest Service.

Between A.D. 900 and A.D. 1150, the ancestors of modern Pueblo Indians occupied the surrounding lands, and the site remains of cultural significance to many descendant tribes. Hundreds of cultural elements surround Chimney Rock's soaring twin rock spires, including the Great House Pueblo. Every 18.6 years the moon, as seen from the Great House Pueblo, rises between the rock spires during an event known as the Northern Lunar Standstill.

The Antiquities Act of 1906 grants the President the authority to proclaim, by executive order, sites of historical significance as national monuments, garnering protection.

Bennet has introduced a bill in the Senate, cosponsored by Udall, to establish Chimney Rock as a national monument. Tipton has introduced a similar bill in the House of Representatives. Both bills have received committee hearings.

Last Congress, the Senate Committee on Energy and Natural Resources, of which Udall is a member, passed Bennet's bill with broad bipartisan support.

Full text of the letter is included below.

Dear Mr. President:

As Members of Congress representing western Colorado, we write regarding the Chimney Rock Archeological Area located on United States Forest Service land in the southwest corner of our state. We are strong supporters of an ongoing effort to make Chimney Rock a National Monument. While efforts to this point have focused on legislation – S. 508 (Bennet/Udall) in the Senate and H.R. 2621 in the House (Tipton) – we are interested in exploring all possible avenues to achieve National Monument recognition for this remarkable area. To that end, several stakeholders in the community – including the local mayor of Pagosa Springs, CO and the Archuleta County Commissioners – have suggested the possibility of you using your authority under the Antiquities Act of 1906 to achieve the same goal as our bills in Congress. We write today to explore such an effort.

Chimney Rock is considered by many to be the most significant cultural site managed by the Forest Service nationwide, yet it lacks a designation equal to that stature. This geologic and cultural marvel sits on roughly 4,700 acres of public land within the San Juan National Forest. The ancestors of the modern Pueblo Indians occupied the site between A.D. 925 and 1125 and Chimney Rock remains significant to

the Pueblo and other descendent tribes. The cultural artifacts and the rich history surrounding the twin spires of Chimney Rock earned the location listing on the National Register of Historic Places in 1970.

More recently, the geologic and cultural importance of Chimney Rock has been highlighted by the local community – including the mayor, county commission and local Chamber of Commerce – as they asked us to introduce legislation that would designate Chimney Rock a National Monument. S. 508 and H.R. 2621 have both received favorable hearings in their respective chambers. S. 3303 (Bennet/Udall) in the 111th Congress was favorably reported out of the Senate Committee on Energy and Natural Resources in a bipartisan voice vote.

A National Monument designation would not only give Chimney Rock the true recognition it deserves, but would also help secure the economic future of the region. Estimates from local economic development agencies indicate that a Monument designation would provide significant growth for local businesses near the site.

Given this great potential, we would ask that the Administration engage in a discussion with the local community to determine whether Chimney Rock warrants designation as a National Monument through your aforementioned authority. We feel such a discussion would be welcomed with enthusiasm, provided the Administration is committed to doing robust outreach to the local Native American tribes (including tribes outside the State of Colorado) and stakeholders in the local community, and provided any subsequent Presidential proclamation would adhere very closely to the parameters of the legislation pending in Congress – including protection for existing uses at the site and no additional expenditure of taxpayer dollars.

While we still intend to pursue our legislation, we are not naïve to the realities of Congressional gridlock in Washington. We feel the future economic benefits of a National Monument designation are significant for the region, and those benefits shouldn't be forestalled because Congress can't act in a timely manner. We would request that you move forward in outlining an orderly Administrative process to determine if Chimney Rock warrants National Monument designation under the Antiquities Act.

Congress of the United States

Washington, DC 20515

February 10, 2011

The Honorable Barack H. Obama
President
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear Mr. President:

As members of the Hampton Roads Virginia congressional delegation, we write to ask that you use any powers afforded to the Executive Branch to assist with the accelerated designation of a portion of Fort Monroe in Hampton as a unit of the National Park system. The Fort Monroe site is included as part of the Army's Base Realignment and Closure (BRAC) process and is scheduled for closure in September 2011. The Fort Monroe Authority, charged by the Commonwealth of Virginia to preserve, protect and manage the Fort Monroe / Old Point Comfort area, has publically stated that the redevelopment of the Fort Monroe site should preserve and protect the historic features of the fort, and include a park area.

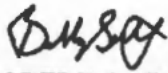
The historical importance of the Fort Monroe site is not in dispute. A National Park Service (NPS) team has already determined that "resources associated with Fort Monroe are nationally significant and likely to be found suitable for potential designation as a unit of the national park system." What is not commonly known is the significance the site has in the history of African-Americans. In 1619, the first Africans to arrive in the New World landed at Old Point Comfort, the land on which Fort Monroe stands. These first African-Americans arrived as slaves, marking the beginning of that practice in America. Nearly 250 years later, the site where slavery started in America was witness to the beginning of its end. During the Civil War, an order issued at Fort Monroe by Gen. Benjamin Butler classified slaves who were able to reach Union lines as contraband of war. The order meant freedom for any enslaved person who could make it to any of the U.S. Army-controlled forts in the South. Fort Monroe was overrun with slaves in search of freedom, and many were educated and enlisted at Fort Monroe.

As we approach the 150th anniversary of the beginning of the Civil War, a national conversation about the war has already begun. This is the first major anniversary of the war where a large number of historians and Americans are examining the war through the prism of the African-Americans who experienced the war both in the North and South, freeman and slave. That examination would be greatly enhanced with the incorporation of Fort Monroe into the National Park system.

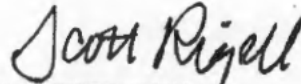
FORT
MONROE

We request that you use all powers at your disposal to expedite this designation.

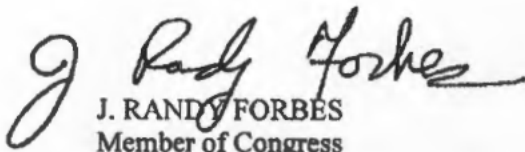
Very truly yours,



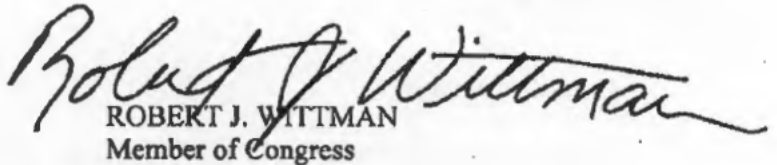
ROBERT C. "BOBBY" SCOTT
Member of Congress



E. SCOTT RIGELL
Member of Congress



J. RANDY FORBES
Member of Congress



ROBERT J. WITTMAN
Member of Congress

cc: The Honorable Ken Salazar, Secretary of the Interior

JUDICIARY COMMITTEE

SUBCOMMITTEES:

RANKING MEMBER

COURTS, INTELLECTUAL PROPERTY,
AND THE INTERNET

CONSTITUTION AND CIVIL JUSTICE

**TRANSPORTATION AND
INFRASTRUCTURE COMMITTEE**

SUBCOMMITTEES:

HIGHWAYS AND TRANSIT

RAILROADS, PIPELINES AND HAZARDOUS MATERIALS

ASSISTANT WHIP



Congress of the United States
House of Representatives
Washington, DC 20515

JERROLD NADLER
10TH DISTRICT, NEW YORK

REPLY TO:

- WASHINGTON OFFICE:
2109 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-5635
- DISTRICT OFFICE:
201 VARICK STREET
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(212) 367-7350
- DISTRICT OFFICE:
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BROOKLYN, NY 11219
(718) 373-3198

Web: www.nadler.house.gov

April 29, 2016

The Honorable Sally Jewell
Secretary of the Department of the Interior
1894 C Street NW
Washington, DC 20240

The Honorable Jonathan Jarvis
Director of the National Park Service
1894 C Street NW
Washington, DC 20240

Dear Secretary Jewell and Director Jarvis,

I am writing to request that the Department of the Interior and the National Park Service attend a public stakeholder meeting in New York City on May 9, 2016 to discuss a proposal to designate a new unit of the National Park system dedicated to the Stonewall Uprising of 1969 as the seminal event of the modern lesbian, gay, bisexual and transgender (LGBT) civil rights movement.

On June 28, 1969, the Stonewall Inn, as well as the surrounding streets and neighboring Christopher Park, was the site of an uprising by the LGBT community, which demanded an end to police harassment, arrests and raids on LGBT establishments, launching a civil rights struggle that continues today. The creation of a new unit of the National Park system at this location would be a significant step forward for the inclusion of the full range of stories of LGBT Americans in our nation's history.

With the significance of this history in mind, I thank you for your consideration of my request to participate in a conversation with community members regarding these efforts. Please feel free to contact me or have your staff contact Robert Atterbury in my office at 212-367-7350.

Sincerely,

JERROLD NADLER
Member of Congress



Interior, USDA Officials Join U.S. Senator Dianne Feinstein for Public Meeting on Conservation of Mojave Desert

Officials hear from local and tribal communities on Feinstein's proposals to conserve Southern California's Mojave Desert public lands.

October 13th, 2015

USDA Press Release

WHITEWATER, Calif. - U.S. Deputy Secretary of the Interior Michael Connor and USDA Under Secretary Robert Bonnie today visited the Mojave Desert of California to join a public meeting and hear from the community about its vision for the management of public lands in the region.

Connor and Bonnie visited California at the invitation of Sen. Feinstein, who has introduced legislation to conserve portions of the Mojave Desert and enhance public recreational access. Sen. Feinstein has also asked President Obama to use his authority under the Antiquities Act to designate three new national monuments - Mojave Trails National Monument, Sand to Snow National Monument, and Castle Mountains National Monument.

"The Mojave Desert of Southern California is a resource beloved by millions of Americans for its stark beauty, rich cultural history and outdoor recreational opportunities," said Deputy Secretary Connor. "For more than 20 years, Sen. Feinstein has led the charge to protect the most special places in the desert, and we support her efforts to preserve these areas for the benefit of future generations. Opportunities like this to hear directly from the local and tribal communities about their vision for conservation and land management are essential to our work as land managers."

"In addition to its diverse tribal heritage, the San Geronio Mountain region serves as an important recreational hub for the 24 million people that are within a two-hour drive," said Bonnie. "We appreciate hearing from such a broad range of voices today and we look forward to working with all interested parties as the dialogue continues."

Today's visit builds on U.S. Senator Dianne Feinstein's decades-long effort to protect the most special places of the California desert and San Bernardino Mountain range and contributes to the Obama Administration's ongoing work to support locally-driven efforts to preserve and protect places that hold special meaning to communities across the country.

"In my view, the California desert is an American treasure that is highly worthy of preservation. I think the public meeting today only further proved that," Sen. Feinstein said. "Public input in desert conservation is absolutely vital. I've worked with the desert stakeholders for years, and I know how diverse their views are-which makes discussions like these even more important. I'm especially grateful that Deputy Secretary Connor and Under Secretary Bonnie attended and were able to hear local goals for the desert, and I thank the Obama administration for considering these monuments."

Senator Feinstein's proposal would protect more than one million acres in San Bernardino County as the Mojave Trails National Monument. The area, known for its spectacular vistas and intact stretch of historic Route 66, would connect the Mojave National Preserve to the north with Joshua Tree National Park to the south. The Sand to Snow National Monument would span up to 140,000 acres from the snowy mountain peaks of the San Bernardino National Forest to the desert sands of Joshua Tree National Park, including some of the most biologically and culturally rich areas in southern California.

The Castle Mountains National Monument would add 20,000 acres of key desert grassland to be managed by the National Park Service as a part of the Mojave National Preserve while respecting existing mining operations in the area.

Today's public meeting included speakers from area tribes, local governments, off-highway vehicle users, and conservation organizations. The meeting also provided ample opportunity for public comment.

As part of their visit, Deputy Secretary Connor and Under Secretary Bonnie, alongside other state and local community members, toured portions of the proposed monument area within the Mojave Desert. The California desert provides significant recreation opportunities for local communities, for the nearby Los Angeles and San Diego metropolitan areas, and for visitors from around the world. The area contains opportunities for off-highway vehicle travel, hiking, camping, mountain biking, and rock climbing. These uses would be protected under Sen. Feinstein's proposal.

Secretary Jewell Visits Berryessa Snow Mountain Region

Joins Public Meeting hosted by Congressman Mike Thompson to Hear from Community on Proposals to Conserve Public Lands in Lake, Napa, Yolo, Mendocino and Solano Counties

Posted December 19th, 2014

DOI Press Release

NAPA, Calif. – U.S. Secretary of the Interior Sally Jewell today visited the Berryessa Snow Mountain Region of California where she joined Congressmen Mike Thompson and John Garamendi for a public meeting to hear from the community about its vision for the management of public lands in several counties in the north central part of the state. The visit builds on the Secretary's work to support locally-driven efforts to preserve and protect places that hold special meaning to communities across the country.

"This is a beautiful area with cultural history and great opportunities for outdoor recreation and wildlife viewing so it's no surprise that the community wants to make sure that it is protected and passed on to the next generation," said Jewell. "Today's opportunity to get out and see the public lands and to hear directly from the local and tribal communities about their vision for conservation and land management is important. I want to underscore our support of Congressman Thompson's efforts to recognize this region as a National Conservation Area, which could also lead to additional economic benefits to the region."

Jewell visited California at the invitation of Congressman Thompson, who has introduced legislation to establish the Berryessa-Snow Mountain National Conservation Area. She was also joined by USDA Undersecretary for Environment and Natural Resources Robert Bonnie and Chief of the U.S. Forest Service (USFS) Tom Tidwell.

Congressman Thompson's National Conservation Area proposal would conserve and enhance scenic, recreational and culturally significant lands and waters that are managed by Interior's Bureau of Land Management and Bureau of Reclamation, as well as lands managed by the U.S. Forest Service, under the U.S. Department of Agriculture. The legislation includes protections for 350,000 acres of land including three federally-recognized wilderness areas, Berryessa Peak and other key areas.

"We are supportive of Congressman Thompson's effort to solicit public comment on his proposal," said Under Secretary Robert Bonnie. "The Forest Service also met with tribal leaders to discuss the proposal earlier this month. There appears to be significant public support for this proposal and we look forward to working with all interested parties as this process continues."

"Protecting the Berryessa Snow Mountain region will help boost tourism, grow the local economy, improve recreation opportunities and protect important species found nowhere else on earth," said Congressman Thompson. "That is why I've proposed legislation that would permanently safeguard this important region. However, Congress has refused to consider this bill. If Congress won't act, then I look forward to continuing to work with Secretary Jewell, Undersecretary Bonnie and the Obama Administration on plans to permanently protect the Berryessa Snow Mountain region as a national monument."

"The Berryessa Snow Mountain Region is a natural treasure at the heart of the 3rd District," Congressman Garamendi said. "This region's rugged beauty helps sustain outdoor recreation businesses,

serves as a valuable source of water, and provides critical habitats for our wildlife. It was vitally important to hear from our friends and neighbors in the community on how we can best preserve Berryessa Snow Mountain now and into the future. I look forward to translating these ideas into sound public policy.”

As part of their visit, Congressmen Thompson took Jewell, USDA officials and other state and local community members to portions of the proposed national conservation area within BLM's Cache Creek Wilderness. The 27,245-acre wilderness contains spectacular scenery, including steep canyons, scenic rivers, rolling oak woodlands and elaborate springtime wildflower displays.

The Berryessa Snow Mountain area provides significant recreation opportunities for people in the nearby San Francisco and Sacramento metropolitan areas, as well as visitors from around the world. The area contains opportunities for hiking, camping, boating, fishing, mountain biking, off-highway vehicle use and other types of recreation.

The area is known as a botanical 'hotspot' for its rich diversity of plant species like the Sargent's cypress and serpentine willow and provides habitat for dozens of iconic California birds and animals including bald and golden eagles, black bears, mountain lions and herds of wild tule elk. The landscape rises from near sea level in the south to over 7,000 feet in the north, supporting such diverse ecosystems as the blue oak woodlands near Putah Creek in the south and the sub-alpine habitat within the Snow Mountain Wilderness.

United States Senate

WASHINGTON, DC 20510-7010

748442

October 24, 2014

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OFFICE OF THE
CLERK OF THE SENATE

The Honorable Sally Jewell
Secretary of the Department of the Interior
1849 C Street NW
Washington, DC 20240-0001

Dear Secretary Jewell:

I am writing to request that the Department of the Interior host a public stakeholder meeting in Las Vegas in December to discuss various conservation efforts in Southern Nevada. Among those discussed could include the proposed Tule Springs Fossil Beds National Monument, Gold Butte, Michael Heizer's 'City', and others.

Growing up in Searchlight, I developed a deep appreciation for our public lands and spent countless hours hunting and hiking in the deserts and mountains of southern Nevada. From those experiences, I have determined that our dramatic landscapes need to be protected for our children and grandchildren to experience as I have. Throughout my time in congress and now as Nevada's senior Senator, I have worked hard to conserve Nevada's special places. I appreciate the Department of Interior's partnership in working with me and the Nevada delegation to protect natural and cultural resources while allowing for the responsible growth of our economy.

Thank you for your consideration of my request to host and participate in a conversation of these efforts in southern Nevada. Please feel free to contact me or have your staff contact Sara Moffat of my staff at (202) 224-0441.

Sincerely,


HARRY REID
United States Senator

Waco Tribune: National Park Service chief to visit Waco Mammoth Site

Posted: Wednesday, April 1, 2015 6:01 pm

By **J.B. SMITH** jbsmith@wacotrib.com

The Waco Mammoth Site is getting its most important visitor yet: National Park Service director Jon Jarvis, who could be instrumental in getting the property declared a national monument.

Jarvis will tour the site Monday, then attend a public meeting to gauge the community's support for the federal designation.

Local backers are hoping for a big turnout at the meeting, set for 6:30 p.m. Monday at the Mayborn Center's SBC Theatre, 1300 University Parks Drive.

"To have a show of support for the national monument designation would be wonderful," said Tommye Lou Davis, a Baylor University vice president involved in the effort. "We know the support is there. We know the community for a long time has been with us on the treasure that the mammoth site is for the community and Texas."

A delegation of Waco, Baylor and National Parks Conservation Association officials visited Interior Department officials in Washington, D.C., last October to make the case for a national monument. The city of Waco and the Waco Mammoth Foundation, which together spent \$4 million developing the site as an educational attraction, have been seeking the status for more than a decade.

Several bills introduced in Congress have stalled under partisan fights over funding, leading local officials to try an alternative route: asking President Barack Obama to declare it a national monument under the Antiquities Act through an executive order. Obama already has used that power to declare 16 sites as national monuments.

Waco Mammoth Foundation chairwoman Gayle Lacy said she thinks the Washington visit helped persuade Jarvis to visit the site. She said that while there is no guarantee that Jarvis will recommend the site as a national monument, this is Waco's chance to make a strong case for it.

"I think it's a positive step," she said. "We want to give the director a positive indication that the community is behind the designation and that we've waited and we're really anxious for it to become a national monument. We have all the qualifications for it."

The National Park Service in 2007 declared that the site met all standards for inclusion into the federal park system.

The city and the foundation have developed the 100-acre site at 6220 Steinbeck Bend Drive to National Park Service standard, building a visitors center and climate-controlled pavilion to house the bones of mammoths and other Ice Age animals.

Baylor University scientists have identified 24 mammoths at the site, dating back as much as 65,000 years ago.

City officials say the site attracts about 20,000 visitors a year, but that number could soar with the federal designation. If the site gets the designation, city officials said it likely would be operated as a partnership between the city and National Park Service.

Lacy said the mammoth foundation board expects to use the national monument designation as a springboard for raising \$1.2 million for a "children's discovery center" at the site. The center would include an "educational playscape" with fossil digs and mammoth-themed play equipment to hold the attention of the site's youngest visitors.

Mayor Malcolm Duncan Jr. said he hopes the long struggle to get a national designation will pay off. "You just keep putting one foot in front of another," he said.

Schatz, Japanese Cultural Center of Hawai'i, and the Japanese American Citizens League Urge Interior Secretary to Support Park Service Protection of Honouliuli

Interior Secretary Jewell, NPS Director Jarvis Receive Petitions Calling for National Park Service Recognition and Management

Thursday, December 4, 2014

Washington, DC -- Today, U.S. Senator Brian Schatz (D- Hawai'i) joined Carole Hayashino, the president and executive director of the Japanese Cultural Center of Hawai'i, and Jace Mikulanec, president of the Honolulu Japanese American Citizens League, to present Interior Department Secretary Sally Jewell with petitions from more than 6,000 Americans requesting the inclusion of Honouliuli Internment Camp in the national park system.

"The Honouliuli Internment Camp serves as a symbol of the constant need to protect the freedoms and rights of every American," Senator Schatz said. **"I'm proud to stand with the Japanese Cultural Center of Hawai'i, the Japanese American Citizens League, and the thousands of Americans who support protection of this solemn site. I will continue to work with Secretary Jewell and President Obama to finally give Honouliuli the historic recognition it deserves."**

"The Japanese Cultural Center of Hawai'i greatly appreciates Senator Brian Schatz's leadership in supporting the preservation of Honouliuli and Hawai'i's internment sites," said Carole Hayashino, president and executive director of the Japanese Cultural Center of Hawai'i. **"The project has truly been a grassroots effort involving many organizations and individuals. We are also grateful for the support of the other members of the Hawai'i Congressional delegation, Senator Mazie Hirono, Congressmembers Colleen Hanabusa and Tulsi Gabbard as well as Congressman-elect Mark Takai."**

"JACL-Honolulu is pleased that Honouliuli Internment Camp is one step closer to receiving the recognition it deserves. It is a symbol of what can happen when fear and prejudice dictate policy in our country - and why we must counter racism and prejudice in any form," said Jace Mikulanec, President of JACL-Honolulu Chapter. **"JACL has a long history of advocating for civil rights in Hawai'i and nationally. We are honored to be part of this pivotal visit and look forward to the work ahead."**

Last year, Schatz met with National Park Service (NPS) Director Jonathan B. Jarvis to discuss the need to complete the special resource study, which was authorized by Congress in 2009 to review the site for potential inclusion in the national park system. Following the meeting, Schatz sent Director Jarvis a letter to reiterate his support for the Honouliuli Internment Camp's inclusion in the national park system.

In September, 2013, Secretary Jewell visited Honouliuli Gulch where she saw remnants of the confinement site that historic documents indicate once held 175 buildings, 14 guard towers, and over 400 tents at the 160 acre camp. Jewell also met with local leaders and members of several Japanese cultural organizations who are part of the growing chorus of voices who want to see this difficult chapter in our nation's history preserved and interpreted for the benefit of generations to come.

In 1943, the Honouliuli Internment Camp was constructed on Oahu to intern citizens, resident aliens,

and prisoners of war. The camp held approximately 320 internees and became the largest prisoner-of-war camp in Hawai'i. Honouliuli was the largest and longest-used World War II internment camp in Hawai'i.

The NPS held a series of public meetings throughout Hawai'i during May and June 2014 to present the draft study report, answer questions, and accept comments. Following receipt and review of public comments, a final report, including a course of action recommended by the Secretary of the Interior, will be transmitted to Congress.

National Park Service Director Jarvis to Participate in Public Meeting about Pullman Historic District

Date: August 20, 2014

Contact: April Slayton

National Park Service Press Release

CHICAGO, IL. – On Thursday, August 21, 2014, National Park Service Director Jonathan B. Jarvis will join Illinois state and local officials for a public meeting to discuss possible options for including Chicago's Pullman neighborhood in the National Park System.

At the meeting, interested community members will have an opportunity to share their thoughts about the site and to learn more about the process for including new sites in the National Park System.

"Public engagement is critical to the identification and development of proposed sites for inclusion in the National Park System," said Jarvis. "I am looking forward to the opportunity to see the Pullman community again and participate in a conversation about how to preserve this important piece of America's history and culture."

Proposed Expansion of the Pacific Remote Islands Marine National Monument

On June 17, as part of the State Department's "Our Oceans" conference, the President announced his commitment to new protections for world-class marine areas. The President is committed to the principals of science-based decision making, ecosystem based management, and proactive planning to support sustainable and resilient coastal communities and marine ecosystems. This vision is laid out in our National Ocean Policy, and building on this foundation, the Administration is now looking to expand opportunities for marine conservation. http://www.whitehouse.gov/sites/default/files/national_ocean_policy_ip_appendix.pdf



Table coral (*Myripristis Sp.*) protects a school of big eye black bar soldier fish from predators. Baker Island National Wildlife Refuge. Photo credit: Jim Maragos, USFWS

Public Town Hall

On August 11th, the National Oceanic and Atmospheric Administration (NOAA) and the U.S. Fish and Wildlife Service hosted a Town Hall in Honolulu, HI, to discuss the expansion of the Pacific Remote Islands Marine National Monument in the south-central Pacific Ocean. Conservation is an

important American tradition and legacy. It is increasingly important to preserve marine ecosystems in the face of climate change, ocean acidification, and other threats to ensure that future generations will be able to enjoy our ocean heritage. The U.S. Fish and Wildlife Service and the National Oceanic and Atmospheric Administration are working together to collect public input regarding the expansion of the Pacific Remote Islands Marine National Monument and protections.

The Town Hall meeting was designed to hear input on the following topics:

- Natural resources such as fish and wildlife or ecosystems that may be affected by a potential expansion of protections near the Monument.
- Objects or resources of historic, cultural, and scientific interest that are in this area.
- The specified area needed to allow the proper care and management of objects or resources to be protected.
- Activities in this area that should be taken into consideration when considering an expansion of the existing Monument boundaries.

The Presidential Announcement:

Watch the video: <https://www.youtube.com/watch?v=QTLDfGQKxA0>

The President today announced a commitment to use his authority to protect some of our most precious marine landscapes just like he has for our mountains and rivers and forests, the Administration will immediately consider how we might expand protections near the Pacific Remote Islands Marine National Monument in the south-central Pacific Ocean, an area which contains some of the most pristine tropical marine environments in the world. These tropical coral reefs and associated marine ecosystems are also among the most vulnerable areas to the impacts of climate change and ocean acidification. Before making decisions about the geographic scope and details of future marine protections, we will consider the input of fishermen, scientists, conservation experts, elected officials, and other stakeholders. The President is also calling on other world leaders to join him in this effort to ensure that the world's most valuable ocean ecosystems remain productive and pristine for our children and grandchildren.

This area contains some of the most pristine tropical marine environments in the world. The existing monument was established in 2008 by President George W. Bush and encompasses the ocean out to about 50 miles from the shores of seven national wildlife refuges – all of them of small, uninhabited U.S. territories.

They include Howland, Baker and Jarvis Islands; Johnston Atoll, Wake Island and Palmyra Atoll; and Kingman Reef.

See related special feature story page 13.

Secretary Jewell to Join Senators Udall, Heinrich in Visit to New Mexico

01/21/2014

DOI Press Release

LAS CRUCES, N.M. – On Friday, January 24, Secretary of the Interior Sally Jewell will join New Mexico Senators Tom Udall and Martin Heinrich in a visit to the Organ Mountains region of south-central New Mexico. While there, Jewell will spend time exploring the area and will attend a public meeting hosted by Senators Udall and Heinrich regarding the community's vision to preserve, protect and enhance some of the public lands located in Doña Ana County.

The Organ Mountains stand just east of Las Cruces, extending for 20 miles and rising to nearly 9,000 feet in elevation. The area is home to a diversity of wildlife, including peregrine falcons and other raptors, as well as mountain lions and other mammals. The Bureau of Land Management currently manages over one million acres in Doña Ana County which is a popular destination for outdoor recreation, including hiking, camping, hunting and mountain biking. The area also hosts significant prehistoric cultural and historic sites.

At the invitation of the two Senators, Jewell will join Udall and Heinrich, as well as Principal Deputy Director at the Bureau of Land Management Neil Kornze, for a public listening session on the community's conservation priorities in the area. The community meeting will take place Friday at 3pm MST at the Ramada Palms Las Cruces."

Secretary Jewell Visits Iconic New Mexico Landscapes

Joins Public Meeting hosted by Senators Udall, Heinrich to Hear from Community on Proposals to Protect and Enhance Public Lands in Doña Ana County and to Boost Tourism, Outdoor Recreation Economy

January 24th, 2014

DOI Press Release

LAS CRUCES, NM - Secretary of the Interior Sally Jewell today wrapped up a two-day visit to south central New Mexico where she joined Senators Tom Udall and Martin Heinrich for a public meeting to hear from the community about its vision for the management of public lands in Doña Ana County. The visit builds on the Secretary's work to support locally driven efforts to preserve and protect places that hold special meaning to communities across the country.

"This morning I had the opportunity to hike part of Broad Canyon and look back over Las Cruces, and it's immediately clear why New Mexico is known as the 'Land of Enchantment,'" said Jewell. "Doña Ana County is a place rich with history, culture, wildlife and opportunities to enjoy the great outdoors – whether that's hunting or hiking. Over the past few years we've seen a groundswell of support from many in the community to ensure that these landscapes are celebrated and passed on to the generations of New Mexicans to come. Those efforts also have the potential to drive significant economic benefits to the region through a boost in tourism and outdoor recreation."

Jewell visited New Mexico at the invitation of Senators Udall and Heinrich, who have introduced legislation to establish the Organ Mountains-Desert Peaks National Monument. The proposal would conserve and enhance scenic, recreational and culturally significant lands that are managed by Interior's Bureau of Land Management – including the Organ, Doña Ana, Potrillo, Robledo and Uvas mountains surrounding Las Cruces.

A recent independent study estimates that a new national monument could generate \$7.4 million in new economic activity annually from new visitors and business opportunities.

"Passing the Organ Mountains Desert Peaks Conservation Act would help create jobs and build a stronger economy here in Southern New Mexico. I'm very glad we had the opportunity to show off this special area for Secretary Jewell," Udall said. "The Organ Mountains Desert Peaks region is beloved in the community, and it was important for the Secretary to hear from a diverse group of people here in Las Cruces about their vision for the future of this region. I thank the Secretary for taking time out to learn more about this incredible asset and to hear directly from New Mexicans."

"I'm grateful for the opportunity to host Secretary Jewell in our state and to hear directly from the community about their vision for managing our treasured public lands," said Heinrich. "New Mexicans have a deep connection to the outdoors – whether for hunting or hiking or other traditions both new and old. The Organ, Sierra de Las Uvas, Potrillo, and Robledo Mountains are among some of the most scenic landscapes in our state and define Doña Ana County's rich culture. Designating this natural treasure a national monument would help promote tourism in the region, foster recreational opportunities, and preserve our outdoor heritage for us now and for future generations of Americans to enjoy."

Jewell also participated in a meeting with senior officials at the Bureau of Land Management and the U.S. Border Patrol yesterday to underscore Interior's continued commitment to cooperate in providing law enforcement and border security in the area.

"We appreciate the productive working relationship we have with our colleagues at the Department of Homeland Security and local law enforcement," BLM Principal Deputy Director Neil Kornze said. "I applaud Senators Udall and Heinrich for ensuring that access, flexibility and cooperation with federal and local law enforcement officials are a cornerstone of their proposal."

The BLM Las Cruces District Office currently manages over 500,000 acres in the proposed monument for multiple uses, including conservation of natural and archeological resources and outdoor recreation, such as hiking, biking, camping and hunting. State-wide, BLM-New Mexico hosted 2.9 million visitors at 28 recreation sites in fiscal year 2013. Recreation on BLM-managed lands and waters in New Mexico supported more than 1,600 jobs and contributed more than \$140 million to the state's economy in fiscal year 2011.

The Organ Mountains provide a spectacular backdrop for the City of Las Cruces, with steep, angular rock outcroppings reminiscent of organ pipes rising to nearly 9,000 feet in elevation and extending for 20 miles, running generally north and south. This high-desert landscape within the Chihuahuan Desert contains a multitude of biological zones – mixed desert shrubs and grasslands in the lowlands ascending to piñon and juniper woodlands, and finally to ponderosa pines at the highest elevations.

The area is home to a high diversity of animal life, including deer, pronghorn antelope, mountain lions, peregrine falcons and other raptors as well as rare plants, some found nowhere else in the world, such as the Organ Mountains pincushion cactus. The area also contains more than 5,000 archeologically and culturally significant sites, including a site containing the earliest known cultivated corn in the United States, Geronimo's Cave, Billy the Kid's Outlaw Rock, Spanish settlement sites, and numerous petroglyphs and pictographs, some dating back 8,000 years. The Organ Mountains are a popular recreation area, with multiple hiking trails, a popular campground, and opportunities for hunting, mountain biking, rock climbing, and other recreation.

On the west side of Las Cruces, the Desert Peaks area contains mountain ranges and peaks of the Robledo Mountains and Sierra de las Uvas. These landscapes contain many mesas and buttes interspersed with deep canyons and arroyos. Prehistoric cultural sites of the classic Mimbres and El Paso phases are located throughout this region along with historic sites associated with more recent settlements, including the Butterfield Stagecoach Trail. This area is also home to the unusual Night-blooming Cereus, with a one-night-a-year bloom.

To the southwest of Las Cruces is the Potrillo Mountains Complex, characterized by cinder cones, volcanic craters, and basalt lava flows in the open desert landscape. They too have abundant wildlife, significant prehistoric cultural and historic sites, and serve as a popular destination for outdoor recreation.

The Bureau of Land Management's National Conservation Lands contain some of the West's most spectacular landscapes. They include more than 887 federally recognized areas comprising approximately 27 million acres of National Monuments, National Conservation Areas, Wilderness Areas, Wilderness Study Areas, Wild and Scenic Rivers, National Scenic and Historic Trails, and Conservation Lands of the California Desert.

Secretary Jewell Holds Dialogue on Point Arena Stornetta Public Lands, Applauds Community Commitment to Preserve Coastal Landscape

November 8th, 2013

DOI Press Release

POINT ARENA, Calif. — Secretary of the Interior Sally Jewell today hosted a public listening session in Point Arena, California to hear from the community about their vision to conserve a scenic and significant area of coastal public lands in Mendocino County. Secretary Jewell was joined by Congressman Jared Huffman and the Bureau of Land Management Principal Deputy Director Neil Kornze.

Today's meeting comes on the heels of Secretary Jewell's major speech on conservation where she emphasized support for locally-driven efforts to preserve and protect places that hold special meaning to communities across the country. Congressman Huffman, along with Congressman Mike Thompson, Senator Barbara Boxer and Senator Dianne Feinstein, has introduced legislation to include approximately 1,255 acres of the Point Arena-Stornetta Public Lands to the existing California Coastal National Monument.

"Today I had a chance to hike this spectacular coastline and to see first-hand how important this area is for the community and for its economy – from tourism to outdoor recreation," said Jewell. "And this afternoon I heard from a community who is proud of their incredible landscapes and proud of the work they've done over the years to protect them for current and future generations. We have an opportunity here to not only support the community's vision to conserve this land, but also to create a world-class destination for outdoor recreation and the study of coastal resources, and to strengthen the local economies."

A Bureau of Land Management report estimates that outdoor recreation on the public lands in California contributed nearly \$900 million to the economy in 2012.

"I am very pleased that Secretary Jewell accepted my invitation to the Point Arena-Stornetta Public Lands and was able to see the tremendous support from the local community for adding these lands to the California Coastal National Monument," Congressman Huffman said. "This is an unmatched opportunity to preserve a pristine stretch of coastline and boost the local tourism industry, already Mendocino County's largest employer. I hope Secretary Jewell and the Obama administration find this land as beautiful and worthy of preservation as we do."

For the past decade the Bureau of Land Management has been working with partners, including the Trust for Public Land, the Conservation Lands Foundation, California Natural Resources Agency, California Coastal Conservancy, The Nature Conservancy and many other partners and private land owners to preserve the coastal bluffs and meadows of the Stornetta and Point Arena ranches.

With completion of several land acquisitions, in part funded by the Land and Water Conservation Fund, the public now has unfettered access to 12 miles of federal and state-managed public lands, from the community of Point Arena north to Manchester State Beach.

The lands provide breathtaking vantage points for the rocks, islands and exposed reefs of the California Coastal National Monument, which was established in 2000. Point Arena community leaders have led efforts for protection and increased recognition of these public lands.

Administered by the Bureau of Land Management, the Stornetta Public Lands, located along the Mendocino County coast just north of the town of Point Arena, include more than two miles of coastline, the estuary of the Garcia River and adjacent beach, and a small island accessible during low tide. Stornetta borders the Pacific Ocean and the historic Point Arena Lighthouse on the west. To the north it is bordered by Manchester State Park. To the east it is bordered by State Highway 1 and Windy Hollow County Road.

In addition to providing recreation access for residents and visitors to the southern Mendocino County coast, the property provides an outdoor classroom setting immediately adjacent to Point Arena schools, and is within easy reach of a community college and a state university. The lands are recognized by several state and federal agencies as containing significant natural resources, including important wildlife habitat, several riparian corridors, extensive wetlands, ponds and other water sources, cypress groves, meadows and sand dunes.

The area is important habitat for migratory waterfowl, shore birds and raptors, as well as several endangered or threatened species, such as the Point Arena mountain beaver, Behren's silver spot butterfly, western snowy plover, California red-legged frog, and salmon and steelhead that live in the Garcia River. The Garcia River is prime Coho and Chinook salmon habitat.

The Bureau of Land Management's National Conservation Lands contain some of the West's most spectacular landscapes. They include more than 887 federally recognized areas comprising approximately 27 million acres of National Monuments, National Conservation Areas, Wilderness Areas, Wilderness Study Areas, Wild and Scenic Rivers, National Scenic and Historic Trails, and Conservation Lands of the California Desert.

United States Senate

WASHINGTON, DC 20510-7010

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October 24, 2014

RECEIVED

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OFFICE OF THE
CLERK OF THE SENATE

The Honorable Sally Jewell
Secretary of the Department of the Interior
1849 C Street NW
Washington, DC 20240-0001

Dear Secretary Jewell:

I am writing to request that the Department of the Interior host a public stakeholder meeting in Las Vegas in December to discuss various conservation efforts in Southern Nevada. Among those discussed could include the proposed Tule Springs Fossil Beds National Monument, Gold Butte, Michael Heizer's 'City', and others.

Growing up in Searchlight, I developed a deep appreciation for our public lands and spent countless hours hunting and hiking in the deserts and mountains of southern Nevada. From those experiences, I have determined that our dramatic landscapes need to be protected for our children and grandchildren to experience as I have. Throughout my time in congress and now as Nevada's senior Senator, I have worked hard to conserve Nevada's special places. I appreciate the Department of Interior's partnership in working with me and the Nevada delegation to protect natural and cultural resources while allowing for the responsible growth of our economy.

Thank you for your consideration of my request to host and participate in a conversation of these efforts in southern Nevada. Please feel free to contact me or have your staff contact Sara Moffat of my staff at (202) 224-0441.

Sincerely,


HARRY REID
United States Senator

Monuments for All: San Juan Islands National Monument

Public Input Timeline

In 2010, the local community began working with Congressman Larsen (D-WA) to permanently protect the federal public land in the San Juan Islands. Rep. Larsen sought input from local groups and individuals, tribal interests and local governments in drafting the legislation.

In April 2011, Interior Secretary Ken Salazar held a public meeting in Anacortes. He offered to help the community pursue a legislative designation. In July 2011, Senator Cantwell and Representative Larsen held a community listening session hosted by State Senator Kevin Ranker to explore the community request for legislation protecting the BLM-managed lands as part of the National Conservation Lands.

On February 18, 2012, Interior Secretary Ken Salazar and U.S. Senator Maria Cantwell (D-WA) held a Town Hall to discuss the efforts to achieve permanent protection of the San Juan lands. The press estimated more than 150 people in attendance. At the meeting there was community agreement to support a dual approach of supporting legislation while additionally asking the president to take action.

In 2012, the San Juan County Council unanimously voted to support asking for a presidential proclamation. They joined the Samish Indian Nation, the Skagit County Board of Commissioners, the San Juan Islands Visitors Bureau, and the [San Juan County Economic Development Council](#) in supporting this path. Washington's Governor Christine Gregoire also wrote Secretary Salazar supporting the dual track approach. May 2012 brought strong editorial endorsements in the Seattle PI and the Journal of the San Juan Islands.

As Congress started a new session, Senator Cantwell, Senator Murray, Congressman Larsen and Congresswoman DelBene sent a [joint letter to President Obama](#) in January 2013 asking him to respond to the local community and take direct action during Interior Secretary Ken Salazar's term. Congressman Larsen also wrote a [letter to Secretary Salazar](#) with similar sentiments. The delegation appeal to act was joined by Governor Jay Inslee in his own [letter to the President](#) in February 2013.

On March 25, 2013, in response to the community, President Obama designated the BLM lands of the San Juan Islands as a national monument.

San Juan Journal: Town Hall: Cantwell, Salazar focus on San Juans conservation area

February 16, 2012 · 4:13 PM

U.S. Secretary of the Interior Ken Salazar will join Sen. Maria Cantwell Saturday, in Anacortes, to host a town hall about the ongoing progress to conserve and protect the San Juan Islands.

In September, Cantwell introduced legislation in Congress under which roughly 1,000 acres of land managed by the Bureau of Land Management in San Juans would be designated a National Conservation Area. Similar legislation was introduced in the U.S. House by Rep. Rick Larsen in September as well.

The meeting begins at 11 a.m., at the Anacortes Senior Center, 1701 22nd Street.

The Department of the Interior highlighted the San Juan Islands National Conservation Area as one of 18 backcountry areas deserving protection by Congress as national conservation areas or wilderness areas. The proposed San Juan Islands RCA includes public land on dozens of islands that attracts large numbers of visitors each year due to the islands' unique cultural and natural resources.

Saturday will mark Salazar's third recent trip to area in support of President Obama's America's Great Outdoors initiative, which tasks the Interior Department with engaging in a dialogue to learn how it can be a better partner in supporting community-driven conservation efforts. [Salazar toured the San Juans in April, 2011.](#)

"The San Juan Islands are home to unique cultural and natural resources and a great example of the types of land we want to conserve for the benefit of all Americans," Salazar said in April. "One of the goals of President Obama's America's Great Outdoors initiative is to connect people to the beauty and richness of our public lands and ensure we protect places like the San Juan Islands for generations to come. This legislation is an important step in the ongoing dialogue with our partners in the Northwest as our nation develops a 21st century conservation agenda."

Following that tour, Salazar asked that the BLM coordinate with a committee of local groups to prepare for a transition in management. An NCA designation intends to ensure that BLM managed land would remain in a natural state and publicly accessible. Those lands currently lack a long-term comprehensive management plan.

In July, Cantwell and Larsen were in Friday Harbor to gather public input on the NCA effort as part of a "community listening session". Nearly 30 people attended that session, which included BLM staff and local public officials.

"Washingtonians should be proud of this national recognition of the unforgettable natural treasures of the San Juan Islands," Cantwell said in July. "More than 700,000 tourists come to experience these scenic parcels every year. And with visitor traffic increasing, it's time to have a clear management plan in place to protect these crown jewels. This locally-driven plan will ensure these cherished lands remain protected, accessible to the public, and better managed to accommodate continued visitor use and enjoyment."

E&E Publishing: Salazar mulls monument proposal for N.M.'s Rio Grande

Phil Taylor, E&E reporter

Greenwire: Monday, December 17, 2012

A meeting of top Interior Department officials two days ago in New Mexico has raised hopes that the White House will declare a national monument to protect a rugged river gorge and sagebrush mesa near the state's border with Colorado.

Interior Secretary Ken Salazar heard from dozens of local residents during a standing-room-only meeting Saturday at the Kachina Lodge in Taos to discuss protecting the Rio Grande del Norte, an area prized by sportsmen, hikers and tribes for its wildlife and sacred values.

The area is marked by volcanic cones and the Ute Mountain jutting up from the surrounding valley and provides habitat for elk, bighorn sheep, bald eagles, falcons and great horned owls.

For conservationists, the meeting marked the administration's first official step toward using the Antiquities Act to designate the 236,000-acre Rio Grande Gorge and Taos Plateau as a national monument.

"I think the landscape and the resources there are absolutely worthy of protection," said Brian O'Donnell, executive director of the Durango, Colo.-based Conservation Lands Foundation, who attended Saturday's meeting.

According to O'Donnell, Salazar at one point in the meeting asked for a show of hands of those who support a national monument designation, and almost all hands went up. None was raised after Salazar asked who opposed such a designation, O'Donnell said. Salazar said he was there to take the opinion of the community back to the president.

He was accompanied by Neil Kornze, acting deputy director for policy and programs at the Bureau of Land Management, which administers the area, O'Donnell said. The meeting also included BLM New Mexico State Director Jesse Juen and Rep. Ben Ray Luján (D-N.M.), who has introduced [H.R. 1241](#) to protect the land as a national conservation area.

While Luján's bill carries the support of BLM and there is companion legislation sponsored in the Senate by New Mexico Democratic Sens. Jeff Bingaman and Tom Udall, few expect the legislation to pass both chambers during the fiscal talks of the lame duck. The lawmakers in recent months have suggested that a national monument is the only viable path forward amid the partisan dysfunction in Congress ([E&ENews PM](#), Oct. 26).

Such a move would mark the first landscape-scale monument designation for President Obama, whose first four monuments in Virginia, California and Colorado protected historic forts, archaeological sites and the home of labor leader César Chávez.

If designated, a monument would be expected to follow the contours of the New Mexico lawmakers' bill.

"The Rio Grande del Norte is one of the crowning jewels in our state," Luján said after the meeting. "The people of Taos and the surrounding communities made it clear to Secretary Salazar today that protecting this beautiful land should be a top priority."

Luján said his staff had met extensively with local ranchers, conservationists and other constituents to ensure the preservation of traditional land uses, including grazing and the gathering of pinyon nuts, wild herbs and firewood.

A monument is backed by Taos County and the Taos and Mora Valley chambers of commerce as well as sportsmen's, conservation and Latino groups and some ranchers.

In a sign of the administration's support, BLM last fall included the area in a report to Congress identifying 18 backcountry areas deserving of protections as national conservation areas or wilderness ([E&ENews PM](#), Nov. 10, 2011).

The [report](#) said that blue-ribbon trout fishing in the Rio Grande and its tributaries attracts fishermen from across the country and that public lands in New Mexico are responsible for about \$350 million in annual recreation-related economic output.

"Public lands provide huge economic benefits to communities through tourism and outdoor recreation, and the Rio Grande del Norte is no exception," Salazar said Friday. "We need to ensure that generations to come have the opportunity to experience this iconic Western landscape."

The White House is likely to move cautiously on new designations, which are viewed with skepticism by some Western Republicans who have moved to block other Interior conservation policies.

Some critics argue that presidents have abused their authority and exceeded the original intent of the Antiquities Act, which is to allow the executive branch to prevent archaeological, geological and scientific wonders from imminent threats, such as plunder or looting. A key provision in the law states that monuments should use the smallest footprint necessary to protect the resource at hand, Rep. Rob Bishop (R-Utah), chairman of the House Natural Resources Subcommittee on National Parks, Forests and Public Lands, has said in the past.

While President Clinton designated or expanded more than 20 national monuments during his eight years in office, perhaps his best-known move was the 1.9-million-acre Grand Staircase-Escalante National Monument in Utah, which he declared in September 1996, sowing distrust among Utah lawmakers to this day.

The vast majority of Clinton's designations happened in his second term, and most were vetted through a transparent public process.

Conservationists are lobbying the president to designate bigger monuments in his second term, including in New Mexico's Organ Mountains in Doña Ana County, in addition to a 1.7 million-acre watershed north of the Grand Canyon, the Tule Springs in Las Vegas and Colorado's Browns Canyon.

My Eastern Shore MD: Tubman national monument could come to Dorchester

Posted: Friday, July 20, 2012 11:44 am

By GAIL DEAN Staff Writer

The possibility of creating a national monument, as prelude to a national park, for Harriet Tubman in Dorchester County was considered Wednesday evening in Cambridge during a community meeting with Josh Klein, legislative aide to U.S. Sen. Ben Cardin; Maryland Natural Resources Deputy Secretary Joseph Gill and National Park Service Director Jonathan Jarvis.

CAMBRIDGE - As legislation to create Harriet Tubman National Historical Parks continues moving through Congress, the National Park Service is proposing an easier way to work toward this goal through the creation of a national monument in Dorchester County.

The idea of creating a national monument, which is often a prelude to creating a national park, was presented here Wednesday during a community meeting with National Park Service Director Jonathan Jarvis, Maryland Natural Resources Deputy Secretary Joe Gill and U.S. Sen. Ben Cardin's legislative aide Josh Klein, who also offered an optimistic forecast for Senate Bill 247, the proposed Harriet Tubman National Historical Parks Act.

Around 50 people from throughout the region attended Wednesday's meeting at the Chesapeake College Cambridge Center. There was favorable reaction to the national monument proposal, though a few people questioned the fate of the friendly relationships among the various community organizations in Caroline, Dorchester and Talbot counties working together to honor Tubman's legacy, if the national monument is only in Dorchester County.

Klein read a letter from Cardin, supporting designation of a Harriet Tubman National Monument. In the letter, the senator urged Eastern Shore residents to support the national monument designation. "It is a designation that can happen now," Cardin said, "while we continue to work in Congress for legislation to authorize the establishment of the Harriet Tubman Underground Railroad National Park." Jarvis said efforts would continue to create a national park honoring Tubman and the Underground Railroad. But he also advised that with a national monument, "It is a designation that can happen now." If a Harriet Tubman National Monument was created in Dorchester County, however, it would be at a relatively obscure site in the marsh and woodlands around Parson's Creek, near Madison. That's because, out of the 5,700 acres on the Eastern Shore being considered as the Harriet Tubman Underground National Historic Park, it is the only spot that could meet the criteria for a national monument.

Jarvis spoke of the commitment of the National Park Service, "To take care of the most important person that defines the American experience."

Noting that of more than 80,000 properties listed on the National Register of Historic Places, Jarvis said that only 3 percent of those properties tell the story of women or minorities.

In recent decades, he said, the NPS has taken on parks that tell aspects of American history that are not always flattering. Jarvis offered examples including the Martin Luther King Jr. Historic Site in Georgia,

established in 1980, and the Manzanar National Historic Site in California, established in 1992, which preserves an interment camp for thousands of Japanese Americans during World War II.

"We are looking for sites that broaden the story," Jarvis explained. "It is our job to tell that story to the American people."

National monuments are created through the Antiquities Act of 1906. The process simply requires the President to declare a spot to be a national monument, for historic or scientific purposes.

The only catch is that all property declared as national monuments must already be owned by the federal government.

Currently there is no federal land within the 5,700 acres proposed as a national park.

The site adjacent to Blackwater National Wildlife Refuge planned as a Harriet Tubman State Park, with a visitors center to anchor the national park, was once part of the refuge and owned by the U.S. Fish and Wildlife Service. But it has been given to the state, in exchange for state wildlife lands now owned by the USFWS.

The two sites considered for a national monument are near Madison Stewart's Canal at Parsons Creek, which was dug by slave labor possibly including Tubman and her father, and the nearby home site of Jacob Jackson, a free black farmer who received a coded letter from Tubman and forwarded the hidden message to Tubman's three brothers, telling them that Tubman would return to their parents' home at Poplar Neck, in Caroline County, Christmas Day to lead them north to freedom.

Both of these properties are now owned by the Conservation Fund, which has expressed interest in donating them to the U.S. Department of the Interior, which oversees the NPS.

Jarvis said the NPS also has prioritized creating a national park honoring Tubman because, "The local community has rallied and kept the story alive."

"We generally don't come in, unless there is community support," Jarvis said, explaining that national monument designation would not be pursued by the NPS if the community objected the concept. "The days of the federal government doing thing alone are over," Jarvis said, adding that creating a national monument to honor Tubman, "is just a step, and it's an important step."

Many U.S. national parks were initially national monuments, including the Grand Canyon, one of the first national monuments created by President Theodore Roosevelt, who signed the Antiquities Act into law in 1906.

Efforts to make the Grand Canyon a national park extend over a much longer period of time nearly 35 years than the current effort to create a national park honoring Harriet Tubman.

Congress began considering legislation to create a Grand Canyon National Park in 1882. It became a national monument in 1908 and officially became a national park in 1916.

Monuments for All: First State National Historical Park

Public Input

Establishing units of the National Park System commemorating Delaware's early history, and preserving the 1,100 acre Woodlawn tract had been priorities for Senator Tom Carper (D-DE) for years. The entire Delaware delegation and Vice President Joe Biden expressed support for a national park unit designation.

A diverse team of public and private partners, elected officials and preservationists worked with The Conservation Fund to purchase the Woodlawn property in order to have it donated to the National Park Service as federal public land in order for it to receive permanent protection.

In August 2012, the Delaware Congressional delegation and National Park Service Director Jon Jarvis hosted a public meeting. The standing-room-only crowd of more than 500 people, voiced support and encouragement for moving forward with the designation.

On March 25, 2013, First State National Monument was established by President Barack Obama.

On December 19, 2014, Congress approved the First State National Historical Park Act of 2013 as part of the National Defense Authorization Act for Fiscal Year 2015, creating the first and only national park in Delaware. The legislation that passed authorized the sites included in the First State National Monument in Delaware to become the First State National Historical Park and expanded to include additional park sites in all three counties of Delaware and an area of land in Delaware County, PA.

Monuments for All: César E. Chávez National Monument

Public Input

In 2008, fifteen years after Chavez passed away, Congress directed the National Park Service (NPS) to undertake a special resource study to identify locations that were significant to Cesar Chavez's life for possible establishment of a new national historical park to interpret the life of the civil rights leader and preserve the places important to the Farm Labor Movement.

In February 2011, Jonathan Jarvis, director of the National Park Service, visited the National Chavez Center at Keene and met with local stakeholders. The National Park Service also held a series of eight public meetings in California and Arizona in May 2011 in order to collect information and feedback on various sites associated. This included a May 12th meeting in Delano, CA to solicit public comment on historical locations in and around Delano and at movement headquarters in Keene.

The national monument at the Nuestra Senora Reina de la Paz (Our Lady Queen of Peace) site in Keene, CA ultimately was chosen in consultation with the United Farm Workers of America, the César Chávez Foundation and the National Chávez Center. The designation was also supported by groups including the League of United Latin American Citizens (LULAC), the National Farm Worker Ministry (NFWM) and the Hispano Round Table of New Mexico (HRT).

The National Chávez Center donated properties at La Paz to the federal government for the purpose of establishing a national monument. After the land was given to the federal government, President Obama designated the national monument in September 2012.

In October 2012, President Obama traveled to the National Chavez Center in Keene and before a crowd of 7,000 dedicated a portion of the property as the César E. Chávez National Monument. At that time, the American Latino Heritage Fund of the National Park Foundation dedicated financial support needed to open and fund operations of the national monument. The American Latino Heritage Fund continues to be a partner with the national monument.

In October 2013, the National Park Service (NPS) announced plans for a Cesar Chavez National Historic Park in order to create even greater public awareness of Chavez's achievements. The proposed Historic Park would include the national monument and would include four additional sites in California and Arizona relevant to the civil rights leader's life.

The Denver Post: Bennet, Tipton: Four Corners residents want national monument status for Chimney Rock

By Allison Sherry

May 14, 2012, 6:25 am

WASHINGTON — Comments from more than 100 Four Corners residents who want Chimney Rock designated as a national monument now head to Interior Secretary Ken Salazar's desk for consideration after a local meeting Friday.

The U.S. Forest Service convened a public meeting in Pagosa Springs to hear from people on whether to designate the 4,700-acre archeological site. The hearing was also attended by Sen. Michael Bennet, Pagosa Mayor Ross Aragon, members of the Archuleta County Board of Commissioners and area tribal leaders from the Southern Ute and Zuni Pueblo tribes. Rep. Scott Tipton, R-Cortez, was also there.

The area can be designated through a presidential proclamation or an act of Congress. The area could still be used for hunting, cattle grazing and tribal activities.

"The clear message from the local community is that they just want this done—whether through legislation or through presidential proclamation, they want to see this site get the protection and recognition it deserves" Bennet said, in a statement. "I'm grateful for all the comments we heard, and I look forward to continuing to work with the U.S. Forest Service and in the Senate so we can get this done for Southwest Colorado."

Tipton said in a statement Monday that, "elevating Chimney Rock to a national monument will increase attention and interest, and create new tourism opportunities for the Four Corners area, potentially generating revenue and creating new jobs in the Southwest Colorado."

Tipton also introduced legislation in April to move forward with Chimney Rock's designation. Bennet is carrying a similar measure in the Senate.

ThinkProgress: Californians Ask Salazar: Will President Obama Help Us Make Fort Ord America's Next National Monument?

January 17th, 2012

By **PUBLIC LANDS TEAM: Jessica Goad, Manager of Research and Outreach, Center for American Progress Action Fund.**

At the invitation of veterans, businesses, and the local community, Interior Secretary Ken Salazar last Friday paid a visit to Fort Ord, a former military base located on the Monterey Peninsula near Salinas, California. At a listening session to discuss the future of the site, local activists called on the secretary and President Obama to designate the Bureau of Land Management-managed lands at Fort Ord as a new national monument using the president's executive authority under the Antiquities Act.

Local support for a new Fort Ord national monument is undisputed. As the Monterey Herald reported:

Before he left to catch a plane, Salazar asked how many in the room wanted 'this land protected and preserved in perpetuity.'

He was met with resounding applause.

Speakers at Friday's public hearing discussed in detail how the former Fort Ord Military Installation played a key role in our country's history. From its founding in 1917 until its formal closure in 1994, the fort served as a training center and staging area for troops, and thus was home to 1.5 million soldiers fighting in every war from World War I to Desert Storm. The Vet Voice Foundation and a group of California veterans noted in a letter to Secretary Salazar that:

A National Monument designation will **serve as a reminder of the triumphs and sacrifices that have shaped the United States** and honor the legacy of the millions of soldiers who trained on these lands.

In addition to its place in military history, the public lands managed by the Bureau of Land Management around Fort Ord are some of the finest for outdoor recreation in the area. The fort's 86 miles of hiking, biking, and horseback trails on more than 7,000 acres are enjoyed by 100,000 visitors every year, who spend money in and around the area creating economic impacts. National monument status would likely increase visitation and associated economic impacts; a case study on protecting Fort Ord's public lands authored by economic consulting group Headwaters Economics found that:

The counties in the West with protected public lands, like national monuments, **have been more successful at attracting fast-growing economic sectors** and as a result grow more quickly, on average, than counties without protected public lands.

The president has the authority under the 1906 Antiquities Act to designate places of "historic or scientific interest" as national monuments. Unfortunately, the 112th Congress has thus far failed to pass any legislation that would protect public lands and provide more recreation and economic opportunities. Local supporters of a national monument at Fort Ord made it clear last week that the president can't wait for Congress—now is the time to make sure that Fort Ord and its surrounding public lands are protected for all Americans to enjoy.



As Salazar said Friday: "Our best places in the United States...are those where you have the kind of united community support that I see here today."

NPS Press Release: National Park Service to Hold Public Meetings on Fort Monroe

For Immediate Release: July 06, 2011

Contact(s): David Barna, 202-208-6843; Terrence Moore, 609-980-4822

The National Park Service (NPS) will conduct two separate meetings on July 19, 2011 to gather public comment on the potential establishment of Fort Monroe in Hampton, Virginia as a unit of the National Park System. The meetings follow-up on the June 29th gathering held by Secretary of the Interior Ken Salazar and NPS Director Jonathan B. Jarvis at the Fort Monroe Bay Breeze Community Center. The objective of the meetings is to further assess public support for establishment of a national park at Fort Monroe.

The meetings will be held at the Hampton Roads Convention Center, 1610 Coliseum Drive in Hampton, Virginia. Two meetings are planned on July 19th to provide interested citizens with opportunities to attend and express their thoughts regarding a Fort Monroe national park designation either during the afternoon or in the evening. The first session will be conducted between 2:00 p.m. and 4:00 p.m. The evening session will run from 6:30 p.m. until 8:30 p.m.

Jonathan B. Jarvis, Director of the NPS, called Fort Monroe "a resource of exceptional historic interest that bookends the beginning and end of slavery in the United States." He said, "Both Secretary of the Interior Ken Salazar and I want any initiative leading to the potential establishment of a national park at Fort Monroe to be subject to an open and transparent process that evaluates the support of local, Commonwealth and national interests.

Individuals wishing to provide oral comments are encouraged to also present them in written form at the meetings. Cards will be available at the meetings for any "on-the-spot" comments. Comments may also be electronically submitted until 5:00 p.m. on July 26, 2011 by using the NPS Planning, Environment, and Public Comment website (PEPC) at <http://parkplanning.nps.gov/fortmonroe>. While the PEPC website is preferred, comments may alternately be emailed to megan_lang@nps.gov.

Fort Monroe, a 565-acre National Historic Landmark located in Hampton, Virginia, contains a Third System fortification built for coastal defense between 1819 and 1834. It is the largest stone fortification built in the United States, and has been called "The Fortress of Freedom" and "The Gibraltar of the Chesapeake." It is one of the few Union military installations in the South never occupied by Confederate forces during the Civil War. Fort Monroe served critical roles in protecting Hampton Roads and was the site of General Benjamin Butler's 1861 "Contraband Decision" which permitted untold thousands of enslaved people to find safe haven upon entering Union lines. It was the staging area for General George B. McClellan's 1862 Peninsula Campaign. Confederate President Jefferson Davis was imprisoned at the fort for two years after the Civil War. Completely surrounded by a moat, the six-sided stone fort is the only one of its kind left in the United States that is still an active Army post. In operation for over 180 years, it ranks third as the most continuously used military installation in the nation.

The Virginian-Pilot: Fort Monroe gets push as a national park

June 30th, 2011

By Kate Wiltrout

FORT MONROE

This historic Army post may have won over a most important ally on Wednesday: Cabinet member Ken Salazar, secretary of the interior. Salazar toured the 570-acre base in Hampton before meeting with about 150 citizens, almost all of whom indicated strong support for making Fort Monroe a national park after the Army departs in September.

As head of the federal agency that oversees the National Park Service, and as President Barack Obama's point man on preserving and protecting the nation's heritage and natural resources, Salazar could be pivotal in making that happen.

He was clearly impressed with what he saw inside and outside the moated stone fort at the heart of the property.

"This is an incredible place," he told the audience gathered at Bay Breeze Community Center on the fort's easternmost beach.

Later, at a meeting with The Virginian-Pilot editorial board, Salazar said Fort Monroe could become a great example of an urban national park, and it is clearly in line with Obama's great outdoors initiative.

He also commented on the fort's pivotal role in emancipation, beginning with Union Army Gen. Benjamin Butler's decision to allow three escaped slaves sanctuary during the opening days of the Civil War in 1861.

That decision sparked an exodus as thousands of slaves flocked to what became known as Freedom's Fortress.

Although his initial decision was tactical - Butler needed the men's labor and wanted to deny it to Confederate forces - he quickly decided to allow women, children and elderly slaves to claim the fort's protection, too.

Historians say the mass migration, and the practical issue of what to do with a flood of humanity in Hampton, helped spur President Abraham Lincoln to issue the Emancipation Proclamation in 1863.

Salazar called Fort Monroe "the crucible" where Lincoln's legacy was born.

"I don't know that I've been to another place that has the history Fort Monroe has," he said..

But creating a national park is usually a slow process, Salazar said, often requiring a decade or more to win the approval of Congress and complete the needed studies.

Legislation making part or all of Fort Monroe a national park has been proposed and has bipartisan support locally, in Richmond and among members of Virginia's congressional delegation.

But with just 2-1/2 months remaining until the Army turns the property over to the state - in compliance with the 2005 Defense Base Realignment and Closure Commission's recommendation - a quicker option

has become a priority: getting the president to declare the fort a national monument using powers granted to him by the Antiquities Act.

Salazar indicated that Obama is considering that option. He told the audience that the president asked him to visit the base, and said Obama is familiar with its unique role in history.

He also said it's important for local communities and regional officials to broadly support the creation of a park through the Antiquities Act.

On Wednesday, the mayor of Hampton, two U.S. representatives, state officials and staff members representing both Virginia's senators spoke in support of using the act to create a national park.

So did the crowd.

At the end of the public meeting, Salazar asked everyone in attendance to vote for one of three scenarios: no national park, a national park designated by the president, and a national park created by Congress.

There were no votes for the first scenario; the second option won in a landslide.

Jon Jarvis, the director of the National Park Service and a career employee, told the audience he doesn't recall any potential park unit having this level of bipartisan support.

Democrats and Republicans might be feuding over the budget in Washington, but U.S. Reps. Bobby Scott, D-Newport News, and Scott Rigell, R-Virginia Beach, made it clear they're united on this issue.

Multiple speakers noted that Fort Monroe has an especially strong link to slavery because the first enslaved Africans brought to the New World arrived on the island that became the fort.

Rigell said some parts of the nation's history fall painfully short of the ideals set out in the Declaration of Independence, but they cannot be ignored: "This story needs to be told. It needs to be told right here."

Also, both of Virginia's U.S. senators introduced a bill Wednesday that would make Fort Monroe a national park.

One tidbit from the morning's tour seemed to stick with Salazar: the Algernourne oak, a stately live oak on the perimeter of the parade ground inside the moat.

According to historian John Quarstein, one of Salazar's tour guides, the tree dates to 1569.

It witnessed Native Americans hunting nearby, the arrival of English colonists and African slaves, Butler's decision, and the Civil War, Quarstein noted.

Salazar mentioned the oak during the public meeting, saying it has seen the entire history and evolution of our country.

What happened around that tree over more than 400 years cannot be forgotten, he said, and he borrowed a phrase from the Preamble to the Constitution:

"The preservation and the telling of that story is part of making a more perfect union."

**The Advisability
of
Designating the Bears Ears
as a
Monument Under the Antiquities Act**

**Procedural Requirements, Governmental Prerogatives,
and
a Required Statutory Process**

**Prepared for:
County Commission
San Juan County, Utah
117 South Main Street
Monticello, Utah**

October, 2016



"Complex Problems Solved Well"

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EXECUTIVE SUMMARY

Over the past twenty years, the quantity and area proposed for monuments in the United States has increased dramatically. Withdrawal of what are supposed to be "public lands" from productive use has kindled scrutiny of the President's discretionary authority, raised questions about the procedural responsibilities of administrative agencies, and focused review on the Federal government's responsibility to inventory and safeguard property inholdings that have valid existing rights.

Upon bringing the Antiquities Act under Title 54 of the United States Code in the National Park Service body of statutory law, the Congress eliminated potential for the Antiquities Act to be considered a stand-alone privilege enjoyed by the President. The 2014, *in para materia* adoption of the Antiquities Act into the National Park Service Statutes now requires the Secretaries of Interior and Agriculture to implement the procedural, due-diligence obligations that balance human and natural environments, preserve valid existing rights, and which demonstrate deference for State and local jurisdictional prerogatives.

The methodological language of the Antiquities Act presupposes an inventory of private inholdings has been conducted, that those interests have been distinguished from lands owned and controlled by the Federal government, and that inholding owners have been given opportunity to relinquish their properties prior to the designation process. Similarly, the logic of the Antiquities Act requires advance understanding of the areal extent of the tract, knowledge of the nature and care required for the objects, and a minimum, scientific understanding of the occurrence and relationship of the objects to non-Federal inholdings.

A non-governmental organization (NGO) of Native American tribes has proposed designation of a 1.9 million acre national monument in San Juan County, Utah. We reviewed that proposal in a procedural, statutory context using the historical definition of "public lands," congressionally-mandated land use planning prerogatives, and a county inventory of valid existing rights that occur in the proposed monument area.

The proposal by the Coalition - though well intended - is severely deficient, requesting actions by the Secretaries and the President that are clearly contrary to law. As an NGO, the Coalition lacks jurisdiction to make the request, and the proposal itself disregards no less than 18 land use planning efforts. If carried forward, the Coalition's plan would preempt agreements between San Juan County and the Navajo Nation and circumvent the role and jurisdiction of State and local governments in land use planning. With respect to documentation, the proposal asserts an urgency disproved by governmental reports, and the 1.9 million acre area proposed for the monument incorporates vast areas of public, private and patented properties that enjoy longstanding, valid existing rights.

This survey demonstrates that for purposes of a monument designation, grazing allotments (districts) are a limited-fee, surface title property, and as a result such lands are not owned or controlled by the Federal government. As a consequence, grazing allotments in San Juan County are property having valid existing rights, are subject to State and local jurisdiction, and should be inventoried and managed in the San Juan County Master Plan.

Our finding that grazing allotments do not constitute lands owned or controlled by the Federal government has implications that reach far beyond presidential designation of monuments. Federal land management agencies should be required by Congress, State and local governments to review and revise their resource, land use, and land management programs to accommodate historical statutory definitions and accept grazing allotments as real property with valid existing rights.

1 **1.0 Introduction**

2 **1.1 Background -**

3 San Juan County is the largest county in Utah, occupying an area of approximately
4 7,933 square miles (5,077,120 acres). San Juan County is characterized by an
5 interspersed patchwork of grazing districts, wilderness lands, state and national
6 recreation areas, state parks, two national monuments, national conservation areas,
7 and the Manti-La Sal National Forest. For its part, the Manti-La Sal National
8 Forest contains the watershed that the cities of Monticello and Blanding depend
9 upon to meet their entire culinary water needs.

10 A 1.9 million acre region within San Juan County's jurisdictional boundaries has
11 been proposed for designation as a national monument under the Antiquities Act
12 by the Bears Ears Inter-Tribal Coalition¹ (Coalition), a regional consortium of five
13 Native American tribes. The proposed monument contains approximately
14 1,411,000 acres of Bureau of Land Management (BLM) lands, 155,000 acres of
15 National Park Service (NPS) holdings, 366,000 acres of US Forest Service (USFS)
16 administrated lands, and 151,000 acres of Utah *School and Institutional Trust*
17 *Lands Administration* (SITLA) lands.² (Exhibit 1)

18 Government-managed lands within the proposed monument are interspersed with
19 vast areas of private inholdings, including forty-three (43) grazing allotments, no
20 less than 661 appropriated water-right diversion points, the sole operating uranium
21 mill in the United States, multiple oil and gas production areas, and approximately
22 18,000 acres of patented property. (Exhibit 2)

23 Right-of-way access within the proposed monument boundary includes a network
24 of State Highways, State-classified "B" and "D" roads, and RS-2477 roads. Of the
25 3,542 combined road-miles within the proposed monument area, some roads
26 possess in-perpetuity rights-of-way, others have permanent easements or pending
27 easement-applications, and still others maintain rights-of-way predating Utah
28 statehood in January, 1896.³

29 Demographically, San Juan County contains a near-equal distribution of Native
30 American (51%) and Anglo (45%) populations, with the remaining percentage split
31 among other ethnicities. Economically, San Juan County ranks 29th out of 29 Utah
32 counties with a per-capita, annual income of approximately \$23,244.
33 Approximately 29% of San Juan County residents reportedly fall below the Federal
34 poverty line.⁴

¹ *Proposal to President Barak Obama for the Creation of Bears Ears National Monument*. The Bears Ears Inter-Tribal Coalition. October 15, 2015.

² *List of Federal, State, Private and Tribal Holdings Data*. San Juan County, Utah Surveyor's Office. August 25, 2016.

³ *ibid.* Utah County Surveyor.

⁴ 2016 Economic Report to the Governor. The Utah Economic Council.

35 *1.2 Land Management and Land Use Planning -*

36 Land use management and planning within San Juan County is characterized by a
37 multi-layered, diverse collection of Federal, State and local land planning interests
38 with each having its own discreet area of responsibility. San Juan County has
39 identified no less than eighteen (18) separate land use, land management, and
40 wildlife management plans within its jurisdiction. (Exhibit 3)

41 San Juan County maintains a comprehensive, land use Master Plan (MP) and the
42 County is actively engaged in land use planning with Federal and State agencies
43 and the Navajo Nation.⁵ The Navajo Nation and San Juan County have an ongoing
44 Memorandum of Agreement (MOA) for joint land use planning and land
45 management throughout the County. The San Juan County/Navajo MOA
46 specifically addresses collaborative management of cultural resources, land use
47 planning of recreational areas, and joint participation in SITLA and Federal land
48 exchanges and transfers⁶ (Exhibit 4).

49 San Juan County is currently revising its land use and management MP. With this
50 revision, San Juan County is considering alternatives for integrating the BLM's
51 2008 Resource Management Plan (RMP) and planned revisions to the USFS
52 Manti-La Sal National Forest Plan with County planning processes through the
53 "assure consideration," "assist-in-resolving" and "attempt consistency" mandates
54 of the Federal Land Policy and Management Act (FLPMA).⁷

55 The sheer volume, overlap and layering of multiple land use planning efforts in
56 San Juan County raises questions as to the effectiveness of any one effort. Even
57 though natural systems do not accommodate manmade political boundaries, the
58 United State Federal code - through a collective, statutory body of law - requires
59 Federal agencies to respect, defer to and defend State and local jurisdictional
60 boundaries.

61 *1.3 Situation Appraisal; Issue Identification -*

62 Native American ruins, artifacts and other sites may be located within the
63 jurisdictional boundaries of San Juan County. Governmental reports have referred
64 to objects in the vicinities of Cedar Mesa, Red Knobs, Indian Creek, Alkali Ridge,
65 Montezuma Creek, Long Canyon Point and other areas, with the actual number of
66 sites varying considerably.

⁵ San Juan County Master Plan. San Juan County, Utah. March, 2008.

⁶ Memorandum of Agreement Between San Juan County, Utah and Navajo Nation. May 5, 2015.

⁷ 43 USC §1712(c)(9).

67 Despite the reported, significant quantity of objects and artifacts in San Juan
68 County, over a six-year period Federal investigators have identified two (2)
69 criminal-level excavations, four (4) incidents of funerary excavations, four (4)
70 thefts of archeological resources, and eleven (11) reports of vandalism.⁸ Of these
71 macabre activities, some are thought to be historical in nature, occurring well
72 before discovery and reporting (Exhibit 5).

73 Discrepancies between claims of "rampant looting" made to government agencies
74 by environmental groups and facts documented by local BLM investigators began
75 to emerge in May, 2015, when San Juan County law enforcement wrote a letter to
76 a local newspaper (Exhibit 7). The availability, reliability, and quality of
77 documentation supporting claims is further explored in section 3.1.

78 In October, 2015, representatives from five (5) regional Native American tribes
79 proposed that the President of the United States (POTUS) withdraw 1.9 million
80 acres⁹ of lands within San Juan County's boundaries under the authority of the
81 Antiquities Act of 1906¹⁰ and Title 54 of the National Park Service Preservation
82 Statutes.¹¹ Of the five tribes comprising the Coalition, only two possess lands
83 within the proposed national monument boundaries for a total of 4,818 acres.¹² The
84 Coalition's proposal to withdraw 37% of the surface area of San Juan County from
85 current uses raises national-level policy, technical, procedural, jurisdictional,
86 property, health and safety, and local-sovereignty related questions. We explore
87 these questions in context of Federal statutory requirements.

88 In its proposal, the Coalition recommends that the POTUS create a new *Federal*
89 *Entity* - a quasi-governmental agency - whose existence has no precedent and the
90 authority for which cannot be traced to Federal statutes. The new entity is proposed
91 to be managed by a salaried, eight-member commission - one member from each
92 tribe - and three participants from Federal agencies. No participation from State or
93 local governments is contemplated, either during the designation process or in
94 subsequent operations, land-management, or decision-making.

95 With respect to funding, the Coalition points to the "interest" of unnamed
96 philanthropic foundations before transitioning into a request that the POTUS
97 "direct agencies to use their best efforts to provide funding under the Indian Self-
98 *Determination Statutes and other authorities for collaborative management at*
99 *Bears Ears.*"¹³ The proposal is silent on the Congressional land withdrawal and
100 appropriations process associated with land transactions of the magnitude
101 contemplated by the Coalition, and no budgetary or cost estimates were included in
102 the proposal.

⁸ Briefing Paper. US Department of Interior, Bureau of Land Management. Office of Law Enforcement and Security, Region 3.

⁹ Proposal to President Barak Obama for the Creation of Bears Ears National Monument. The Bears Ears Inter-Tribal Coalition. October 15, 2015.

¹⁰ 16 USC§ 431-433.

¹¹ 54 USC Sec. §§ 300101-320303; (Pub.L. 113-287, S3, December 19, 2014. 128 Stat. 3187.)

¹² Navajo Nation has 18 acres and the Ute Mountain Ute tribe has 4,800 acres in the proposed boundary. SJC, Utah Surveyors Office.

¹³ Ibid. Proposal to President Barak Obama. Page 30.

103 Historically, a proposal of the quality of that submitted by the Coalition would not
104 be significant enough to merit Presidential attention. In the context of elevated
105 jurisdictional tensions, prerogative incursions, and even proposed Federal rules that
106 are contrary to Federal statutes, a deeper, more organic problem exists.¹⁴

107 *1.4 Purpose and Approach -*

108 Our approach examines the Coalition's proposal in the context of ongoing
109 encroachment by Federal land management agencies and the Executive Branch on
110 the prerogatives of State and local governments. In seeking solutions to a complex,
111 emotionally-charged situation, we avoid assigning blame or ascribing intent. Our
112 objective is to survey the Coalition's urgent claim for artifact protection in the
113 historical, jurisdictional, and statutory context of rightful Federal, State, and local
114 land use planning prerogatives.

115 Following review of the Coalition's proposal we apply the statutory, procedural
116 framework required of Federal agencies during the designation process and that are
117 protective of human health and the environment. Finally, we conclude with
118 solutions that utilize the existing, jurisdictional, San Juan County land use planning
119 and management system.

120

¹⁴ Comments, Statutory Analysis and Recommendations on BLM's 2.0 Planning Rule. Stilwater Technical Solutions. May, 2016.

121 **2.0 Statutory Backdrop**

122 *2.1 The Federal Land Policy and Management Act -*

123 Through the 1976 Federal Land Policy and Management Act (FLPMA), Congress
124 consolidated a century of land-management statutes into one comprehensive body
125 of law to be implemented by the Secretaries of the Departments of Interior and
126 Agriculture. FLPMA is the controlling statutory mandate governing Federal land
127 use planning, land withdrawals, range allotment permitting, minerals management,
128 land set-asides, prior existing rights, and protected rights-of-way on or over public
129 lands.

130 Public lands and antiquities proposed for withdrawal by the POTUS are to be
131 “reviewed in accordance with the provisions of this [FLPMA] Act”¹⁵ and managed
132 according to the mandates of FLPMA, the Archeological Resources Protection
133 Act,¹⁶ the National Historic Preservation Act (NHPA),^{17,18} and Title 54 of the
134 National Park Service Preservation statutes.¹⁹ At the state level, the lead authority
135 for artifacts management is the State Historic Preservation Office (SHPO).

136 Prior to initiating Major Federal (withdrawal) Action,^{20,21} the Secretary(s) are to
137 implement the Environmental Assessment (EA) mandates of the National
138 Environmental Policy Act (NEPA),²² codified in rule by the Council of
139 Environmental Quality (CEQ).²³ All statutory responsibilities surrounding
140 monument designations are to be undertaken in the context of minimum data
141 quality and scientific standards of the Data Quality Act and Department of Interior
142 policies. The NEPA requirement is more fully applied throughout this survey.

143 After five years of deliberation and in response to the conclusions of the Public
144 Land Law Review Commission,²⁴ the 94th Congress changed the definition of what
145 constitutes “public land.” This change - central to implementation of the doctrine
146 of multiple use and its list of limited, principal uses - was necessary because
147 Congress determined that most lands and minerals throughout the west had been
148 allocated, and as a result, significant portions of the public lands now exist in split
149 estate ownership.

150 Following promulgation of FLPMA, it is the property doctrine of split-estates that
151 determines which governmental entity has controlling, jurisdictional authority over
152 surface land. Federal land management agencies are limited to commercial timber
153 and subsurface mineral estate, whereas State and their political subdivisions have

¹⁵ 43 USC §1701(a)(3).

¹⁶ 16 USC §470aa-mm.

¹⁷ Pub. L. 89-665; 80 STAT.915; 16 USC §470.

¹⁸ Executive Order 11593. Protection And Enhancement Of The Cultural Environment. May 13, 1971.

¹⁹ Pub. L. 113-287, §3, Dec. 19, 2014, 128 Stat. 3188.

²⁰ 40 CFR §1501.2.

²¹ 40 CFR §1508.18.

²² 42 USC §§4321-4347.

²³ 40 CFR §§1500-1508.

²⁴ *One Third of the Nations Land. A Report to the President and to the Congress by the Public Land Law Review Commission.* June, 1970.

154 jurisdiction over private property interests, including grazing allotments. It is only
155 within National Parks, where private inholdings have been acquired through
156 relinquishment, condemnation or purchase - or where the State has ceded its
157 authority - that Federal land management agencies possess exclusive jurisdiction
158 over surface lands.

159 Over time, Federal agencies have lost sight of their limited, statutory authority to
160 regulate the surface portion of split-estate lands, resulting in encroachments.
161 Encroachments have taken place through a variety of mechanisms, including
162 administrative orders, errant regulations and unchecked policy directives, with a
163 corresponding lack of resistance at the State and local level.

164 Jurisdictional confusion can be traced to a non-understanding of the origin and
165 longstanding history of the definition of "public lands" in Federal statutes and case
166 law. The relationship of public lands to split estates, reservations, and other land
167 appropriations was defined in the Federal Water Power Act of 1920 and since has
168 been abundantly adjudicated in case law:

169 *"most enduringly public lands have been defined as*
170 *those lands subject to sale and other disposal under*
171 *the general land laws"²⁵*

172 and,

173 *"Public lands" means such lands and interests in*
174 *lands owned by the United States as are subject to*
175 *private appropriations and disposal under public*
176 *land laws. It shall not include "reservations" as*
177 *hereinafter defined. "Reservations" means national*
178 *monuments, national parks, national forests, tribal*
179 *lands embraced within Indian reservations, military*
180 *reservations, and other lands and interests in land*
181 *owned by the United States and withdrawn, reserved*
182 *or withheld from private appropriation and disposal*
183 *under the public land laws...."²⁶*

184 When the 94th Congress revised the definition of "public lands" it had in view that
185 split-estate conditions, reservations for National Monuments and Parks - including
186 grazing allotments - not be included in the definition of what constitutes "public
187 lands."²⁷ This led to the current FLPMA definition:

²⁵ Utah Div. Of State Lands v. United States, 482 US 193 (1987).

²⁶ 41 Stat 1063.

²⁷ Agricultural Entry of Mineral Lands Act 1914; Stock-Raising Homestead Act 1916; Mineral Leasing Act 1920; Federal Power Act 1920. [See Kinney Coastal Oil v Kieffer, 277 US 488 (1928); Watt v Western Nuclear, 462 US 36 (1983)]

188 *The term "public lands" means any land and*
189 *interest in land owned by the United States within*
190 *the several States and administered by the Secretary*
191 *of the Interior through the Bureau of Land*
192 *Management, without regard to how the United*
193 *States acquired ownership....*²⁸

194 The addition of "interest in land" and removal of "subject to appropriation and
195 disposal" language reflected the need for comprehensive land use planning that
196 respects the split estate nature of pre-existing mining claims, land interests,
197 property rights, and land uses that had been granted throughout 200 years of
198 history.

199 In promulgating FLPMA, the Congress moved Federal land planning closer to
200 State and local jurisdictions, intending co-planning with Federal agencies to be
201 carried out on an equal-footing basis. FLPMA places Department of Interior as a
202 partner for the overall process; e.g., to be reviewer and coordinator of land use
203 plans, including Federal plans. Complications have arisen because county
204 governments have not adequately understood the responsibilities, technical
205 requirements, or limits of Federal control in land use management and planning.

206 The combination of unrestrained growth of administrative government and a
207 wholesale, shallow understanding of the bright-line limits of Federal, State and
208 local prerogatives has led to confusion in land use planning. This situation can be
209 restored through a clear understanding of history and firm, ground-up assertion of
210 rightful prerogatives.

211 Recognizing the intermingled, pre-existing status of water rights, easements,
212 grazing allotments, mining claims, timber operations and various private
213 inholdings, the 94th Congress established a hierarchal system that provides for the
214 diverse land use interests around a central philosophy of productivity²⁹ - not
215 sequestration. To that end, the limited FLPMA doctrine of principal use³⁰
216 establishes a first-among-multiple-use hierarchy for land use planning within the
217 grazing districts of San Juan County:

- 218 1. *Domestic livestock grazing;*
219 2. *Fish and wildlife development and utilization;*
220 3. *Mineral exploration and production;*
221 4. *Rights-of-way;*
222 5. *Outdoor recreation; and,*
223 6. *Timber production.*

224 The first in the hierarchy of FLPMA principal uses is domestic livestock grazing.
225 Federal courts have determined allotments for livestock grazing to be limited-fee
226 titles that constitute a property right.³¹ As a FLPMA-protected, pre-existing

²⁸ 43 USC §1702 (e).

²⁹ 43 USC §1702 (c).

³⁰ 43 USC §1702 (l).

³¹ US v. Estate of Hage, No 2:07-CV-01154-RCJ P. 41 D Nev. May 24, 2013.

227 property right, grazing allotments and range improvements in San Juan County are
228 surface-right entitlements that enjoy legal and regulatory safeguards so long as
229 they are exercised.^{32,33}

230 Because the 43 grazing allotments in San Juan County are limited-fee title, surface-
231 estate entitlements that do not meet the definition of "public lands," those surface
232 allotment lands, absent Federal purchase, condemnation or due process, are
233 excluded from a monument designation as they are not lands fully "*owned or*
234 *controlled by the Federal Government.*"

235 From a land management perspective, further investigation is needed to identify
236 and segregate surface timber interests and Federally-owned minerals from water
237 rights, grazing allotments and other private holdings that occur in split estate. This
238 inventory will vastly reduce the management claim of Federal agencies to surface
239 lands in San Juan County and ideally take place during revision of the San Juan
240 County MP.

241 2.2 *The Data Quality Act -*

242 The Data Quality Act (DQA)^{34,35} requires administrative agencies to establish and
243 maintain minimum standards and internal policies that afford local government and
244 the public a process through which information can traced, corrected and verified.
245 Information which could inform major Federal actions or executive decisions -
246 such as the proposed Bears Ears National Monument designation - must be of high
247 quality, reliability, transparency and veracity:

248 *"The more important the information, the higher the*
249 *quality standards to which it should be held, for*
250 *example, in those situations involving influential*
251 *scientific or statistical information."³⁶*

252 Congress has established a minimum, DQA threshold consisting of four
253 components:

- 254 1) Quality;
255 2) Utility;
256 3) Objectivity; and,
257 4) Integrity.

³² Pub. L. 94-579 Sec. 701 (a).

³³ Pub. L. 94-579 Sec. 701 (h).

³⁴ Section 515(a) US Treasury and General Government Appropriations Act. Pub. L. 106-554.

³⁵ H.R. 5658; 66 FR 49718. September 28, 2001.

³⁶ Ibid. Federal Reg. Vol. 66, No. 189.

258 The "*Objectivity*" component requires information used in natural resource
259 planning to identify all sources of information, standards for models, data,
260 financial information; information in statistical contexts are to be specifically
261 documented "*so the public can assess for itself whether there may be some reason*
262 *to question the objectivity of the sources.*" Objectivity means information must be
263 clear, complete, and unbiased with sources being identified. To be reviewable,
264 information must first be made available.

265 The "*Reproducibility*" requirement states that information must be "*capable of*
266 *being substantially reproduced subject to an acceptable degree of imprecision.*"
267 This DQA requirement means that information for a proposed monument, such as
268 inventory of property inholdings and studies for proper care and management -
269 must be available from common and readily-available sources and such
270 information must be replicable. An example of the "reproducibility" standard
271 includes information-sourcing of the scientific basis used to determine the
272 monument boundary.

273 The "*Utility*" requirement pertains to usefulness. Information from Federal
274 agencies - and by extension the POTUS - "*needs to consider the uses of the*
275 *information not only from the perspective of the agency, but also from the*
276 *perspective of the public.*" An example of the utility component is that information
277 must be specific for the purpose, not random, unrelated citations or references.

278 The "*Integrity*" component pertains to security of information such that it is not
279 subject to compromise.

280 In his Federal Register notification for the proposed P2R Planning Rule, the BLM
281 director proposed diluting and altering existing Federal standards for information
282 dissemination under the Data Quality Act. Specifically, the Director cites the
283 example of Traditional Ecological Knowledge (TEK) - knowledge from a specific
284 location acquired by indigenous and local people who have had direct contact with
285 the environment - as a type of information that constitutes "high quality"
286 information. TEK falls well short of the Federal definition of what constitutes
287 "science" and it does not meet the Quality, Utility, Objectivity, and Integrity
288 standards in DQA.³⁷

289 2.3 *The Antiquities Act -*

290 The Antiquities Act (AA) was promulgated by the Congress in 1906 and amended
291 in 1950 to exclude extensions to existing or designations of new national
292 monuments in Wyoming without Congressional authorization.³⁸ In 2014, the AA
293 was reauthorized by Congress and brought under Title 54³⁹ code of the National
294 Park Service Preservation statutes.⁴⁰ In placing the AA under Title 54, Congress
295 removed any potential for the AA to be considered a stand-alone, executive

³⁷ *Comments, Statutory Analysis and Recommendations on BLMs Planning 2.0 Rule.* Stillwater Technical Solutions. May, 2016. pps 6

³⁸ 54 USC §320301 (d).

³⁹ 54 USC Sec. §320301.

⁴⁰ 128 STAT 3094. Public Law 113-287-December 19,2014. "National Park Service and Related Programs." 54 USC 320301.

296 prerogative; the AA is now a *corpus juris* part of the National Park Service
297 statutes, and all monument designations are subject to the standards, procedures,
298 human protections, and regulatory processes - *in para materia* - as all other
299 Department of Interior National Park Service programs.

300 The purpose of the AA is to set aside *objects, landmarks, and structures* for care
301 and management that have been identified in small, discreet tracts of Federal lands.
302 The scope of protection offered by the AA is limited to objects, items and
303 structures; withdrawal of public lands, natural resources or lands beneath
304 landmarks is to take place in full compliance with FLPMA mandates.^{41,42}

305 The statutory construction and semantics of the AA are methodological in
306 imposing procedural and technical obligations upon the POTUS - and by extension
307 the Secretaries of Interior and Agriculture. The simple AA language presupposes
308 up-front, due diligence has been accomplished *prior* to proclaiming the
309 designation; as example, it is not possible to minimize a parcel size without first
310 understanding the relationship of public lands to State and private inholdings.
311 Likewise, "*proper care and management*" needs cannot adequately be determined
312 without first assessing the occurrence, nature, and best management practices for
313 the object(s) to be protected. Finally, in order to properly exercise their right of
314 relinquishment, inholders have a fundamental right to notification while their
315 property interests have full market value - a right that is impossible to exercise
316 without an accurate, pre-inventory⁴³ of objects, Federal lands, and State and private
317 holdings.

318 The specific language of AA clearly precludes designate-then-investigate actions.

319 In support of the monument designation process and statutorily provided, local
320 land use planning role, we have developed a 6-part test. The test applies the core
321 procedural tenets of the AA that must be undertaken prior to the designation being
322 made, and can be applied to any monument proposal in the United States, its
323 territories, and possessions. While the details of each situation vary, the objective
324 behind the test is to illuminate the principles required of the Secretaries of Interior
325 and Agriculture - and by extension, the POTUS. These statutory requirements
326 balance safeguards of valid exiting rights, inholdings, private property,
327 notification, and local land use planning prerogatives with the cultural and
328 secondary value protections any AA designation might have.

⁴¹ 43 USC §1702(j).

⁴² 43 USC §1714(a)-(1).

⁴³ 43 USC §1701(a)(2)

329

The Antiquities Act⁴⁴ -

330

(a) *PRESIDENTIAL DECLARATION* - *The President may, in the President's discretion, 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.*

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(b) *RESERVATION OF LAND* - *The 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.*

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(c) *RELINQUISHMENT TO FEDERAL GOVERNMENT* - *When an object is situated on a parcel covered by a bona fide unperfected claim or held in private ownership, the parcel, or so much of the parcel as may be necessary for the proper care and management of the object, may be relinquished to the Federal Government and the Secretary may accept the relinquishment of the parcel on behalf of the Federal Government.*

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Antiquities Act: Procedural Requirements Test -

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a. What credible, reliable, replicable and readily-available scientific studies have been performed to assess the range, occurrence and proper care of objects in the area proposed for designation?

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b. Through what means has the Secretary(s) created and published inventories that distinguish public land from inholdings of reserved water right(s), mining or mineral claims, State and private property inholdings, grazing allotments, pre-1976, in-perpetuity easements, and/or rights-of-way?

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c. How have parcels of public land been delineated such that the relationship of inholdings can reasonably be understood and the smallest area compatible with proper care and management of the objects responsibly be determined?

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d. By what means, measures and timing did the Secretary notify government, corporate and/or private property in-holders of their right to participate in or opt out of the relinquishment process?

363

364

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e. What local input has been sought to document what constitutes proper management of the objects for the protections being sought?

366

367

f. What State and local political subdivision inholdings have been identified that could experience tax, impaired right-of-way, affected water right, safety, or other derogation as a result of a premature or inappropriate designation?⁴⁵

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369

⁴⁴ 54 USC Subtitle III: National Preservation Programs. Sec. §320301

370 2.4 The National Environmental Policy Act -

371 The National Environmental Policy Act of 1969 (NEPA)⁴⁶ and implementing
372 regulations from the Council on Environmental Quality (CEQ)⁴⁷ mandate
373 balancing of human and natural environments during decision making by Federal
374 agencies. The policy of the United States, mandated through NEPA, is to assure
375 protection and productivity of the human and natural systems in the context of
376 general human welfare and harmony with existing social, economic, and cultural
377 systems.

378 *"it is the continuing policy of the Federal*
379 *Government, in cooperation with State and local*
380 *governments, and other concerned public and*
381 *private organizations, to use all practicable means*
382 *and measures, including financial and technical*
383 *assistance, in a manner calculated to foster and*
384 *promote the general welfare, to create and maintain*
385 *conditions under which man and nature can exist in*
386 *productive harmony, and fulfill the social, economic,*
387 *and other requirements of present and future*
388 *generations of Americans."⁴⁸*

389 and,

390 *" . . . to use all practicable means, consistent with*
391 *other essential considerations of national policy, to*
392 *improve and coordinate Federal plans, functions,*
393 *programs, and resources"⁴⁹ . . ."*

394 The POTUS, by definition, is not a Federal agency and is exempt from NEPA
395 mandates⁵⁰ during the routine exercise of his office. For their part, the Secretaries
396 of Interior and Agriculture are *not* exempt from NEPA requirements when carrying
397 out their responsibilities under Title 54,⁵¹ and this includes monument
398 designations.

399 A simple-to-ask but complex-to-answer question is whether the POTUS, by virtue
400 of his office, has the Constitutional or Congressional latitude to override or negate
401 the statutory mandates required of the Secretaries of Federal agencies.....put
402 another way, can the POTUS circumvent specific activities that Congress
403 mandated Federal agencies to implement?

404 We believe the POTUS *is* constrained by the statutory mandates governing the
405 Federal agencies who act on his authority and in his stead. Once a statutory bright
406 line has been breached, there remains no objective limits by which local
407 government, Congress or the courts can measure his actions, decisions or behavior.

⁴⁵ Pub.L. 94-579 Sec. 701 (a).

⁴⁶ 42 USC. §§4321 - 4347.

⁴⁷ 40 CFR §§1500-1508.

⁴⁸ 42 USC §4331(a).

⁴⁹ 42 USC §4331(b).

⁵⁰ 40 CFR §1508.12.

⁵¹ 54 USC Sec. §300101 et.seq.

408 Should the POTUS fail to comply with procedural mandates binding subordinate
409 Secretaries, such an example lends tacit approval for subordinates to disregard
410 laws, which in turn leads to the degradation at all levels of government.

411 As the planning process for the Manti-La Sal National Forest proceeds - and if the
412 Coalition's proposal gains consideration - the procedural requirements of NEPA
413 apply to the Secretaries of Interior and Agriculture at the earliest possible
414 opportunity.⁵² As result, we recommend San Juan County consider requesting Co-
415 Lead Agency status during the EA/EIS and include the process and results, as
416 appropriate, in revision of the MP.

⁵² 40 CFR §1501.2.

417 **3.0 Discussion**

418 **3.1 Proposal by The Bears Ears Inter-Tribal Coalition -**

419 **3.1.1 Jurisdiction**

420 On October 15, 2015, representatives from the Hopi Tribal Council, Navajo
421 Nation, Ute Indian Tribe Business Committee, Ute Mountain Ute Tribal Council,
422 and Pueblo of Zuni tribes submitted to President Obama and the Departments of
423 Interior and Agriculture a proposal⁵³ to withdraw 1.9 million acres of land
424 currently within the jurisdictional boundaries of San Juan County.

425 The proposal was clearly prepared with a heart of genuine concern for the history
426 and safeguarding of the objects and artifacts contained within discreet areas of the
427 proposed Bears Ears Monument area. STS does not question the spirit or
428 authenticity of the concerns exhibited in that proposal; however, the purpose of our
429 analysis is to apply Federal statutory requirements that bind the Secretaries of
430 Interior and Agriculture - and therefore the POTUS - to the procedural processes
431 and jurisdictional deference in land use planning.

432 In requesting adoption of its collaborative management concept, the Coalition
433 proposes an additional, quasi-governmental layer of land use planning that would
434 preempt at least 19 existing land use plans - including ten plans of four Federal
435 agencies. The Coalition's proposal would preempt an existing Memorandum of
436 Agreement (MOA) between the Navajo Nation and San Juan County whose
437 express purpose is to include objects of historical value in the land use and
438 planning process. Further, the proposal provides no role for statutorily mandated
439 participation from existing political subdivisions of the State of Utah, San Juan
440 County, or other qualified local government entities.

441 **3.1.2 Damage to Antiquities**

442 The factual basis for the Coalition's "*more than a dozen serious looting cases were*
443 *reported between May, 2014 and April 2015*" was not included or referenced in the
444 proposal. The assertion of "rampant looting" contrasts greatly with reports from
445 local law enforcement (Exhibit 8) and a US Department of Interior briefing paper
446 on looting and pillaging activities (Exhibit 5).

447 When the cases documented by law enforcement are weighed against the varying,
448 reported quantity of sites, the magnitude of the Coalition's urgency claim pales,
449 particularly against the backdrop of foreseeable, adverse impacts to the human
450 environment that could result from reactionary-based decision-making. Indeed, the
451 negative experiences documented by Garfield County should lead Federal agencies
452 to exercise caution and full procedural compliance to ensure adequate human
453 protections (Exhibit 8).

⁵³ Proposal to President Barak Obama for the Creation of Bears Ears National Monument. The Bears Ears Inter-Tribal Coalition. October 15, 2015.

454 With respect to the monument boundary proposed by the Coalition, neither the
455 map by Grand Canyon Trust nor the proposal itself provides data, replicable
456 details, or calculations as to how the boundary limits were determined or how the
457 proposed 1.9 million acres could possibly meet the smallest-possible-area and
458 land-controlled-by-Federal-government requirements for monument designations.
459 In glaring contrast, we conclude the interspersed grazing allotments, SITLA lands,
460 water rights, and valid, pre-existing rights-of-way pose significant additional
461 complexities to the designation process - one that must be examined through
462 scientific and procedural means.

463 3.1.3 Legislative Considerations

464 Significant land use legislative activities have been taking place at both the Utah
465 State and national levels. In 2015, Utah passed H.B. 393, a statute that created
466 energy zones within San Juan County and amended the Utah resource management
467 plan. At the national level, Congressman Rob Bishop has introduced into the
468 House Natural Resources Subcommittee H.R. 5780, the Utah Public Lands
469 Initiative (PLI) and that legislation is progressing through the House of
470 Representatives.

471 H.R. 5780, if passed, would establish eleven new national conservation areas
472 (NCAs), six special management areas, designate forty-one new wilderness areas,
473 add land to Arches National Park, create a new national monument, and establish a
474 new national recreation area.

475 The product of a large, multi-group effort, the PLI is astonishingly detailed in
476 scope, offering much to many stakeholders responsible for its development. For
477 their part, environmental groups and the Department of Interior oppose specific
478 language in the PLI that would transfer authority for energy permitting to the State,
479 limit BLM's ability to manage some grazing activities, and grant RS 2477 roads
480 and rights-of-way. Also drawing ire are provisions that allow limited motorized
481 access in wilderness areas and limit BLM's ability to close roads, trails, and
482 corridors.

483 San Juan County, through its Lands Council, has contributed positively to
484 development of the PLI (Exhibit 6). Specific contributions to the PLI include
485 designation of two NCAs, several wilderness areas, and identification of
486 productive energy zones consistent with newly enacted State statutes.

487 The San Juan County Council and Commission has expressed particular interest in
488 the transfer of the McCracken mesa mineral rights from the Federal government to
489 the Navajo Nation Trust Fund, continuation of livestock grazing allotments during
490 future land transfers, inclusion of setbacks (positive buffer zones) from rights-of-
491 way, transfer of infrastructure and other interests.

492 Other initiatives identified by the San Juan County Commission include interests
493 that would revise how mineral royalties are allocated within the State, protection of
494 cultural sites such as the White Mesa and the Allen County Burial Grounds, and
495 allocation of some SITLA land to the Southern San Juan Paiute Tribe. These

496 important, local, cultural items must not be lost in the fervor of legislative
497 negotiations, language adjustments or changes that accommodate special interest
498 groups.

499 In our brief exposure to the history of San Juan County's Native Americans, we
500 observed several economic injustices and multi-generational, cultural injuries -
501 wounds we believe would be exacerbated if the Coalition's proposal results in a
502 national monument.

503 We do believe San Juan County should convene a subcommittee within its
504 management planning process to collect, assess, recommend and oversee cultural
505 protections consistent with the purpose and objectives of land use planning.

506 3.2 *Valid Existing Rights* -

507 3.2.1 Grazing Allotments

508 The *Agricultural Entry of Mineral Land Act of 1914*,⁵⁴ the *Mineral Leasing Act of*
509 *1920*, and the *Stock-Raising Homestead Act of 1916* created a split-estate condition
510 that segregated mineral rights from the surface-estate on public lands. The
511 legislative philosophy behind these acts, carried forward in the Congressional
512 record and codified in FLPMA, granted the surface-fee title to agriculture and
513 ranching, while reserving "merchantable timber" and the mineral estate to the
514 United States.^{55,56}

515 The intent of Congress in severing "*Limited Surface fee title for Agriculture and*
516 *Ranching*" while reserving to the United States the mineral estate and commercial
517 timber was to recognize, through allocation of limited surface ownership interests,
518 ranching and livestock grazing as having a longstanding history, priority, and value
519 in American culture.

520 Grazing allotments are a limited-fee, surface title property interest that enjoys
521 substantive and procedural property rights.⁵⁷ In areas where grazing allotments
522 occur as surface estate, such as throughout San Juan County, those grazing
523 allotments constitute valid, pre-existing, property rights not under the ownership or
524 control of Federal agencies or the United States. As a result, grazing rights may not
525 be encumbered or revoked without procedural or due-process actions,
526 adjudications, or compensation.⁵⁸

527 If a monument is to be proposed,⁵⁹ surface-estate grazing allotments must first be
528 inventoried and the ownership characteristics of each allotment determined. If, as
529 part of procedural due diligence, the POTUS elects to proceed with monument
530 designation, owners of grazing allotments are to be notified of their opportunity to
531 relinquish as would be the case with any other property right.

⁵⁴ 37 Stat 267, 38 Stat 609, 38 Stat 712.

⁵⁵ *Kinney Coastal Oil v. Kieffer*, 277 US 488 (1928).

⁵⁶ *Watt v. Western Nuclear*, 462 US 36 (1983).

⁵⁷ *US v. Estate of Hage*, No 2:07-CV-01154-RCJ P. 41 D Nev. May 24, 2013.

⁵⁸ 43 USC §1702 (f); 43 USC §1769 (a).

⁵⁹ USC Sec. §32030.

532 The prolific confusion surrounding the history of grazing districts and the property
533 rights of grazing allotments lends to the need for San Juan County to establish the
534 occurrence and scope of grazing-allotment holdings throughout the county,
535 including within the Manti-La Sal National Forest. We recommend inclusion of a
536 grazing allotment inventory in the San Juan County Land Use and Management
537 Plan as well as notification of Federal and State agencies of County policies,
538 mapping, and management ordinances, such that those entities may attempt
539 consistency through inclusion of grazing allotment in their planning process.

540 3.2.2 SITLA Lands

541 The Utah *School and Institutional Trust Lands Administration* (SITLA) is an
542 independent, revenue-generating State agency established to manage lands granted
543 to Utah by Congress. SITLA manages 3.4 million acres of state trust lands, and an
544 additional 1 million acres of mineral estate. Taxable activities on SITLA lands
545 support twelve state institutions and include real estate development and sales; oil,
546 gas, and mineral lease rents and royalties; renewable energy projects and surface-
547 estate sales, leases, and easements.

548 There are approximately 151,000 acres of revenue-generating, SITLA lands
549 interspersed throughout the monument area proposed by the Coalition (Exhibits 1
550 and 2; Map 3). SITLA parcels - being State owned - do not constitute "*land owned
551 or controlled by the Federal Government,*" and cannot be legitimately withdrawn
552 for a monument without an inventory, notification-for-relinquishment, due-process
553 or tax compensation review.⁶⁰

554 In requesting the POTUS withdraw 1.9 million acres of lands containing 151,000
555 acres of interspersed SITLA inholdings, the Coalition is indirectly asking the
556 Secretaries of Interior and Agriculture to violate Federal procedural land use and
557 human-protection statutes without the benefit of study, notification, due process, or
558 compensation.

559 Because monuments - over time - have been demonstrated to eliminate revenue-
560 producing activities, the impacts to human health, the human environment and the
561 state economy must - prior to *proposing* a monument - be investigated through the
562 NEPA Environmental Assessment (EA) or Environmental Impact Statement (EIS)
563 process. (It seems unconscionable to us that any Federal agency would take the
564 position that NEPA does not apply, particularly in the context of SITLA, tax-
565 related impacts on the State economy.)

566 The Coalition's "*major objective to keep most of the [1.9 million acres] of the
567 Bears Ears roadless and pristine*"⁶¹ is contrary to established law as it advocates
568 the POTUS - through the Secretaries of Interior and Agriculture - to arbitrarily
569 encumber or close legitimate access corridors, including 79 miles of easement-
570 holding, SITLA roadways. Granting the Coalition's broad, unsubstantiated request

⁶⁰ 43 USC §1701(a)(13).

⁶¹ *Proposal to President Barack Obama for the Creation of Bears Ears National Monument*. The Bears Ears Inter-Tribal Coalition. October 15, 2015. p. 35.

571 for a 1.9 million acre Bears Ears monument would result in clear derogation⁶² of
572 Utah State authority by terminating - over time - valid SITLA leases, lands, and
573 rights-of-way.

574 3.2.3 Implied Reservation of Water

575 Located within the Manti-La Sal National Forest is the surface water collection,
576 storage and distribution system for the Cities of Monticello and Blanding. With the
577 exception of a few intermittent wells, both cities are *entirely* dependent upon the
578 watershed of the Manti-La Sal National Forest.

579 Water captured in impoundments within the Manti-La Sal National Forest is
580 delivered through a series of conveyances, pipelines and tunnels; water delivery
581 and conveyance infrastructure that resides within easements and rights-of-way
582 have been set aside for that purpose.⁶³

583 Within the area proposed for the Bears Ears Monument, the United States has
584 limited, appropriated water rights. Water reserved to the United States in the
585 Manti-La Sal National Forest and the BLM Resource Areas includes set asides for
586 firefighting purposes, culinary use at administrative sites, reservations for a few
587 head of pack stock, and limited-use appropriations at discreet sites as determined
588 by the State of Utah.

589 Historically, surface and ground water rights in San Juan County were severed
590 from the public lands and water appropriation prerogatives are now under the
591 jurisdiction of the State of Utah.⁶⁴ In *US v. New Mexico* (1978) the SCOTUS ruled
592 ranchers in national forests own stock watering rights;⁶⁵ in other related case law,
593 ranchers have been determined to own stock watering rights and improvements
594 located on Grazing Allotments.⁶⁶

595 Under the Implied Reservation of Water Doctrine, the *Multiple Use and Sustained*
596 *Yield Act of 1960*, and rulings from the Supreme Court of the United States
597 (SCOTUS), the Federal government does not have the prerogative to appropriate
598 water from national forests for recreation, range, fish or environmental uses outside
599 of the State water appropriation framework.

600 In *U.S. v. New Mexico*, the SCOTUS found it is the intent of Congress to reserve
601 enough water to meet specific uses and no more; that the Federal government is to
602 utilize the State water appropriations process as others, and even pay to purchase
603 water rights under state systems, including monuments.⁶⁷

⁶² Sec. 701 Pub.L. 94-579 (g)(6).

⁶³ Personal interview: Blanding City Manger Jeremy Redd and City Engineer Terry Ekker, PE. August 8, 2016.

⁶⁴ *California v. United States*, 438 US 645 (1978).

⁶⁵ *United States v. New Mexico*, 438 US 696 (1978).

⁶⁶ *Fallini v. Hodel*, 725 F. Supp 1113 (D. Nev 1989) affm 963 F2d 275 (9th Cir 1992).

⁶⁷ 438 U.S. 696, 702.

604 Superimposition of a monument over the Manti-La Sal National Forest, as
605 contemplated by Coalition and drawn by *Grand Canyon Trust* environmental
606 group,⁶⁸ would have foreseeable, indirect and long-term adverse effects on
607 Monticello and Blanding's water conveyance system and water rights by
608 inappropriately superseding state water appropriations,⁶⁹ derogation of ditch and
609 conveyance rights-of-way,^{70,71} and preemption of state jurisdiction^{72,73} over water
610 appropriations and programs.

611 Because Blanding's rights-of-way and Manti-La Sal National Forest watershed
612 conveyance systems do not constitute "*land owned or controlled by the Federal*
613 *government,*" those systems are only eligible for Federal acquisition through
614 relinquishment, procedural actions, due process and/or adjudication.

615 3.2.4 Rights-of-Way

616 Ongoing and unencumbered right-of-way access is essential to inholder property
617 rights, civic duties of law enforcement, and the day-to-day operational aspects of
618 managing livestock grazing allotments. Pre-FLPMA, in-perpetuity easements,
619 prescriptive RS 2477 roads, ditches, water conduits, utility routes, and first-
620 responder corridors across public lands constitute valid, pre-existing, rights not
621 under the ownership or control of Federal agencies or the United States.^{74,75,76}

622 Pre-FLPMA right-of-way corridors are real property interests and regulation of
623 those corridors across Federal land resides within the purview and prerogative of
624 State and local jurisdictions. In circumstances where rights-of-way are to be
625 relinquished to the United States, such reversionary actions are subject to normal
626 land transaction, adjudicatory, or compensatory processes.

627 Federal agencies have statutory authority to issue term-limited, *revocable* FLPMA
628 Title V rights-of-way to control mining activities, commercial timber activities,
629 transportation, mineral transport, communication and similar utilities. We believe
630 it is important, as part of local land use planning, to survey, distinguish, and
631 document rights-of-way in local land use and management plans. As part of the
632 right-of-way process, we recommend San Juan County insist its right-of-way
633 prerogatives be included in Federal land plans through the FLPMA consistency
634 doctrine.

⁶⁸ *Proposal to President Barak Obama for the Creation of Bears Ears National Monument*. The Bears Ears Inter-Tribal Coalition. October 15, 2015. pg 43.

⁶⁹ *United States v. Krall*, 174 US 385 (1899).

⁷⁰ Pub.L.94-579(a).

⁷¹ *San Jose L.&W. Co. v. San Jose Ranch*, 189 US 177 (1903).

⁷² Sec.701 Pub.L.94-579 (g)(6).

⁷³ Sec.701 Pub.L.94-579 (g)(7).

⁷⁴ *Curtin v. Benson*, 222 US 78 (1911).

⁷⁵ *Colorado v. Toll*, 268 US 228 (1925).

⁷⁶ *United States v. 9,947.71 Acres*, 220 F.Supp 328 (1963).

635 3.2.5 Uranium

636 Uranium is a strategic mineral that has both civilian and military uses. In civilian
637 applications, uranium can be processed to facilitate generation of electricity in
638 nuclear power plants; in military applications, uranium has a productive use as a
639 high-density, projectile penetrator.

640 The sole, remaining mill capable of producing conventional uranium is owned by
641 Energy Fuels, Inc. and is located on Highway 191, between Bluff and Blanding -
642 well within boundary proposed by the Coalition for a monument.

643 Because of the strategic importance of uranium to the United States and the
644 economic contribution of productive, life-wage industrial activities to San Juan
645 County, the potential impact of plant closure on the human environment would
646 need to be reviewed thorough the NEPA EA/EIS process if the Coalitions
647 monument proposal were to gain acceptance.

648 3.3 *Other Considerations -*

649 3.3.1 Human Health, Safety and Welfare -

650 The 10th Amendment to the Constitution and State law vests local sheriffs as the
651 final authority for local law enforcement, including ensuring the health, safety and
652 welfare of citizenry under their charge. We approached two county sheriffs - one
653 having recent experience with a monument and the other from San Juan County -
654 to gain their views on the Coalition's desire to close access routes and rights-of-
655 way corridors.

656 Sheriff Rick Eldridge of San Juan County expressed considerable concern that the
657 combination of more visitors and reduced access resulting from road closures
658 would have detrimental impact on his ability to perform search and rescue
659 activities (Exhibit 8). Sheriff Eldridge then recounted a rescue event where a
660 National Park Service employee - in the midst of an actual rescue effort -
661 displayed more concern for protecting plants and dirt than with timely evacuation
662 of a severely injured woman. (In our opinion, someone has a skewed sense of
663 priorities).

664 This view was corroborated and extended by Garfield County Sheriff James
665 Perkins, who is responsible for law enforcement over the Grand Staircase-
666 Escalante National Monument. Sheriff Perkins minced no words in recounting his
667 experience that national monuments lead to civil unrest, economic impacts,
668 employment disparities, degradation of infrastructure, and higher costs due to
669 increasing search and rescue efforts.

670 In his correspondence testifying to the social and economic consequence of
671 monument designations, Sheriff Perkins recounts his department's experience with
672 increasing alcohol and drug use, domestic violence, increased juvenile
673 delinquency, and a 66% drop in high school enrollment (Exhibit 8).

674 It is the statutory policy of the United States for Federal agencies to use all
675 practicable means in land use planning to ensure Federal decisions do not degrade,
676 risk, or have unintended consequences:

677 *(b) In order to carry out the policy set forth in this*
678 *chapter, it is the continuing responsibility of the*
679 *Federal Government to use all practicable means,*
680 *consistent with other essential considerations of*
681 *national policy, to improve and coordinate Federal*
682 *plans, functions, programs, and resources to the end*
683 *that the Nation may....-*

684 *(3) attain the widest range of beneficial uses of the*
685 *environment without degradation, risk to health or*
686 *safety, or other undesirable and unintended*
687 *consequences.⁷⁷*

688 In light of the Sheriff Perkins' testimony of impacts to human health, cultural and
689 social systems from the Grand Staircase-Escalante National Monument, if the
690 Coalition's proposal gains consideration, performance of an Environmental
691 Assessment (EA) or Environmental Impact Statement (EIS) for the Bears Ears is
692 not only mandatory but now necessary.

693 3.3.2 NPS Backlog; Interagency Cultural Issues

694 The Coalition's proposal for creation of a 1.9 million acre monument in San Juan
695 County, along with their attendant request for funding, led to the question if the
696 National Park Service has the funding to create, operate or maintain a monument
697 of that size and complexity. Investigative work on this question unearthed a more
698 disquieting and serious discovery, the question as to whether NPS has a culture
699 which is protective of the quality of artifacts and sites found in San Juan County.

700 The National Park Service has been accumulating a staggering and increasing
701 deferred maintenance backlog for years. In 2014, NPS reported an ongoing
702 national backlog of deferred maintenance of \$11,493,168,812 - including
703 \$278,094,606 for Utah alone (Exhibit 8).

704 For FY 2017, the Obama Administration has requested \$3.101 billion in
705 discretionary appropriations for NPS, an increase of \$250.2 million (8.8%) over
706 FY 2016 funding of \$2.851 billion. In addition to the discretionary funding
707 increase, the Administration proposed \$1.238 billion in *mandatory* appropriations
708 for NPS, a growth of 135.6% over the FY 2016 funding of \$525.4 million.

⁷⁷ 42 USC §4331 (b)(3).

709 We were astonished to find that a 2,526 acre monument under the protection of
710 NPS - Effigy Mounds - was the subject of a serious, wholesale and long-term
711 breakdown in NPS chain-of-command that resulted in over a decade of criminal
712 mismanagement. Even the US Attorney General's office, upon investigation,
713 refused to prosecute for concern that the "*weak and inappropriate initial response*
714 *by the Agency*"⁷⁸ would lead to non-conviction (Exhibit 8).

715 The combination of increased spending, tangled bureaucracy, and serious
716 mismanagement of a modest sized, 2,526 acre monument lends serious question as
717 to the ability of NPS, BLM or Department of Agriculture to protect the sites,
718 artifacts and interests found in the Bears Ears region.

719 If the Departments of Interior and Agriculture are unable to provide even the basic
720 level of infrastructure protection and maintenance for resources entrusted to their
721 care, how could San Juan County - or the Coalition expect that they are in any
722 position to protect antiquities within the boundaries of the proposed Bears Ears
723 National Monument?

⁷⁸ Serious Mismanagement Report. Effigy Mounds National Monument. David Barlend-Liles, Chief Investigator. April, 2014.

724 **4.0 Conclusions**

725 The request by the Coalition for the POTUS to designate 1.9 million acres of a
726 sovereign, political subdivision of the State of Utah raises a significant question as
727 to the limit of the POTUS's discretionary authority under Title 54 of the US Code.
728 If the POTUS has authority to designate a monument of any size, shape, or area -
729 for any reason - then what is to stop POTUS from withdrawing large swaths,
730 regions, or even entire States under the cover of the Antiquities Act?

731 We believe the congressional mandate granting the POTUS authority to designate
732 monuments are neither unrestrained nor unlimited, and that in its FLPMA Title I
733 Policy statement, Congress addressed that topic. By subordinating executive
734 withdrawals to review in accordance with FLPMA statutes, Congress ensured a
735 uniform land use and land management policy across the executive branch and the
736 entire administrative government.

737 Following review of the Coalitions proposal in the context of FLPMA, NEPA,
738 DQA, Federal statutes, and relevant case law, we conclude:

- 739 • It is the Policy of the United States that land
740 withdrawals by the POTUS under the Antiquities Act
741 are subject to review in accordance with the provisions
742 of the Federal Land Policy and Management Act.
- 743 • By placing the Antiquities Act under Title 54 of the
744 United States Code, the Congress has created a nexus
745 that now requires the Secretaries of Interior and
746 Agriculture to perform procedural due-diligence under
747 the National Environmental Policy Act and the Federal
748 Land Policy and the Management Act. NEPA is not
749 optional.
- 750 • The Coalition is Non-Government Organization that
751 does not possess government land use planning
752 jurisdictional prerogatives.
- 753 • The Coalition proposes to circumvent State and local
754 land use planning prerogatives by advocating a
755 relationship with Federal agencies that neither the
756 POTUS nor the Secretaries of Interior or Agriculture
757 have the authority to grant.
- 758 • The Coalition's proposal advocates pre-emption of no
759 less than 18 established Federal and State land use
760 planning efforts, including an agreement between San
761 Juan County and the Navajo Nation.
- 762 • Only two of the five Native American signatories to
763 the Coalition's proposal possess land within the
764 boundary, for a total land area of 4,818 acres.

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- The ratio of land owned by two members of the Coalition to land requested for the monument is 0.0025%.
- The 1.9 million acre parcel was arbitrarily determined and contains vast, intermingled and un-inventoried inholdings of private lands, water-right diversion points, state tax generating lands, pre-existing rights-of-way, and patented properties rendering it impossible for the POTUS to meet the Antiquities Act condition that lands must be owned or controlled by United States.
- The basis for the looting and pillaging claim purported by the Coalition cannot be substantiated and is contradicted by internal Bureau of Land Management reports.
- The proposal by the Coalition does not contain data, scientific information or references that allow local government, property inholders or Native Americans to replicate how the 1.9 million acre parcel was concluded to be the smallest possible area.
- There is no evidence the Coalition or the Secretaries of Interior and Agriculture have undertaken to understand the implications, impacts or ramifications that designation of a national monument would have on valid existing rights in San Juan County.
- There is no evidence the Coalition or the Secretaries of Interior and Agriculture have conducted an inventory of inholdings such that notifications can be made.
- Valid existing rights known to occur within the tract proposed by the Coalition include:
 - a. 151,000 acres of SITLA lands accessed by 79 miles of inperpetuity easements;
 - b. 43 grazing allotments;
 - c. 18,000 acres of patented property;
 - d. No less than 661 state-appropriated water diversion points;
 - e. 3,542 miles of roadway;
 - f. 161 miles of State highway;
 - g. 949 miles of Utah Class "B" Roads;
 - h. 2,401 miles of Utah Class "D" Roads; and,
 - i. 1,730 acres of State Parks, Recreation and other sovereign state lands.

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- The POTUS and Secretaries of Interior and Agriculture do not have authority to appropriate water rights, diminish local prerogatives, encumber pre 1976 rights-of-way, or indirectly take patented properties or grazing allotments without due process, adjudication and/or compensatory procedures.
- Existing San Juan County land use planning processes, the Heritage Council, and Utah State archeological programs are the appropriate mechanisms to facilitate investigation, planning, and derivation of any necessary protections of structures, artifacts, and cultural items of interest in the County.
- Title II, Section 202(c)(9) of the Federal Land Policy and Management Act gives first-among-equals authority to local governments in land use planning by requiring Federal Agencies to *assure consideration*, “*assist-in-resolving*” and “*attempt consistency*” in planning efforts. The structure of this language is no accident, placing federal agencies, their plans, and planning-efforts in the role of reconciliation.
- Conflicts, tensions and struggles between Federal land planning agencies and State/local governments can be traced to non-understanding/application of historic, organic, statutory law governing land use planning and prerogatives.
- Application of the historical definition of “public lands” would appropriately transition jurisdictional oversight of vast areas of surface, San Juan County lands holding surface grazing allotments (grazing districts) to State and local oversight. Programs facilitating this shift should be explored.

841 **5.0 Recommendations**

842 We recommend San Juan County consider the following actions and programs in
843 response to the conclusions in this survey:

- 844 1. Conduct a county-wide inventory of valid, existing,
845 Federal, State and County split-estate holdings in the
846 context historical definition of public lands. This
847 inventory should include easements, grazing allotments,⁷⁹
848 mining claims, rights-of-way, commercial timber
849 interests and various private inholdings;
- 850 2. Prepare a comprehensive map of Federal, State and
851 county wide split-estate holdings to facilitate the
852 Coordination process with Federal, land management
853 agencies, and include the map in revision of the San Juan
854 County MP;
- 855 3. Cultivate corroborative relationships with State and
856 county governments to facilitate information exchange,
857 participate in regional negotiations with Federal land
858 management agencies, procure funding, and further
859 county-based policies. While utilization of existing
860 organizations may be beneficial, we recommend creation
861 of a non-risk adverse start-up whose mission focuses on
862 historical application of federal statutory mandates in
863 land use planning;
- 864 3. Establish a regionally-funded, web-based archive,
865 database and information center. The purpose of the
866 website would be to archive split-estate information,
867 track land use activities/decision-making and centralize
868 communications for local government.
- 869 4. Develop an Implementation Plan (IP). The IP would be a
870 living, road-map style document to be used member
871 governments. The IP would document organizational
872 specifics, vision, purpose and mission statements, and
873 contain development, funding and strategic plans.

⁷⁹ Incorporation of the ranching, farming and Native American communities would be highly beneficial toward obtaining historical maps, contracts and grazing allotment information.

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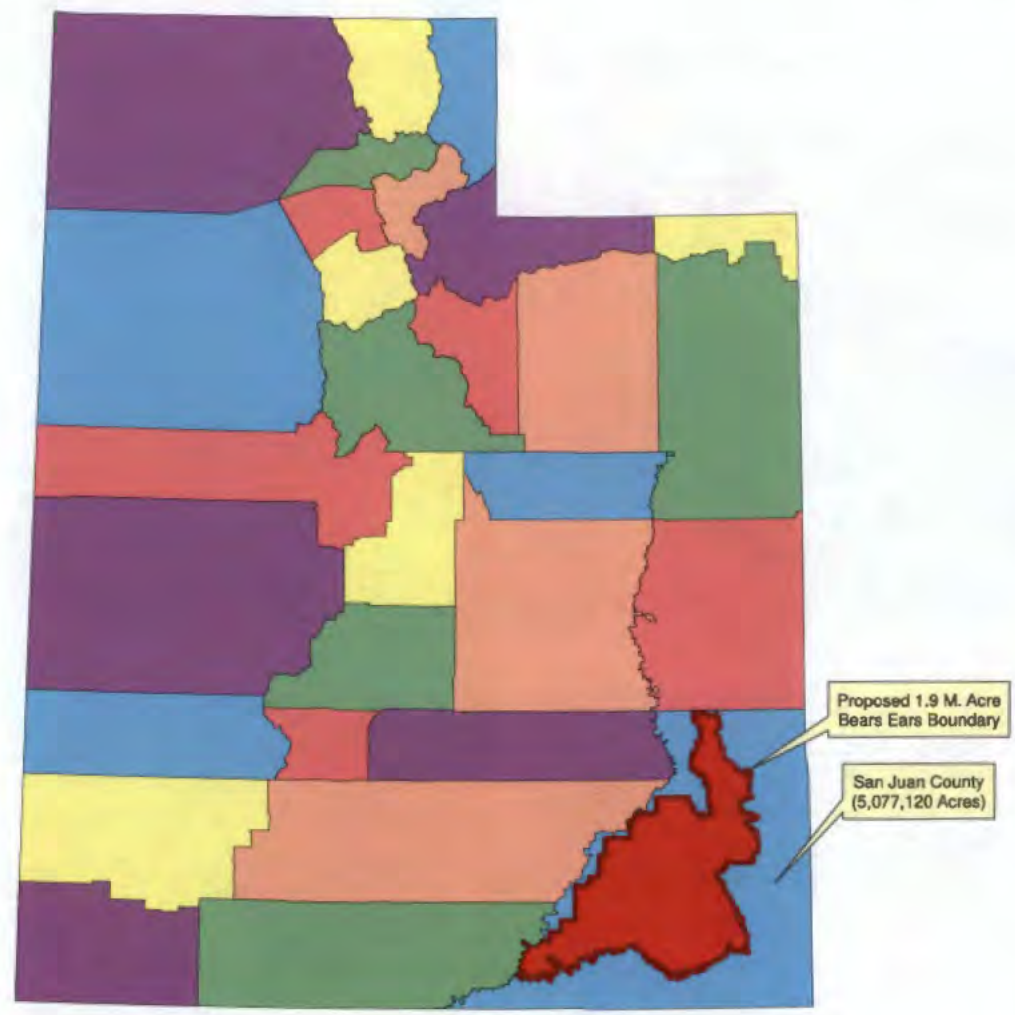
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EXHIBIT 1

- Map 1: Regional Location Map
- Map 2: Federal & Native American Lands Map
- Map 3: Federal Lands; Ste and Private Inholdings Map

Map 1
Regional Location Map
San Juan County, Utah



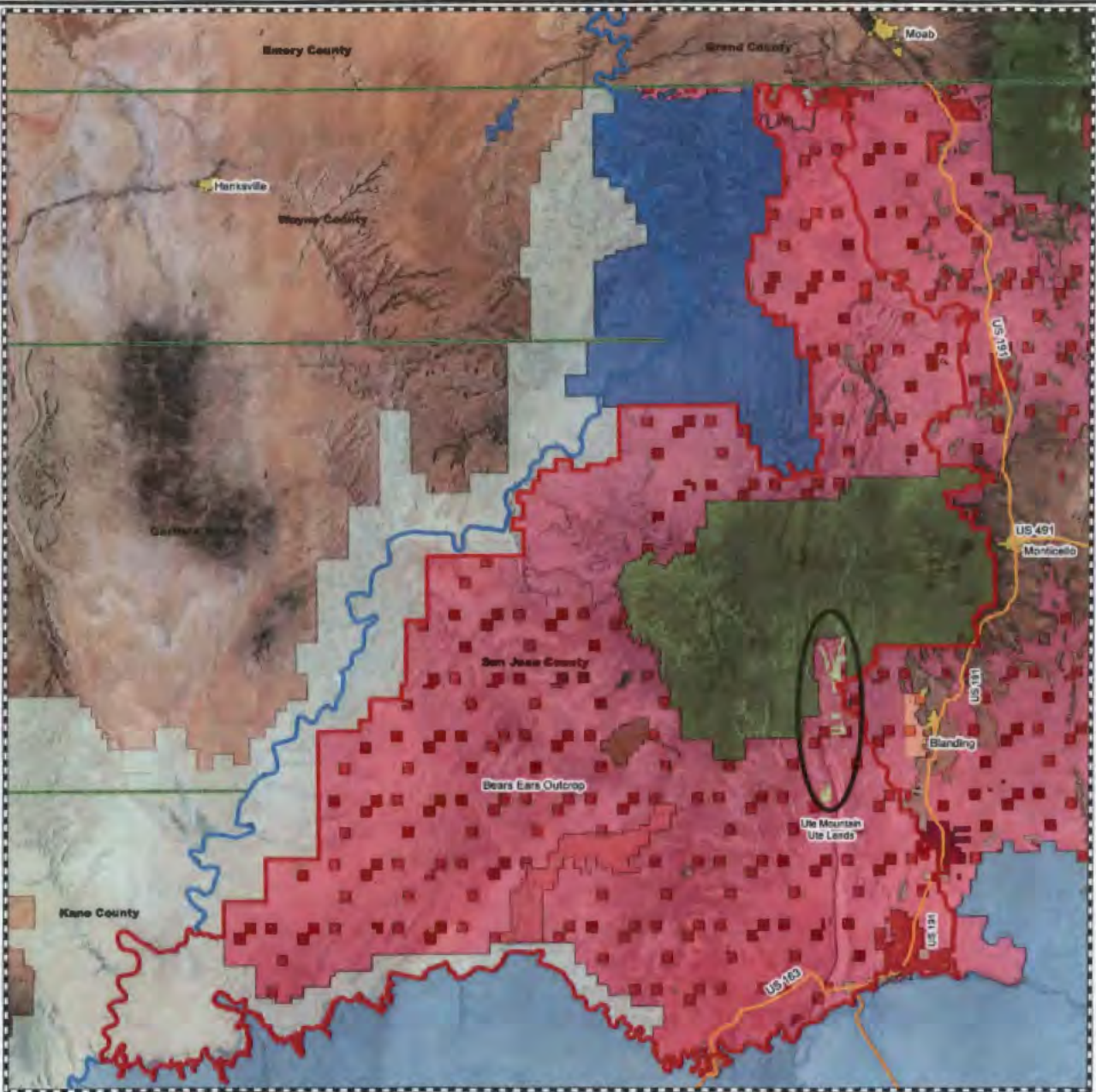
"Complex Problems Solved Well"

Map 2 Federal and Native American Lands San Juan County, Utah

Legend

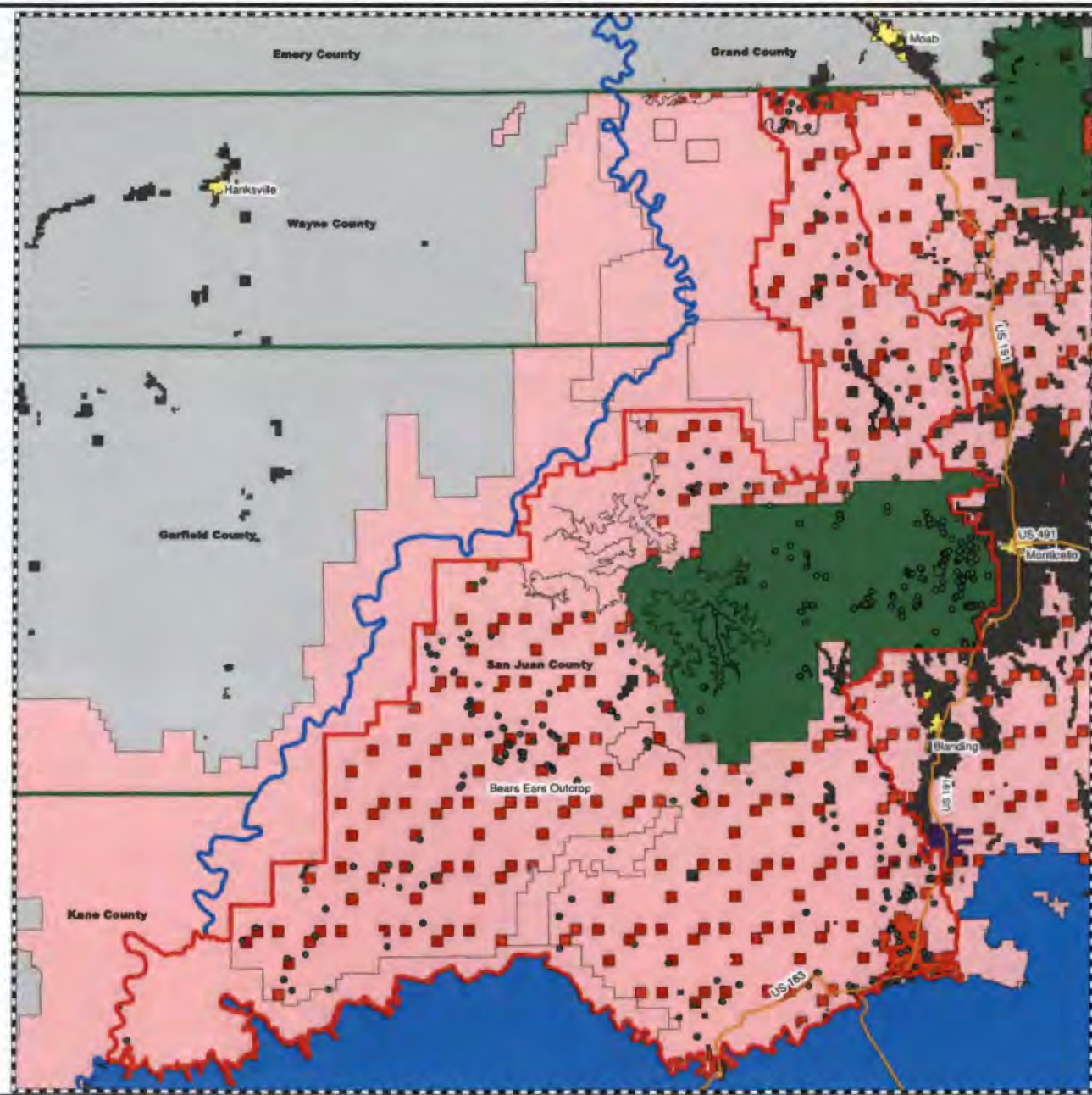


- Proposed Bears Ears Monument Boundary
- Colorado River
- US Highways
- County Lines
- Navajo Indian Nation
- Ute Mountain Ute Lands
- White Mesa Ute Reservation
- Natural Bridges NM
- BLM Holdings
- Grand Gulch
- Glen Canyon NRA
- Canyonlands NP
- Manti-La Sal National Forest
- SITLA (State)
- Municipal Boundaries



<u>Holdings within Proposed Boundary</u>	
BLM:	1,411,000 Acres
NPS:	155,000 Acres
USFS:	366,000 Acres
<u>Native American</u>	
Ute Mountain Ute Lands:	4,800 Acres
Navajo Nation:	18 Acres
Hopi:	0 Acres
Southern Ute:	0 Acres
Ute:	0 Acres
Uinta Ute:	0 Acres
Zuni:	0 Acres

Map 3
Federal Lands;
State and Private in Holdings
San Juan County, Utah



Legend

- Proposed Bears Ears Monument Boundary
- Colorado River
- US Highways
- County Lines
- Water Point of Diversion Sites
- Federally Managed Lands and Grazing Allotments §
- Navajo Indian Nation
- White Mesa Ute Reservation
- Manti-La Sal National Forest
- SITLA (State)
- Municipal Boundaries
- Private Land

Holdings within Proposed Boundary

BLM:	1,411,000 Acres
NPS:	155,000 Acres
USFS:	366,000 Acres
SITLA:	151,000 Acres
Grazing Allotments:	43
Water Diversions:	661
Roadways:	19,000 Acres
State Parks:	1,730 Acres

§ Federal Lands with surface Grazing Allotments are indistinguishable without mapping and research of ownership rights.

EXHIBIT 2

- List of Federal, State & Private Inholdings

The following data was compiled and examined from existing San Juan County and State of Utah Geographic Information Data bases.

It consists of various data categories as they pertain to the proposed Bears Ears Inter-Tribal Coalition Monument boundary designation in San Juan County, Utah.

Data is inclusive to that proposed boundary area and relates to boundary, cadastre, energy, farming, transportation, utilities and water resources.

Federal Holdings Data:

- The Bureau of Land Management has holdings approximating **1,411,000 acres** within the boundary.
- The National Park Service has holdings approximating **155,000 acres** within the boundary.
- The United States Forest Service has holdings approximating **366,000 acres** within the boundary

State of Utah Property Holdings Data:

- The State of Utah Institutional Trust lands Administration has title to approximately **151,000 acres** within the boundary.
- The Utah Department of Transportation holds easements and rights of way to all of the highway system within the boundary.
- The State in addition has approximately **1,730 acres** in Sovereign land holdings and State Parks and Recreation areas.

Private Property Holdings Data:

- There are approximately **18,000 acres** of private property holdings within the boundary.
- Owners vary from private citizens to corporations to governmental agencies.

Tribal Government Holdings Data:

- The Ute Mountain Ute Tribe holds title or trust to approximately **4,800 acres**.
- The Navajo Tribe has holdings of approximately **18 acres** near the community of Bluff that are within the boundary area.
- There are no records of Hopi Tribe holdings within the boundary area.
- There are no records of Southern Ute Tribe holdings within the boundary area.
- There are no records of Ute Tribe holdings within the boundary area.
- There are no records of Uinta Ute Tribe holdings within the boundary area.
- There are no records of Zuni Tribe holdings within the boundary area.

Grazing Allotment Data:

- A total of **43** named grazing allotments under 3 land managers occur within the boundary area.
- The 3 land managers are the Bureau of Land Management, United States Forest Service and the Utah State Institutional Trust Lands Administration.

Water Rights Data:

- There are **661** water right locations* under various status designations found within the boundary.

*Water right data obtained from Utah Division of Water Rights:

<http://www.waterrights.utah.gov/>

Power Transmission Data:

- There are approximately **34 miles** of major electrical power transmission lines located within the boundary

Road Data:

- There are approximately **3,542 miles of combined roads** in 3,243 segments within the boundary.

Of which:

- There are approximately **949 miles of Class "B" roads*** in 418 segments.
* Class "B" roads are defined in: ([Utah Code 72-3-103](#))
- There are approximately **2401 miles of Class "D" roads*** in 2,815 segments.
* Class "D" roads are defined in: ([Utah Code 72-3-105](#))
- There are approximately **161 miles of Utah State Highway roads*** in 7 segments.
* Utah State Highway roads are defined in: ([Utah Code 72-3-102](#)) and ([Utah Code 72-4](#))
- There are approximately **31 miles of United States Federal Highway roads*** in 2 segments.
* Utah State Highway roads are defined in: ([United States Code Title 23](#))

Of the **949 miles of Class "B" roads** within the boundary:

- There are approximately **79 miles** in 119 segments that cross State Institutional Trust Lands Administration lands.

- All have existing or active application for recorded easements.
- Funding for the acquisition of **1.8 remaining miles** of SITLA "B" road easements will be in place in October of 2016.

Of the **2,401 miles** of Class "D" roads within the boundary:

- There are approximately **157 miles** in 371 segments that cross State Institutional Trust Lands Administration lands.
- All have active application for easements.
- Funding for the acquisition of these SITLA "D" road easements will be in place in October of 2016.

San Juan County holds recorded Right of Ways, Easements or Title-V ROW's on **15 miles** of Class "B" and "D" roads.

In addition San Juan County claims RS 2477 rights or prescriptive rights to **the remaining 3099 miles of Class "B" and "D" roads** within the boundary that do not already have an existing recorded easement or right of way.

Road and easement widths vary. A rough estimate using an average 45 feet width would put the area occupied by the combined roads within the boundary area at approximately **19,000 acres**.

Surveyor's Certificate:

I Kent B. Cantrell do hereby certify that I am a Professional Land Surveyor as prescribed by the laws of the State of Utah and that I hold Utah License number 6437505-2201. I further certify that the information contained herein represents a data compilation made by me in the discharge of my duties as the San Juan County, Utah Surveyor and was compiled using data that to the best of my knowledge is true and correct.

Date: August 25, 2014

Kent B. Cantrell
Kent B. Cantrell
Utah License Number: 6437505-2201



EXHIBIT 3

- Partial List of Land Use Plans in San Juan County

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PARTIAL LIST OF LAND USE PLANS IN SAN JUAN COUNTY, UTAH

STATE OF UTAH PLANS

Regional plans of the Utah Department of Transportation (UDOT)
State of Utah plans relating to water quality and management, nonpoint-source pollution,
watershed management, and air quality
Utah's State Comprehensive Outdoor Recreation Plan (SCORP)
Utah's Bighorn Sheep Statewide Management Plan
San Juan Elk Management Plan
San Juan Deer Management Plan 2015

COUNTY LAND-USE PLANS

San Juan County, Utah: San Juan County Master Plan (2008)
Grand County, Utah: Grand County General Plan Update (2004)

FEDERAL PLANS

Canyonlands National Park General Management Plan (1974)
Canyonlands National Park Backcountry Management Plan (1984, 1995)
Canyonlands National Park Natural Resource Management Plan (1994)

Manti-La Sal National Forest Land and Resource Management Plan (1986)

Glen Canyon National Recreation Area General Management Plan 1979
Strategic Plans for Glen Canyon National Recreation Area and Rainbow Bridge National
Monument (2005, 2007)

Natural Bridges National Monument General Management Plan 1997

Hovenweep National Monument General Management Plan 2011

BLM Monticello Field Office Resource Management Plan 2008

BLM Moab Field Office Resource Management Plan 2008

EXHIBIT 4

- Memorandum of Agreement between San Juan County and the Navajo Nation

MEMORANDUM OF AGREEMENT

Between

SAN JUAN COUNTY, UTAH

(Hereafter "THE COUNTY")

as represented by the San Juan County Commissioners

And

NAVAJO NATION

(Hereafter "THE NAVAJO")

as represented by the President, Navajo Nation

(collectively "the Parties")

WHEREAS:

- A. The Navajo have deep connections to their ancestral lands and continue to exercise their sustenance, social, ceremonial and spiritual traditions across San Juan County;
- B. Likewise many residents of San Juan County, many from early pioneer days, have similarly strong attachments to the land and their way of life;
- C. The mountains, mesas and red rock canyons of San Juan County are landscapes of national and global significance for their archaeological, cultural, recreational, scenic, wildlife and wilderness values;
- D. Other natural resources of significance to the County include minerals, vegetation, timber, water resources, etc;
- E. These landscapes have been the subject of debate and uncertainty over their use and management;
- F. San Juan County is a political subdivision of the State of Utah legally responsible for all planning decisions made in the County on behalf of its residents;
- G. San Juan County recognizes the interest that the Navajo Nation, as a Government with jurisdiction on the Navajo Portion of San Juan County, has on behalf of the Utah Navajo;
- H. The Parties acknowledge that they have strong mutual interests in promoting sustainable management of public lands, and in the wellbeing of current and future San Juan County residents.

THEREFORE THE PARTIES AGREE AS FOLLOWS:

1 Objectives and Desired Outcomes

1.1 The Parties agree to work together in the spirit of mutual respect and cooperation to recognize and consider how to effectively manage the outstanding natural, cultural and recreational resources on state and federal lands in San Juan County, as well as the socio-economic conditions for the enhancement of the quality of life for all San Juan County residents.

1.2 To promote the vision in section 1.1, the Parties wish to collaborate to further the following specific outcomes:

1.2.a Enhanced management of cultural and natural resources of importance to the Navajo, the County, and the general public.

1.2.b Enhanced opportunities for economic development on lands within San Juan County:

1.2.c Reduced conflict and increased certainty over land and resource management, including wilderness and access issues on public lands:

1.2.d Improved communication and collaboration between the Navajo and the County in the management of federal and state lands within the County.

1.2.e Enhanced access to financial resources to support long-term achievement of the above objectives and desired outcomes.

2 Scope of Collaboration

2.1 The Parties will periodically meet as needed to coordinate and collaborate in furtherance of the above objectives and on current issues and land planning efforts within or affecting the County. Each party will support these meetings with attendance appropriate to the agenda for each meeting. Issues may include:

2.1a Development of options for federal policy and Congressional land use legislation to enhance conservation and sustainable development of San Juan County public lands:

2.1b Review of County, state, federal and other planning efforts:

2.1c Discussion of possible SHTA/BLM land exchanges:

2.1d Collaborative management arrangements to improve communication and coordination with federal and state agencies; and,

2.1e Opportunities to collaborate on community development projects within San Juan County and on the Navajo Reservation in Utah.

3 General Provisions

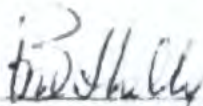
3.1 Other than as expressly provided in this Memorandum of Agreement and any agreement reached pursuant to it, this Memorandum of Agreement does not create, recognize, define, deny, limit or amend any of the legal rights and responsibilities of the Parties.

3.2 This Memorandum of Agreement may be amended or renewed by written agreement of the Parties.

3.3 This Memorandum of Agreement will remain in effect indefinitely or until terminated by either or both of the Parties by written notice to the other and such notice shall state the reason(s) for termination. Subject to available appropriations, both Parties shall honor funding commitments made prior to the date of termination.

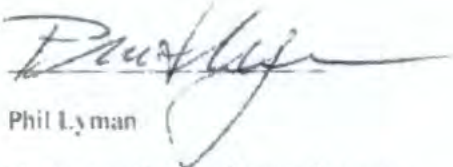
IN WITNESS WHEREOF the Parties have executed this Memorandum of Agreement on the 5TH day of MAY, 2015.

SIGNED on behalf of the Navajo Nation

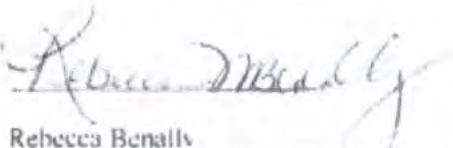


Ben Shelly
President
Navajo Nation

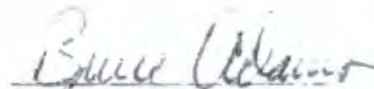
SIGNED on the behalf of the San Juan County Commission



Phil Lyman
Chairman, Board of Commissioners



Rebecca Benally
Vice Chair, Board of Commissioners



Bruce Adams
Commissioner

EXHIBIT 5

- Briefing Paper: Department of Interior
BLM Office of Law Enforcement & Security



U.S. Department of the Interior Bureau of Land Management

Office of Law Enforcement and Security
Region 3 -- Utah/Nevada



BRIEFING PAPER

Cedar Mesa Law Enforcement Strategy

SUBJECT:

Law Enforcement's overview, ongoing law enforcement efforts and future strategy to combat the illegal excavation and desecration of cultural resources in and around Cedar Mesa in San Juan County, Utah.

BACKGROUND:

The Monticello Field Office manages approximately 1.8 million acres of public land located in San Juan County and a small portion of Grand County. Cedar Mesa comprises 407,000 acres within the boundaries of the Monticello FO and contains three WSAs, an ACEC and a SRMA. BLM Law Enforcement Rangers are tasked with handling a multitude of law enforcement issues in Cedar Mesa to include wood cutting, special recreation permit compliance checks/violations, off highway vehicle restrictions and the protection of the thousands of cultural sites located within Cedar Mesa. It is a priority among BLM law enforcement, from the Special Agent in Charge to the Field Staff Law Enforcement Rangers, to proactively patrol Cedar Mesa in order to deter and detect crimes related to the aforementioned issues. The following is a summary of the coordinated efforts BLM law enforcement is making in order to provide for greater protection of the significant cultural resources found on Cedar Mesa.

LAW ENFORCEMENT PATROLS:

At present, there is one (1) uniformed law enforcement ranger stationed in the Monticello Field Office and one (1) vacant law enforcement position, which we anticipate to be encumbered within the next 120 days. BLM Rangers proactively patrol public land on Cedar Mesa; however, they often end up responding to reports of vandalism or damage to cultural sites, which were not deterred by their proactive patrols. During the period from 2011 through present, rangers conducted over 400 patrols of cultural sites throughout the field office, to include Cedar Mesa. Of this, there were four (4) incidents of human remains/funerary objects being found; four (4) documented thefts of archaeological resources and eleven (11) reports of vandalism to cultural sites.

Currently BLM LE in Utah has identified two (2) criminal cases involving the excavation and/or removal of archaeological resources, which occurred at Red Knobs (immediately adjacent to Cedar Mesa) and Long Canyon Point (east of Hwy 191 between Blanding and Monticello). The criminal activity and illegal excavation at Red Knobs appears to be ongoing. This case is an open and active investigation being worked by BLM Rangers and Agents. Currently, there are no known suspects

or leads in the Long Point case; however, the investigation is open and the site is being monitored on a regular basis.

Canyon Country Supervisory Ranger Lloyd will develop a comprehensive patrol strategy for Cedar Mesa as well as nearby Indian Creek, Alkali Ridge, and Montezuma Creek, including conducting future surge patrols. The surge patrols will include overnight patrols of Grand Gulch, with efforts focused on contacting and educating the public to reinforce BLM's commitment to maintain, preserve, and protect our cultural resources for current and future generations.

Although patrols of Cedar Mesa are deemed important, there are other high use areas which also contain a vast number of cultural sites in danger of being vandalized. Indian Creek, Alkali Ridge, and Montezuma Creek are popular areas for off road enthusiasts and contain high use recreational areas as well as a great number of wood cutting permits. These areas have vast cultural sites which also have been vulnerable to the illegal excavation and theft of archeological resources. Rangers in the Canyon Country District will need to continue to patrol these areas in an attempt to deter and preserve our treasured cultural past on public lands managed by the BLM.

REMOTE MONITORING EQUIPMENT:

The Friends of Cedar Mesa group has donated ten (10) cameras to the BLM Monticello Field Office Archaeology program in order to assist in the monitoring of cultural sites on Cedar Mesa. It is the position of the Region 3 OLES that these cameras will not be used for law enforcement purposes. However, the archaeology program can use them as they see fit. This recommendation is being made for the following reasons:

- 1.) The installation and monitoring of these cameras is labor and time intensive. Protection of cultural resources is a priority for OLES and the Canyon Country law enforcement staff but a realistic number of cultural sites to be monitored utilizing these cameras would be four (4) to five (5). OLES has requested Canyon Country Supervisory Ranger Lloyd order three (3) high resolution cameras (capable of reading license plates on vehicles). Lloyd will also purchase six (6) trail cameras to be used if necessary. OLES will provide funding for these purchases. Canyon Country Rangers will develop a local strategy to monitor the cameras and replace batteries and SD cards on a regular basis. Due to evidence and chain of custody protocols, archaeologists and site stewards are not allowed to recover photographs from these cameras and turn them over to law enforcement to be used in a criminal investigation.
- 2.) Should BLM law enforcement ever need to investigate Friends of Cedar Mesa or any of its members in relation to crimes occurring on public land, the donation of these cameras may be viewed negatively and the public may perceive this as favoritism to the group.

COMMUNITY OUTREACH

Rangers will be available to speak with special interest groups on the importance of protecting cultural resources. These groups include the Boy Scouts of America, Great Old Broads for Wilderness, San Juan Public Entry and Access Rights (SPEAR), various tribal groups and local school groups in southeastern Utah.

TIP LINE and REWARD MONEY

Friends of Cedar Mesa is currently working with the OLES in order to establish a looting tip line with protocols by which rewards can be offered for information leading to the conviction of those who vandalize and/or loot cultural sites located on public land in and around Cedar Mesa. Executive Director Josh Ewing and an OLES special agent are currently finalizing those protocols.

The OLES will host the looting tip line and screen all incoming calls for legitimacy and potential criminal violations. In the event a tip leads to federal criminal prosecution, reward money will be provided to the reporting party by Friends of Cedar Mesa. No BLM funds will be utilized for this program and the OLES will not instruct Friends of Cedar Mesa how to distribute reward payments. The rewards will be dispersed at the sole discretion of the Friends of Cedar Mesa. As stated above, the OLES is evaluating potential conflict of interest perceptions related to this program.

SUMMARY

In southeastern Utah, there are generations of families who have looted cultural sites and removed precious archaeological resources from public land. For many of these individuals, these activities were part of a typical weekend outing. Difficulty in detecting and enforcing violations of ARPA, and a lack of education, led many to believe there was nothing illegal about their actions. However, in recent years, the BLM has taken an increased initiative in educating the public on the importance of the cultural resources located on public land and how these precious artifacts from the past should be left in place for all to enjoy.

The Utah law enforcement program is committed to working with BLM management staff and the community in order to protect the cultural resources located on public land. Cedar Mesa contains thousands of archaeological sites that provide a glimpse into the area's unique past. These resources should be protected for future generations in accordance with the BLM's mission. However, given the vast expanse of the area inhabited by the Ancestral Puebloans and the limited resources available to patrol this region, it is a difficult and sometimes impossible task to patrol and monitor all of these sites. The path forward, as outlined above, will require a layered approach involving law enforcement and community education. The law enforcement program is committed to utilizing all available resources, strategically planning future surge patrols, coordinating with local law enforcement, and working with the cultural staff to minimize future looting.

EXHIBIT 6

- San Juan County Lands Bill Items for Public Lands Initiative Legislation

August 31, 2015

SAN JUAN COUNTY UTAH LANDS BILL PROPOSAL

San Juan County has endorsed a lands bill proposal that includes the June 15, 2015, proposal developed by the County Lands Council with the addition of other items of importance to the County.

LANDS COUNCIL PROPOSAL

The Lands Council Proposal includes designation of 2 National Conservation Areas (NCAs), several wilderness areas and designation of an Energy Zone. Designations are as shown below: (all acres are not additive due to overlap of designations)

NCAs (including Wilderness)	703,047 acres *
Cedar Mesa	557,880 acres
Indian Creek	145,167 acres
Wilderness within NCAs	294,545 acres
Wilderness outside NCAs	242,351 acres
Total Wilderness proposed	538,896 acres
Grand Total Designations (NCAs and Wilderness outside of NCAs)	945,398 acres
Indian Creek Recreation Area	10,470 acres

Energy Zone: Area of high energy and or mineral development potential where permitting for exploration and development of energy and minerals would be expedited. (The Utah Legislature designated Energy and Mineral Zones in San Juan County by H.B. 393 signed March 23, 2015).

* Acreages predominantly include BLM administered lands but also include areas within Glen Canyon National Recreation Area (66,180 ac.) and Manti-LaSal National Forest (16,270 ac.)

ADDITIONAL ITEMS

- Expand the meaning of "cooperating agency" to mean invited participation of the State of Utah, San Juan County, the Navajo Nation and the Ute Mountain Ute Tribe in all Federal agency decisions subject to NEPA compliance
- Implement co-management (Federal, State, County and Tribes) of Cedar Mesa NCA
- Federal recognition and prioritization to San Juan County Energy Zone

- Adoption of Federal Agency Travel Plans with the addition of other roads/trails requested by San Juan County.
- Recognition of San Juan County RS2477 claims on County "B" roads
- Recognition of the importance of motorized access on roads/trails to the County's economy and lifestyle such that road/trail closure would be the action of last resort when access/resource conflicts or damage cannot be mitigated in any other way
- Release of all WSAs and wilderness character areas not designated as wilderness from further consideration for wilderness designation
- Exclusion of San Juan County from Presidential authority to designate national monuments under the Antiquities Act
- Transfer of mineral rights currently held by the Federal government on the McCracken Extension of the Navajo Reservation to the Utah Navajo Trust Fund
- Transfer title of the Cal Black Airport and selected adjoining lands to San Juan County
- Transfer title of the Bluff Airport to San Juan County
- Transfer title to certain selected lands south and southeast of Bluff along the north bank of the San Juan River to San Juan County
- Transfer title to San Juan County of lands in a corridor(s) along the historic Hole-In-The-Rock Trail and current conventional access known as the Hole-In-The-Rock Trail (HITRT) in San Juan County
- Transfer title of lands occupied by Monticello Municipal Water Storage and Treatment Plant to Monticello City
- Issue an R&PP lease to Blanding City for approximately 8000 acres currently within the annexation area west of Blanding
- Transfer title of the Blanding Shooting Range to San Juan County
- NPS recognize Lockhart Basin North Road within Park or exclude road from Park
- Continuation of livestock grazing on federal and state lands that may be transferred (land ownership) or placed under special designations such as National Conservation Area or Wilderness Area.
- Designate sufficient setback of wilderness boundaries from recognized roads to provide for multiple use activities (vegetation harvest, camping, parking etc.)
- No buffer zones around National Conservation or Wilderness Areas.

EXHIBIT 7

- Sheriff Eldridge May, 2015 News Article of Record
- August 26, 2016 letter from SJC Sheriff Rick Eldridge
- September 13, 2016 Letter from Garfield Sheriff James Perkins

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Thank you to friends and neighbors

Dear Editor:

I would like to thank all our friends and neighbors for bringing food and condolences after the passing of my sister, Eloise Walker Herron. The family card of thanks acknowledged the Second Ward Relief Society, but it was also the Third Ward Relief Society that brought food for the family dinner. We are very fortunate to live in such a special place where everyone pitches in to help and show compassion.

Jeanette Walker Christensen

Ongoing problem of skewing the facts

Dear Editor:

In May of 2015, I was contacted by the BLM's investigation office concerning reports of looting within San Juan County which had been relayed to Washington D.C. The investigator stated that an environmental special interest group had contacted Washington D.C. reporting that there were nearly 20 cultural sites that were currently being looted and investigated by BLM Rangers. In turn, Washington contacted the BLM Investigation Office in Utah, frantic, wanting to verify the claim in San Juan County. After verifying the cases with local BLM Rangers, a report was generated and sent back to Washington with a much different set of facts. The BLM Investigator stated that the information given by the environmental special interest group to Washington was grossly inaccurate.

The factual report stated that between 2011 and May of 2015, BLM law enforcement in San Juan County Utah had identified two (2) criminal cases involving the excavation and/or removal of archaeological resources in San Juan County. I recently contacted the BLM and as of today, amongst the tens of thousands of cultural sites in our county, there are still only two sites that are being investigated for looting since 2011. Not twenty (20).

That being said, two (2) criminal cases involving the looting of archaeological resources on public land are two too many and I would hope that looting goes down to zero. But here's my point: most people are unaware of the alarming and ongoing problem of environmental special interest groups skewing the facts to push their agenda. This misrepresentation of the truth appears to paint San Juan County as being full of looters, which is simply not true!

Sheriff Rick Eldredge
San Juan County

"What we need is a radical departure"

Dear Editor:

Having noticed my Ron Paul for President 2008 and Ron Paul for President 2012 bumper stickers an otherwise highly intelligent friend quite hopefully asked if I wouldn't be voting for Trump in 2016. This is akin to asking if since I can't have Cu-

D
ALL
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08/26/2016

Mr. Kendall Laws
San Juan County, Utah Prosecuting Attorney
117 South Main Street
Monticello, UT 84535

Opinion Letter - Safety Aspects for Designation of The Bear's Ears National Monument

Dear Mr. Laws,

I write in my capacity as Sheriff of San Juan County, Utah to offer an opinion on the impact that designation of the Bears Ears National Monument would have on public safety, human health, and first-responder access. It is a well-established fact, monuments that have been designated by federal agencies move toward decreasing maintenance, reducing access, and ultimately closing roads and trails.

Experience of County governments has also taught that once land withdrawals have been made, access constrictions imposed by federal agencies lead to termination of right-of-ways and ultimately extinguishment of private in-holdings for want of access. Such road closures were mentioned by the Bear's Ears Intertribal Coalition in their request to President Obama, and so we in San Juan County understand that at least one objective is to relocate people from the land.

As Sheriff of San Juan County, I am statutorily responsible for search-and-rescue efforts within this county. Because the State of Utah is proprietary in nature, all federally-managed lands fall within the purview of my jurisdiction and sphere of authority.

The 1.9 Million acres proposed for designation of Bears Ears contain vast, rural and extremely rugged terrain. Although some roads have been established, much of the terrain remains inaccessible except by foot or horseback. The monument designation would bring additional people to the region and the combination of increased visitors and fewer road/trails will unavoidably lead to a greater public safety risk – it's just simple math: the more people hiking and the fewer routes enabling access, the greater the risk to individual health and safety.

In San Juan County, the majority of our departmental search and rescue responses take place on federally-managed lands, so I will recount one of those incidents as an example. In 2013 our search-and-rescue team was dispatched to the Needles District of San Juan County at the request of the National Park Service (NPS). As it turns out, a female hiker had injured her back and was not able to make the trip out of the park. The hiker, in extreme pain and requiring immediate medical attention, was in a deeply inaccessible area several miles from normal routes. Due to gravity of the situation and with the knowledge that the trip could present grave personal risk to the individual; I dispatched a helicopter to expedite the evacuation process. Upon arrival, an on-scene National Park Service employee began to argue with our team about the location of a landing zone. I had instructed the pilot to execute a landing in the safest possible manner, both for him and access to the hiker; for his part, the NPS employee contended the helicopter needed to land on a remote rock outcrop to avoid the disturbance of the local flora and fauna.

Notwithstanding the misplaced sense of priority, I remain saddened by the glaring lack of respect for human health and safety.

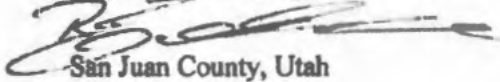
Sheriff Rick Eldredge

P.O. Box 788 * 297 South Main Street * Monticello, UT 84535
(435) 587-2237 * (435) 587-2013 Fax

It is clear to me that closure of legitimate access routes will not only inhibit search and rescue activities, but it will also reduce my department's ability to levy response actions to private property and many other easily foreseeable scenarios.

While it is difficult to measure the extent of impact that reduced access might ultimately have, I can say that even the loss of one human life is too many.

Sheriff Rick Eldredge



San Juan County, Utah



Garfield County Sheriff's Office

James D. Perkins Jr.

Sheriff

September 13, 2016

Mr. Kendall Laws
San Juan County Attorney
117 South Main St.
Monticello, UT 84535

Dear Mr. Laws:

In response to a request by Mr. Norman McLeod requesting information regarding my experience with large tracts of land that have been taken out of the public domain by federal reservation. Garfield County has vast experience with these areas. I believe we are the only county in the country that contains portions of three national parks within its boundaries. In addition we manage 40% of the Dixie National Forest and a significant portion of the Glen Canyon National Recreation Area. Pertinent to this request I have jurisdictional responsibility for approximately 40% of the Grand Staircase Escalante National Monument. The monument was established by presidential proclamation in 1996 and I have been the County Sheriff for 10 years of its 20 year life. I'm very aware of the impacts the monument has caused in Garfield County and I offer and provide this correspondence to give you a general idea of what you can anticipate.

I intend to focus these remarks on the Grand Staircase Escalante National Monument, but I believe they are also applicable to Glen Canyon National Recreation Area, Canyonlands National Park and Capital Reef National Park. All of these areas are large remote designations which attract tourists and recreationists simply by using the name national monument, national recreation area, or national Park. I believe the staircase exhibits characteristics that are similar to those identified in the proposed Bears Ears National Monument.

First and foremost I want to express my concern regarding creation of national monuments in remote areas of southern Utah. The creation of the national monument in Garfield County created a civil unrest and dissatisfaction among our local residents that

375 North 700 West
P.O. Box 370
Panguitch, Utah 84759
(465) 676-2678

I have never before experienced. Not only were local residents upset, angry and on the verge of rebellion because of the designation of the monument, they also continue to feel expanded civil unrest because of planning actions that threaten their custom culture and heritage. Livestock grazing has been threatened, and this greatly upsets multigenerational ranchers. Access has been limited, and this greatly upsets tourists, families and people who have cared for the land for generations. Infrastructure maintenance on fences, water lines, ponds, roads and other facilities has been hampered which frustrates those citizens that help developed those same facilities and are now forced to watch them fall into disrepair.

The monument has also created a whole new series of environmental documents which seem to be of great interest to those that live outside of the area. Our residents feel like they are not heard and the federal agency is catering to individuals who never have been to Garfield County and who will never be in Garfield County. This exacerbates their frustration and causes unrest between the local citizens and federal employees.

The civil unrest may not be able to be quantitatively measured, but I can assure you as the chief law enforcement officer I have had to resolve numerous incidents that fall back to this very problem.

I can also site direct impacts associated with my responsibilities. From January 2016 to the present my Search and Rescue crews have expended approximately 426 hours in addition to the volunteer man-hours which impacts my residents, my citizens and employees. My department has expended an additional 50 hours of flight time for Utah Department of Transportation Search and Rescue helicopters and medical service helicopters to rescue individuals from the monument. These numbers apply only to that portion of the Grand Staircase Escalante National Monument in Garfield County. Similar numbers are likely to have been accrued in Kane County. This is no small burden to be carried by a Sheriff's Department that is funded by less than 5000 permanent residents and has a service area greater than the size of Connecticut. Inasmuch as all of our Search and Rescue forces are volunteer, it also places a significant burden on those kind souls that are willing to give up their time and means in order to help others. It causes me to authorize purchase of thousands of dollars' worth of equipment and more importantly, puts my staff and volunteers at risk as they often work in the dark in steep canyons and in dangerous weather.

Unfortunately we have received little if any assistance from the monument and from the federal government in dealing with these issues. Token amount, to offset the initial costs from monument designation. However those federal funds soon dried up and we are now left to manage all the problems created by the monument on our own.

Perhaps greater impact on our County and our law enforcement services relates to indirect impacts. Shortly after creation of the monument the local economy shifted from natural resource-based activities to one-dimensional tourism. The tourism dollars do not raise families. They are lower wages; they are seasonal wages; and they often bring individuals into our area that have no long-term commitment to our morals, values, and

safety. As a result high school enrollment in communities adjacent to the monument dropped significantly over 20 years. In Escalante, a community that borders the monument, enrollment dropped from 150 in 1996 to approximately 50 in 2016. The indirect impacts from unemployment and difficulties in earning a living are felt by my department. We've noticed an increase in alcohol and drug use. We've noticed an increase in domestic violence. We've noticed an increase in juvenile delinquency. These issues are never discussed and are only noticed after a monument has its negative impacts. The coincidence of timing is undeniable.

Previously I briefly mentioned the reduction of public access. That indirectly complicates my job as the Sheriff. More and more individuals seek remote experiences and in order to do my job I have to spread my deputies out to more remote locations. There have been times when we have been spread so thin that we have not been able to cover all of our responsibilities given our large land base, our limited population, are limited tax base because 93% of the ground in our County is federally owned and the increasing number of visitors attracted to the monument we have found it increasingly difficult to meet basic services.

I have often wondered what Garfield County would look like if the monument had been declared but had not locked up our vast oil and gas, coal and other natural resources. Over my 30 years of law enforcement experience I have found that the more remote an area is the more likely people are to violate basic principles of law and order and safety.

Another major issue is people who visit a national monument expect certain services and often enter into areas and activities for which they are totally unprepared. We have experienced numerous injuries and deaths as a result of individuals lured to this area by the mystique of the national monument without recognizing that they are at the mercy of the elements.

Given sufficient time, I could provide numerous details and specifics regarding the issues I have raised. I could also raise other issues that at times seemed equally important. In summary just let me say I have experienced very few if any benefits as a result of monument designation. I would be happy to answer any questions you have concerning this correspondence. Please contact me at (435) 616-3054 if you need to do so.

Sincerely,



Sheriff James D. Perkins Jr.

EXHIBIT 8

- Demonstration of Cultural & Fiscal Problems in National Park Service

- **Effigy Mounds Monument: Serious Mismanagement Report**
- **2017 Congressional Research Report on Escalating NPS Expenditures**



Nazekaw Terrace Boardwalk, constructed without completing SHPO or tribal consultation in 2008-09 (construction terminated by the NPS in 2009, boardwalk removed in 2010). NPS Photo.

SERIOUS MISMANAGEMENT REPORT EFFIGY MOUNDS NATIONAL MONUMENT 1999-2010

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April 2014

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The team members of this Serious Mismanagement Report were originally assembled as subject matter experts by the investigating Special Agent during the criminal investigation. The criminal investigation used portions of the findings of a 2009 Operations Evaluation of EFMO created by the Midwest Regional Office as a starting point. Methodical searches of available EFMO records were eventually carried out by Midwest Region Cultural Resources staff and the Superintendent who replaced the Principal.



Hanging Rock Bridge under construction (2004). A simple hiking trail footbridge was replaced with a five ton vehicle bridge. A quarter-mile long access road was blazed through mature forest to accommodate construction equipment used at the site. Despite the fact that extensive ground disturbance would be taking place in an archeological park, this work was done in the absence of any NHPA, ARPA, or NEPA compliance. NPS Photo.



The purpose of this Serious Mismanagement Report (SMR) is to present pertinent data and facts related to violations of the National Historic Preservation Act, the Archeological Resources Protection Act, and the National Environmental Policy Act by employees of Effigy Mounds National Monument (EFMO).

The SMR Team respectfully presents these facts in an effort to inform concerned National Park Service employees of the causes and contributing factors of these incidents so they may assist the agency in preventing similar occurrences. **As with a Serious Accident Report, the intent is not to defame individuals or assign blame, but rather to provide an opportunity for employees across the NPS to reflect on the lessons learned from these unfortunate actions.**

Consequently, this SMR avoids the use of names and avoids any discussion of administrative actions that may or may not have resulted from these events.

This SMR includes numerous position titles. It is important to note current NPS employees in those positions are most likely not associated with the events of this report.



Effigy Mounds National Monument – Est. October 25, 1949

Effigy Mounds National Monument was established in 1949 by Presidential Proclamation (President Truman) to preserve excellent examples of nationally significant archeological resources which include earthen American Indian mound groups. At least 206 visible mounds are within the monument. Of these, 31 are in the shape of animals or birds, representing a cultural phenomenon unique to the Upper Midwest. Some of these mounds were built as early as 500 BCE. The monument is sacred to the descendants of the mound builders. Currently, there are nearly twenty tribes who have either a cultural or treaty association with EFMO.

The 2,526 acres of the monument are located in northeast Iowa adjacent to the Mississippi River. EFMO is one of two NPS units in Iowa.



Nazekaw Terrace Boardwalk construction terminus (linear mounds visible in left background). NPS Photo.

Background

In 1999 the Principal became Superintendent of Effigy Mounds National Monument after successfully completing the Midwest Region's Superintendent Development Program. Prior to becoming Superintendent at EFMO, the Principal had been on a relatively fast track within the NPS, having accepted their first permanent position in 1991. Only three years after becoming a permanent employee, the Principal was appointed as Acting Superintendent at Martin Van Buren National Historic Site (in 1994), and only three years after that became Superintendent at Perry's Victory and International Peace Memorial (in 1997). Throughout the Principal's career, they attended multiple training events focusing on the Section 106 review process. Additionally, the Principal served as the Section 106 Coordinator at Martin Van Buren NHS, and through the years had numerous cultural resource professionals providing – often at the Principal's request - detailed written summaries of the steps involved in the Section 106 review process.

Despite all this, during the Principal's tenure (1999–2010), park staff failed to comply with the National Historic Preservation Act (NHPA) and/or the National Environmental Policy Act (NEPA) on at least 78 projects using \$3,368,704 in federal funds. In 2009, during an Operations Evaluation at the park, a Midwest Regional Office team of subject matter experts learned of a boardwalk under construction to a mound group that had been rerouted and extended without proper NHPA and NEPA compliance. Many other non-compliant projects were also discovered.

In August of 2010, the Department of the Interior Office of Inspector General (OIG) received a complaint from a concerned citizen. The citizen alleged incidents of waste, fraud, and abuse by EFMO employees related to the non-compliant projects and an alleged cover-up by regional officials.

At the direction of the OIG, a criminal investigation was conducted by the Investigative Services Branch (ISB) of the National Park Service. At the conclusion of the investigation, ISB requested



consideration for prosecution by the U.S. Attorney's Office of the Principal and the EFMO Chief of Maintenance for violations of the Archeological Resources Protection Act (ARPA). Due to the constraints imposed by the statute of limitations the investigation focused on two construction projects; the Nazekaw Terrace Boardwalk (2009) and the North Unit Maintenance Shed (2007). An archeological damage assessment revealed the two projects resulted in \$188,128 of damage (Archeological Value + Cost of Restoration and Repair) to park resources.



Storage shed constructed in 2007 without NHPA and NEPA compliance and without archeological clearance. Later studies revealed that it may have disturbed a remnant mound. NPS Photo.

In October of 2012, after intense review, the U.S. Attorney's Office reluctantly declined to prosecute primarily due to a belief that it would be difficult to overcome potential jury sympathy for the defendants. Prosecutors perceived an inability on the part of senior NPS officials to recognize that violations of NHPA may in fact be violations of ARPA in a park such as EFMO. In the opinion of the U.S. Attorney's Office, this led to a weak and inappropriate initial response by the Agency, which treated it as an administrative matter rather than a criminal matter. Prosecutors felt the Agency's failure to take swift, appropriate action fatally encumbered the criminal case, creating a threshold of doubt that the U.S. Attorney's Office did not believe could be overcome in a jury trial.

The declination enabled the NPS to perform an internal investigation.



Reservoir waterline project (2005). Although an Assessment of Effects form was completed and approved by regional office officials, it was based on the premise that disturbance would be limited to the original trench. The majority of the lawn area in this photo was severely impacted during later stages of this project. NPS Photo.

Although the criminal investigation focused on two projects, dozens of projects requiring extensive ground disturbances occurred at EFMO from 1999-2009. Associated with these projects were major project review deficiencies and in many cases a complete lack of compliance. Photos and descriptions of some of these projects are included within this report in an effort to broaden the reader's perspective of the totality of circumstances.

The National Historic Preservation Act (NHPA - 1966) – 16 U.S.C. § 470 *et seq.*

This act is considered the most comprehensive preservation legislation in the United States. The act created the State Historic Preservation Offices, the National Register of Historic Places and National Historic Landmarks. The act requires all federal agencies to evaluate the impacts of federally funded or permitted projects on historic properties. This evaluation process is known as *Section 106 Review*, named for the section in the NHPA that outlines how this process is to occur. In addition to the requirement to evaluate the impacts of federal actions, NHPA further stipulates that federal agencies are to actively preserve historic properties (Section 110).

Programmatic Agreement Among the National Park Service (U.S. Department of the Interior), The Advisory Council On Historic Preservation, and the National Conference of State Historic Preservation Officers (July 17, 1995 and November 14, 2008).

These programmatic agreements specify how the NPS established and formalized policies and operating procedures (NPS/DO-28) designed to ensure compliance with the NHPA.

Both the 1995 and 2008 programmatic agreements delegate Superintendents as the responsible agency officials as defined in 36 CFR Part 800.1(c)(1)(i) for the purposes of Section 106 compliance. Superintendents are to assign Section 106 Coordinators, and are further responsible for ensuring staff are adequately trained to carry out their responsibilities.

**The Archeological Resources Protection Act (ARPA – 1979) – 16 U.S.C. §§ 470aa.**

ARPA prohibits the unauthorized excavation, removal, damage, alteration, or defacement of archeological resources. In addition to other segments of the public, ARPA explicitly specifies that "...any officer, employee, agent, department, or instrumentality of the United States..." is subject to the prohibitions of the Act.

The National Environmental Policy Act (NEPA – 1969) - 42 U.S.C. § 4321

Just as NHPA requires federal agencies to carefully consider the potential effects of federal undertakings on historic properties, NEPA requires federal managers to take the potential environmental impacts of undertakings into consideration as well – again, in advance of initiating work on those undertakings.

The National Park Service Organic Act (1916)

The Service thus established shall promote and regulate the use of the Federal areas known as national parks, monuments, and reservations hereinafter specified by such means and measures as conform to the fundamental purpose of the said parks, monuments, and reservations, which purpose is to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.



Reservoir waterline project (2005). The lower portions of this project took place on the Nazekaw Terrace, a site known to have had more than 60 burial and ceremonial mounds in the past. NPS Photo.



Three Mounds repatriation/reburial preparation (2004). Archeologists and SHPO were not properly consulted about the use of this location; an existing burial mound adjacent to the visitor center. Excavation of the mound was performed by maintenance personnel. NPS Photo.

FINDINGS

This section presents the Investigation Team's findings. The most rudimentary elements that contributed to this period of serious mismanagement are identified. These findings are supported by discussions with co-workers, supervisors, witnesses and subject matter experts. Motivational determinations for these activities are inferred based upon the available witness and subject testimony which may have been impacted by minimized levels of cooperation or appreciation of potential culpability.

DIRECT CAUSE

Permanent archeological damage was caused by NPS employees within Effigy Mounds National Monument as a result of ground disturbing projects affecting historic properties and archeological sites in violation of the National Historic Preservation Act, The Archeological Resources Protection Act, The NPS Organic Act, NPS Directors Orders, policies, and programmatic agreements.

CONTRIBUTING FACTORS

1. Willful Blindness: The Principal has asserted a lack of understanding of the level of wrong doing related to these actions. Statements made by the Principal clearly illustrate a lack of basic knowledge related to Section 106 Compliance and ARPA despite years of training and professional exposure. Statements made also describe a complete reliance upon the assumed expertise of a selected few, despite blatant contrary indicators, coupled with a willful lack of associated oversight. As the federal land manager, the Principal was the legal approving authority of all actions and was expected to have, and should have had knowledge of the laws



established to protect those resources. The Principal failed to learn or become aware of the laws designed to protect places like EFMO, and approved projects that damaged and/or destroyed cultural resources without taking those resources into consideration. In 2003, EFMO's Senior Law Enforcement Officer carefully outlined his concerns about non-compliant projects in a detailed 5-page memo, which the Principal chose to ignore. Remaining "blind" to the requirements of the law, despite repeated training and repeated warnings from staff, can lead to behavior that results in criminal recklessness and negligence.

2. Lack of Oversight:

EFMO:

- **Marginalization of EFMO employees by the Principal removed internal program oversight:**
 - **Cultural Resource Specialist/Archeologist:** Prior to the arrival of the Principal, EFMO's Cultural Resources Specialist/Archeologist began accepting Section 106 compliance duties. This was reversed shortly after the Principal's arrival and the employee's skills and abilities were devalued and restricted to curatorial duties. Terminating funding of this position and transferring it to other divisions was openly discussed with the employee. Citing a poor work environment enhanced by these factors the employee left EFMO for another NPS assignment. The position was not refilled, despite the dominance of cultural resources within the park.
 - **Chief of Natural Resources:** The contributions of this position and division were systematically reduced in importance by the Principal regarding the operation of EFMO and meaningful management team inclusion. Differing opinions were treated like acts of insubordination by the Principal.
 - **Chief Ranger (non-commissioned):** The contributions of this position and division were systematically reduced in importance by the Principal regarding the operation of EFMO and meaningful management team inclusion. Subsequent declining morale affected proper work/life balance forcing this talented and committed employee, at great personal cost, to leave the NPS while seeking a better quality of family/work life.
 - **Senior Law Enforcement Ranger:** This position was systematically devalued by the Principal. Furloughs were maximized, employee expertise was ignored, necessary equipment was not provided, "security patrols" of EFMO were performed by maintenance employees, and at times defensive equipment was not permitted to be worn. The Principal stated to a colleague a fear of this employee's authority to confront friends, family, neighbors, acquaintances and employees if/when they violated laws within EFMO. This employee was trapped within a corrupt chain of command and was forced to seek out-of-park assignments, greatly disrupting normal family life, to remain professionally and financially viable. Ironically, this employee's education



Findings

(MA in Archeology) and expertise related to cultural resources are highly valued by the Department of the Interior as a nationwide educator/trainer, scholar, and Native American Graves Protection and Repatriation Act civil penalties investigator.

- **Administrative Officer:** Perspective and expertise from this employee related to budget allocation, proper project development, and the requirement to maintain an administrative record were ignored by the Principal.
- **Chief of Maintenance/Section 106 Compliance Coordinator:** An inherent conflict of interest emerges when responsibility for both project compliance and project completion is vested in one employee.
- **Management misalignment from the mission of the NPS and the purpose of EFMO:** Despite long NPS careers, excellent training, and a professed desire to be stewards of EFMO, management team contributors were unable or unwilling to recognize the divergence of their personal goals from the mission of the NPS and the rule of law. The management team contributors also had an inexcusable lack of understanding of the fundamental importance of the archeological resource they were assigned to protect, along with its complexity, pervasiveness, landscape qualities, and history, which enabled them to discount concerns and justify gross physical and ethical violations of a site held sacred by many.

Regional Office:

- **Supporting unit operations without adequate oversight:** The Midwest Regional Office has an infrastructure designed to provide support services to sixty NPS units with little emphasis on oversight in some program areas. Land managers are trusted to lawfully perform their duties and are often directed to create their own performance standards and draft their own performance reviews. There was no meaningful mechanism to detect violations of policy or law. In this instance Regional program managers were routinely misinformed by EFMO with cavalier confidence. Sometimes the regional office was even *informed* of non-compliance, as occurred when the Principal wrote in a 2005 Operations Formulation System (OFS) request that the park needed a base increase for cultural resource management purposes because Section 106 compliance "...has been ignored at EFMO due to lack of staff." When oversight was finally provided, a decade of dysfunction was uncovered.
- **Cultural Resource Section 106 Reviewers:** These employees perform this critical function as a collateral duty and are often removed from each other and the NPS units they serve. Regional Cultural Resource Section 106 reviewers were slow to adopt the Planning, Environment, and Public Comment System (PEPC) to facilitate their reviews. This enabled potentially deceptive NPS managers to avoid transparency, since no one at the regional level could see the sum total of a park's Section 106 efforts (or lack thereof). The end result was sharply reduced opportunities for

Findings



objective and informed perspectives on the potential impacts of projects upon historic resources.

- **Inability to react appropriately to mismanagement warning signs:** Numerous EFMO employees on multiple occasions, both formally and informally, attempted to find a sympathetic reception from regional officials to evidence of mismanagement by the Principal – all without success. When efforts with immediate supervisors failed, employees resorted to parallel chains of command without success. Blatant clues of mismanagement presented to regional officials by the Principal and EFMO employees were not noticed, misinterpreted, or inappropriately reacted to.
- **Rewarding progress instead of preservation:** Projects and alleged improvements to NPS infrastructure are tangible and easily reference an obtained goal. Choosing to *not* build within NPS units in order to preserve the qualities articulated within the unit's enabling legislation are often unnoticed, unappreciated and unrewarded by NPS officials.

3. Perceived Conflicting Priorities:

- **Budget Allocation:** From 1999 to 2009 the annual operational budget for EFMO steadily increased from \$588,000 to \$1,117,000 (the latter figure is \$864,413 in constant 1999 dollars). Allocations increased for the maintenance division in unison with base funding increases (1999 - \$121,000, 2009 - \$366,000 (\$284,220 in constant 1999 dollars)). Allocation for the cultural resources division dramatically decreased, peaking in 2001 at \$29,000 and reducing to an annual average of just under \$3,000 for the remaining eight years. EFMO also received generous (\$4,366,000) specific project funds during this period. It is clear that while the cultural resources program was being dismantled due to a professed lack of funding, the maintenance program was rapidly growing, acquiring approximately 60% of EFMO's base funding increases.
- **Project Completion vs. Compliance:** Seasonal work forces, the federal fiscal cycle and special project funds availability may encourage managers to seek shortcuts related to compliance. Excess year-end funds can contribute to non-compliance as they did with EFMO's North Unit Storage Shed, because by definition they need to be spent quickly. EFMO repeatedly received project funds for "shovel-ready" projects that had not been reviewed by the compliance system.
- **Americans with Disabilities Act (ADA) vs. Cultural Resource Preservation:** One of the Principal's personal goals was to dramatically increase access to mound groups for wheelchair-bound visitors. This resulted in several projects including weaving a boardwalk, requiring 216 excavations, onto the landscape of an archeological site



(13AM82) and dominating an ancient sacred location with a modern structure. Tens of thousands of additional linear feet of boardwalk were referred to as preferred alternatives within the unit's 2009 Draft General Management Plan. Section 106 consultation is an excellent tool designed to assist managers with overcoming potential legislative and user group conflicts. Tribal members associated with EFMO stated the Principal led them to believe the ADA *requires* the NPS to provide accessibility via boardwalks at the expense of cultural resource integrity.

- **Protection of Equipment vs. Protection of the Resource:** EFMO purchased several pieces of expensive equipment including backhoes, tractors, and riding lawnmowers but lacked sufficient facilities to protect them from inclement weather. Their solution was to build a shed within an archeological site (13AM189) which required 22 excavations. This shed structure dominated a sacred landscape in view of linear mounds and an associated hiking trail. The location of this project site was justified by claiming it was "previously disturbed." Ground penetrating radar later revealed the shed was built upon a remnant mound. Proper consultation could have steered EFMO toward a more suitable location for this structure, or a better space utilization plan for existing facilities.
- **Employee Efficiency vs. Resource Preservation and Visitor Experience:** Despite a long history of maintaining the park with very little use of motorized vehicles, park staff became increasingly reliant on the use of tractors, ATV's and UTV's to get to work sites they formerly would have walked to. Over time, simple hiking trails widened to the width of roads, and rustic footbridges were replaced with 5 ton vehicle bridges. Gradually, the park's charming and rustic hiking trails were converted to maintenance roads that visitors were allowed to hike along. While employee efficiency increased as a result of this effort, resources were damaged and the visitor experience of the park was seriously degraded.



MATTERS FOR CONSIDERATION

Span of Control: The Midwest Region Deputy Regional Director is responsible for the supervision of over fifty Superintendents. A sign of this overwhelming burden is the routine use of what amounts to self-evaluations for Superintendents. While this is the only way it can reasonably be accomplished given the magnitude of the task, it nonetheless forces senior regional management to believe what they are being told by the Superintendent is true. The end result is a lack of objective oversight, meaningless performance benchmarks, and a skewed vision of park conditions that may sharply diverge from reality.

Warning Signs: As expressed by the U.S. Attorney, regional officials lacked the ability or willingness to comprehensively analyze incidents warning of endemic mismanagement during the Principal's tenure at the park. Some of the signs missed include: valued employees leaving the NPS for other agencies or leaving the park/region for new positions; complaints and evidence of division marginalization; signs of extreme cronyism; a Chief of Maintenance assigned as a Section 106 Coordinator; a cultural resources management review team that rarely hears from a park despite \$4.3 million in project funding; concerns expressed from an alienated State Historic Preservation Office; memorandums detailing incidents of violations; OFS requests with *admissions* of non-compliance; and language within a Draft General Management Plan concerning nebulous and ill-advised future boardwalk construction projects that would dominate sacred landscapes. Regional law enforcement officials and cultural resource experts were also unable to recognize a connection between violations of the NHPA and ARPA.

Checks and Balances: Regional funding approval of EFMO projects required no assurances related to the proper completion of compliance.

Use of Inappropriate Administrative Tools: The use of the Operations Evaluation by the Midwest Regional Office was too broad for fully investigating the alleged violations. The most germane component of the evaluation is buried (pg. 40 of 52) within analysis of *all* of EFMO's operational and administrative functions. Although the Regional Chief Ranger was an Operations Evaluation Team Member, inexplicably the need for a NPS instigated criminal investigation never materialized which resulted in an under-informed and weak response. An objective fact finding cadre of law enforcement professionals and subject matter experts should have followed in the wake of the Operations Evaluation.

Advisory Council on Historic Preservation (ACHP): Continued Section 106 compliance failures by the NPS could result in the termination of the nationwide programmatic agreement by the ACHP, which would devastate current project development and completion procedures service-wide.

Paraprofessional Archeologists: The Midwest Archeological Center developed this innovative program with the intention of educating field employees so they could assist with the oversight of projects affecting historic properties. This program was abused by EFMO employees, who



used the paraprofessional designation as a means of circumventing proper archeological site investigations.

Misapplication of the “previously disturbed” concept: The EFMO management team consistently self-proclaimed compliance exemption due to previous disturbances caused by historic farming practices or the construction of the monument’s infrastructure. For instance, multiple projects adjacent to EFMO’s headquarters were completed without Section 106 review because the area had been farmed. It was common knowledge amongst the management team and general park staff that the headquarters location was the site of a mound group of approximately 60 burial and ceremonial mounds. Geophysical studies later determined that while the mounds were not visible on the surface, they still exist and are in need of preservation and protection. Although the above-ground manifestations of these mounds had been mostly obliterated by 20th century agricultural and landscaping practices, geophysical studies have proven recognizable remnants of many of these mounds remain intact below the plow zone, potentially including burials. The protection of these mounds is the primary reason for the monument’s existence. A history of previous disturbance at any given site cannot and should not be used to justify further disturbance without careful consideration and consultation.



Maintenance road constructed in the absence of any Section 106 review. An unused and reforested historic farming trail was converted into an access road which connected the maintenance facilities with hiking trails in the North Unit. An over-reliance on the use of vehicles led to the road’s construction and the widening of “hiking trails,” which in effect became roads for park staff. NPS Photo.



Conclusion: The explication of events, actions, and decisions contained in this report are not, we believe, unique to EFMO in that time and place, or with that constellation of actors. The challenges of effective use of Section 106 review for its intended purpose exist in many parks for many reasons, not all of them by intent or design. We understand improvements are being made for more critical review of parks' participation in the compliance process at all levels. For instance, the awarding of project money is now linked to compliance completion, and accountability for overseeing proper compliance is more strongly articulated in supervisory performance standards. While these are positive and appropriate steps, it is still possible to subvert the process in the interest of "economizing" and "streamlining".

The wake-up call this SMR provides should be the impetus for critical evaluation by all employees at all levels involved with the compliance review process. Traditionally viewed as an obstacle or bottleneck, Section 106 offers the opportunity (legal requirement notwithstanding) to take stock of the potential impacts of a proposed project, and to carefully consider whether or not it meets the needs of the park, the stakeholders, and the public in a manner most suited to the agency mission and principles.



Park headquarters drainage improvements (2000) performed without completing Section 106 review. Geophysical evidence now shows many mound remnants – potentially with intact burials – in the headquarters vicinity. NPS photo.



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National Park Service: FY2017 Appropriations and Recent Trends

Laura B. Comay
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Summary

The National Park Service (NPS) receives appropriations in the annual Interior, Environment, and Related Agencies appropriations bill. For FY2017, the Obama Administration requested \$3.101 billion in discretionary appropriations for NPS, an increase of \$250.2 million (8.8%) over the enacted FY2016 amount of \$2.851 billion. In addition to the discretionary funding, the Administration proposed \$1.238 billion in mandatory appropriations for NPS, a growth of 135.6% over NPS mandatory funding in FY2016 (\$525.4 million). Some of the mandatory appropriations would require changes in authorizing law. The discretionary and mandatory requests brought the Administration's total request for NPS for FY2017 to \$4.339 billion, an increase of \$962.5 million (or 28.5%) over the FY2016 total of \$3.376 billion. NPS stated that much of the increased funding would be used to address the agency's backlog of deferred maintenance, in connection with NPS's centennial anniversary this year and its expected future infrastructure needs.

It is likely the 135% growth in "Mandatory" Budget Requests reflects Monument additions

On July 14, 2016, the House passed H.R. 5538, the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2017. The House bill recommended discretionary appropriations of \$2.930 billion for NPS, an increase of \$78.8 million (2.8%) over the FY2016 enacted amount but a decrease of \$171.4 million from the agency request.

On June 16, 2016, the Senate Appropriations Committee reported its version of the bill, S. 3068. The Senate committee bill recommended \$2.914 billion in discretionary funds for NPS, an increase of \$62.7 million (2.2%) over the FY2015 appropriation and a decrease of \$187.5 million from the NPS request.

This report discusses NPS's FY2017 appropriations and examines trends in the agency's discretionary appropriations over the past decade (FY2007-FY2016). NPS appropriations varied during that time period and increased overall in real terms. The enacted discretionary appropriation for FY2016 represented an increase of 24.0% in nominal dollars and 7.5% in inflation-adjusted dollars compared with a decade earlier (FY2007).

For most of this time, the NPS discretionary appropriation included five accounts. The largest by far is the Operation of the National Park System (ONPS) account, which supports the activities, programs, and services that form the day-to-day operations of the park system. The majority of ONPS funds are provided directly to managers of individual park units. This account grew over the decade by 11.6% in inflation-adjusted dollars. Another account, for federal and state land acquisition funding under the Land and Water Conservation Fund (LWCF), grew by 135.3% in inflation-adjusted dollars. The other three accounts showed declines over the decade ranging from 8.4% to 43.7% in inflation-adjusted dollars. A sixth account, the Centennial Challenge account, was funded only in certain years.

The funding changes took place in the context of relative stability in the size of the National Park System, which grew slightly (by 0.4%) from 84.3 million to 84.6 million acres over the past 10 years. NPS staffing levels fluctuated around 20,000 and grew overall. Visits to the parks also increased over the decade, peaking at approximately 307 million visits in 2015.

State	Park	Deferred Maintenance
	Big Bend National Park (BIBE)	\$ 87,753,585
	Big Thicket National Preserve (BITH)	\$ 3,312,840
	Chamizal National Memorial (CHAM)	\$ 852,377
	Fort Davis National Historic Site (FODA)	\$ 1,139,056
	Guadalupe Mountains National Park (GUMO)	\$ 5,532,425
	Lake Meredith National Recreation Area (LAMR)	\$ 13,461,361
	Lyndon B Johnson National Historic Park (LYJO)	\$ 3,484,143
	Padre Island National Seashore (PAIS)	\$ 17,487,463
	Palo Alto Battlefield National Historic Site (PAAL)	\$ 834,457
	<u>San Antonio Missions National Historical Park (SAAN)</u>	<u>\$ 8,003,853</u>
	Total ▶	\$ 148,748,484
UT - Utah	Arches National Park (ARCH)	\$ 32,965,042
	Bryce Canyon National Park (BRCA)	\$ 37,671,477
	Canyonlands National Park (CANY)	\$ 40,030,662
	Capitol Reef National Park (CARE)	\$ 4,221,050
	Cedar Breaks National Monument (CEBR)	\$ 5,507,965
	Dinosaur National Monument (DINO)	\$ 12,261,940
	Glen Canyon National Recreation Area (GLCA)	\$ 65,115,023
	Golden Spike National Historic Site (GOSP)	\$ 3,331,147
	Hovenweep National Monument (HOVE)	\$ 1,803,354
	Natural Bridges National Monument (NABR)	\$ 8,591,055
	Parashant National Monument (PARA)	\$ 1,165,041
	Timpanogos Cave National Monument (TICA)	\$ 3,319,003
	<u>Zion National Park (ZION)</u>	<u>\$ 62,111,847</u>
	Total ▶	\$ 278,094,606
VA - Virginia	Appomattox Court House National Historical Park (APCO)	\$ 2,460,895
	Assateague Island NS (ASIS)	\$ 5,566,317
	Blue Ridge Parkway (BLRI)	\$ 231,003,500
	Booker T Washington National Monument (BOWA)	\$ 1,137,192
	Cedar Creek and Belle Grove NHP (CEBE)	\$ 698,217
	Colonial National Historical Park (COLO)	\$ 168,330,159
	Cumberland Gap National Historical Park (CUGA)	\$ 2,527,509
	Fort Monroe National Historic Park (FOMR)	\$ 1,470,028
	Fredericksburg and Spotsylvania Battlefields Mem NMP (FRSP)	\$ 11,231,568
	George Washington Birthplace National Monument (GEWA)	\$ 444,539
	George Washington Memorial Parkway (GWMP)	\$ 92,693,793
	Harpers Ferry National Historical Park (HAFE)	\$ 261,009
	Maggie L Walker National Historic Site (MAWA)	\$ 73,739
	Manassas National Battlefield Park (MANA)	\$ 3,809,713
	Petersburg National Battlefield (PETE)	\$ 8,754,049
	Prince William Forest Park (PRWI)	\$ 16,698,420
	Richmond National Battlefield Park (RICH)	\$ 13,509,632

Figures in the table above represent a snapshot of the NPS Facility Management Software System (FMSS) data as of the end of the fiscal year.

State	Park	Deferred Maintenance
	Shenandoah National Park (SHEN)	\$ 93,411,478
	Wolf Trap National Park for the Performing Arts (WOTR)	\$ 11,411,742
	Total ▶	\$ 665,493,499
VT - Vermont	Marsh-Billings-Rockefeller National Historic Park (MABI)	\$ 1,860,396
	Total ▶	\$ 1,860,396
WA - Washington	Ebays Landing National Historic Reserve (EBLA)	\$ 6,038,608
	Fort Vancouver National Historic Site (FOVA)	\$ 21,363,446
	Klondike Gold Rush National Historical Park (KLGO)	\$ -
	Lake Roosevelt National Recreation Area (LARO)	\$ 28,679,818
	Mount Rainier National Park (MORA)	\$ 298,372,137
	Nez Perce National Historic Park (NEPE)	\$ -
	North Cascades National Park (NOCA)	\$ 14,825,749
	Olympic National Park (OLYM)	\$ 133,246,385
	San Juan Island National Historical Park (SAJH)	\$ 4,176,037
	Whitman Mission National Historic Site (WHMI)	\$ 493,372
	Total ▶	\$ 507,195,553
WI - Wisconsin	Apostle Islands National Lakeshore (APIS)	\$ 7,991,772
	Saint Croix National Scenic Riverway (SACN)	\$ 1,245,286
	Total ▶	\$ 9,237,058
WV - West Virginia	Appalachian National Scenic Trail (APPA)	\$ 16,408,894
	Bluestone National Scenic River (BLUE)	\$ 60,247
	Gauley River National Recreation Area (GARI)	\$ 1,878,773
	Harper's Ferry Center (HAFC)	\$ 12,350,553
	Harpers Ferry National Historical Park (HAFE)	\$ 13,348,293
	Historic Preservation Training Center (HPTC)	\$ 374,082
	New River Gorge National River (NERI)	\$ 15,757,232
	Stephen T. Mather Training Center (STMA)	\$ 2,926,463
	Total ▶	\$ 63,104,538
WY - Wyoming	Bighorn Canyon National Recreation Area (BICA)	\$ 5,178,349
	Devils Tower National Monument (DETO)	\$ 3,959,288
	Fort Laramie National Historic Site (FOLA)	\$ 3,260,185
	Fossil Butte National Monument (FOBU)	\$ 4,113,238
	Grand Teton National Park (GRTE)	\$ 201,840,685
	John D Rockefeller Jr Memorial Parkway (JODR)	\$ 14,427,654
	Yellowstone National Park (YELL)	\$ 633,635,140
	Total ▶	\$ 866,414,539

Territories:

State	Park	Deferred Maintenance
AS - American Samoa	National Park of American Samoa (NPSA)	\$ 894,829
	Total ▶	\$ 894,829

Figures in the table above represent a snapshot of the NPS Facility Management Software System (FMSS) data as of the end of the fiscal year.

State	Park	Deferred Maintenance
GM - Guam	War in the Pacific National Historic Park (WAPA)	\$ 4,789,427
	Total ▶	\$ 4,789,427
MP - Northern Mariana Islands	American Memorial Park (AMME)	\$ 9,356,686
	Total ▶	\$ 9,356,686
PR - Puerto Rico	San Juan National Historic Site (SAJU)	\$ 327,488,706
	Total ▶	\$ 327,488,706
VI - Virgin Islands	Buck Island Reef National Monument (BUIS)	\$ 233,106
	Christiansted National Historic Site (CHRI)	\$ 3,531,798
	Salt River Bay National Hist and Ecological Preserve (SARI)	\$ 434,046
	Virgin Islands National Park (VIIS)	\$ 15,153,520
	Total ▶	\$ 19,352,470

National Total:

Deferred Maintenance
Total ▶ \$ 11,493,168,812

Deferred Maintenance - The cost of maintenance that was not performed when it should have been or was scheduled to be and which, therefore, is put off or delayed.

*There are 33 official NPS units which do not appear in the table above because of the hierarchy of these units as organized in the Facility Management Software System. For the purposes of this report, the inventory associated with these 33 parks (left column) are included as a sub-set of the larger parks (right column).

- | | |
|-----------------------------------------------------------------|--------------------------------------------------|
| Arlington House (ARHO) | George Washington Memorial Parkway (GWMP) |
| Cape Krusenstern National Monument (CAKR) | Western Arctic National Parklands (WEAR) |
| Carter G. Woodson Home National Historic Site (CAWO) | National Capital Parks-East (NACE) |
| Clara Barton National Historic Site (CLBA) | George Washington Memorial Parkway (GWMP) |
| Constitution Gardens (COGA) | National Mall & Memorial Parks (NAMA) |
| Fort Caroline National Memorial (FOCA) | Timucuan Ecological and Historic Preserve (TIMU) |
| Fort Matanzas National Monument (FOMA) | Castillo de San Marcos National Monument (CASA) |
| Fort Raleigh National Historic Site (FORA) | Canyon de Chelly National Monument (CACH) |
| Fort Washington Park (FOWA) | National Capital Parks-East (NACE) |
| Franklin D. Roosevelt Memorial (FDRM) | National Mall & Memorial Parks (NAMA) |
| Frederick Douglass National Historic Site (FRDO) | National Capital Parks-East (NACE) |
| Greenbelt Park (GREE) | National Capital Parks-East (NACE) |
| Hohokam Pima National Monument (PIMA) | Casa Grande Ruins National Monument (CAGR) |
| Kobuk Valley National Park (KOVA) | Western Arctic National Parklands (WEAR) |
| Korean War Veterans Memorial (KWVM) | National Mall & Memorial Parks (NAMA) |
| Lincoln Memorial (LINC) | National Mall & Memorial Parks (NAMA) |
| Lyndon Baines Johnson Memorial Grove on the Potomac (LYBA) | George Washington Memorial Parkway (GWMP) |
| Martin Luther King, Jr. Memorial (MLKM) | National Mall & Memorial Parks (NAMA) |
| Mary McLeod Bethune Council House National Historic Site (MAMC) | National Capital Parks-East (NACE) |
| Natchez Trace National Scenic Trail (NATT) | Natchez Trace Parkway (NATR) |
| National Capital Parks (NACC) | National Mall & Memorial Parks (NAMA) |
| Noatak National Preserve (NOAT) | Western Arctic National Parklands (WEAR) |
| Pennsylvania Avenue National Historic Site (PAAV) | National Mall & Memorial Parks (NAMA) |
| Piscataway Park (PISC) | National Capital Parks-East (NACE) |
| Potomac Heritage National Scenic Trail (POHE) | George Washington Memorial Parkway (GWMP) |
| Rio Grande Wild and Scenic River (RIGR) | Big Bend National Park (BIBE) |
| Theodore Roosevelt Island (THIS) | George Washington Memorial Parkway (GWMP) |
| Thomas Jefferson Memorial (THJE) | National Mall & Memorial Parks (NAMA) |
| Tupelo National Battlefield (TUPE) | Natchez Trace Parkway (NATR) |
| Vietnam Veterans Memorial (VIVE) | National Mall & Memorial Parks (NAMA) |
| Washington Monument (WAMO) | National Mall & Memorial Parks (NAMA) |
| World War II Memorial (WWII) | National Mall & Memorial Parks (NAMA) |
| Wright Brothers National Memorial (WRBR) | Cape Hatteras National Seashore (CAHA) |

EXHIBIT 9

- San Juan County Resolution

RESOLUTION NO. 2016-08

A RESOLUTION OF SAN JUAN COUNTY, UTAH:

DEFICIENCIES OF A PROPOSAL BY A NON-GOVERNMENTAL ORGANIZATION FOR ESTABLISHMENT OF A NATIONAL MONUMENT IN SAN JUAN COUNTY; NOTIFICATION OF COUNTY PREROGATIVES AND INTENT FOR LAND USE PLANNING

WHEREAS, we, the Commission of San Juan County, Utah, are locally-elected government officials responsible for the security, health, welfare, taxation, customs, culture, economic stability, and land-use planning for the county;

WHEREAS, San Juan County is a sovereign political subdivision of the State of Utah that contains Federal, State, and county managed lands;

WHEREAS, the Bears-Ears Inter-Tribal Coalition (hereafter the Coalition), a Non-Governmental Organization having no governmental jurisdiction over San Juan County land-use planning activities, has made a proposal to the President of the United States and the Secretaries of Interior and Agriculture requesting the establishment of a national monument under Title 54 of the National Park Service Preservation Statutes, Title 43 of the Federal Land Policy and Management Act, and other statutes;

WHEREAS, the proposal by the Coalition advocates pre-emption of no less than 18 established Federal, State and local land use and planning efforts, including an agreement between San Juan County and the Navajo Nation;

WHEREAS, the Coalition's assertion of "rampant looting" of artifacts conflicts with reports from local and Federal law enforcement, the boundary proposed by the Coalition is arbitrary, and the proposal is deficient of the Quality, Utility, Objectivity and Integrity standards required of Federal Agencies for decision-making;

WHEREAS, the 1.9 million acre area proposed for a national monument contains 151,000 acres of revenue-generating, School and Institutional Trust Lands Administration lands owned by the State of Utah that are valid existing property interests not meeting the definition of "public lands;"

WHEREAS, the area proposed for a national monument contains 43 grazing allotments that are limited-fee title, surface-estate lands that are valid existing property interests not meeting the definition of "public lands;"

WHEREAS the area proposed for a national monument contains no less than 661 state-appropriated water-right diversion points that are valid existing property interests not meeting the definition of "public lands;"

WHEREAS the area proposed for a national monument contains approximately 18,000 acres of patented property that are valid existing property interests not meeting the definition of "public lands;"

WHEREAS, pre-1976 in perpetuity easements, prescriptive RS 2477 roadways, ditches, water conduits, utility routes, and first-responder rights-of-way across public lands do not meet the statutory, historical definition of "public lands" and are valid, pre-existing property interests not under ownership or control of Federal Agencies;

WHEREAS, the Manti-La Sal National Forest contains the entire watershed, water storage and water-transfer infrastructure that the cities of Blanding and Monticello are entirely dependent upon for their culinary water needs;

WHEREAS, the United States has no authority to appropriate water rights from, in, or to the Manti-Sal National Forest, such authority being vested with the State of Utah;

WHEREAS, ongoing and unencumbered right-of-way access is essential to the exercise of property interests, rights, civic duties for law enforcement and day-to-day operational aspects of livestock grazing allotments;

WHEREAS, the 1.9 million acre tract, having been demonstrated to contain vast private interests and areas of valid existing inholdings;

THE AFOREMENTIONED FACTS BEING PRESENTED, QUESTIONS HAVING BEEN RAISED, OR CONCLUSIONS HAVING BEEN MADE, THE GOVERNING BODY OF THE COUNTY OF SAN JUAN CONCLUDES AND AFFIRMS:

- I. The 43 surface grazing allotments occurring as split estate throughout the area proposed for a national monument do not meet the definition of "public lands," those lands being under the jurisdiction of State of Utah and San Juan County.
- II. The Antiquities Act gives the POTUS authority to withdrawal only Federally-owned or controlled public lands for national monuments; the presence, location and/or extent of public lands, if any, within the 1.9 million acre boundary proposed by the Coalition has not been inventoried by the POTUS, the Departments of Interior or Agriculture.
- III. The Coalition's proposal would preempt State and local jurisdictions and a Memorandum of Agreement with the Navajo Nation for land use planning;
- IV. The Coalition's proposal violates protocols, has minimal basis in statutory law, and requests actions neither the POTUS nor the Secretaries of Interior or Agriculture have authority to grant;

- V. The Coalition's proposal effectively requests the POTUS and Secretaries of Interior or Agriculture to re-appropriate water rights, take public and private rights-of-way, encumber or extinguish grazing allotments, and take State-owned tax revenue lands - all without procedural due-diligence, inholder notification, or opportunity for adjudication or compensation.
- VI. Title II, Section 202(c)(9) of the Federal Land Policy and Management Act affirms San Juan County as having a first-among-equals authority in land use planning, requiring the Secretaries of Interior and Agriculture to attempt consistency with the land-use plans and planning efforts of San Juan County.
- VII. Establishment of a national monument, as proposed by the Coalition, has not been sufficiently investigated, has not been demonstrated as warranted, and, as proposed, will have foreseeable, negative consequences and impacts to the human environment.

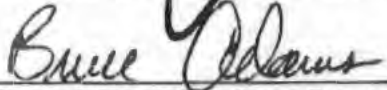
THEREFORE, BE IT RESOLVED THAT THE GOVERNING BODY OF THE COUNTY OF SAN JUAN, UTAH HEREBY PROPOSES AND DIRECTS:

- 1) Revise and update San Juan County Land Use Master Plan, review, consider and incorporate, as appropriate, all County-wide State and Federal land-use plans and planning efforts;
- 2) Lead the updating of a San Juan County Master Plan using the FLPMA doctrine of Coordination and a historical understanding of the definition of "public lands;"
- 3) Survey, distinguish and publish in the updated County Master Plan, Federally-owned minerals and timber from valid existing surface rights, grazing allotments, water rights;
- 4) Furnish advice to the Secretaries of Interior and Agriculture on timber harvesting, allocation and permitting in the Manti-La Sal National Forest such as will balance the environment and economic interests of all citizens and populations of San Juan County.
- 5) Review - using established San Juan County Heritage Council or other County programs - the concerns of the Coalition for veracity and potential inclusion in the land-use planning process.

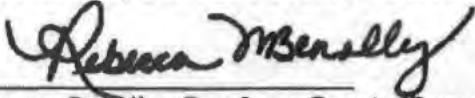
ADOPTED AND APPROVED by the Governing Body this 4th day of October 2016.



Phil Lyman Chair, San Juan County Commissioner

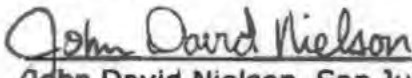


Bruce Adams, San Juan County Commissioner



Rebecca Benally, San Juan County Commissioner

ATTEST:



John David Nielson, San Juan County Clerk





Val R. Panteah, Sr.
Governor

Birdena Sanchez
Lt. Governor

Vacant
Head Councilmember

Virginia R. Chavez
Councilwoman

PUEBLO OF ZUNI

P. O. Box 339
Zuni, New Mexico 87327
1203-B NM State Hwy 53
Phone: (505) 782-7022
Fax: (505) 782-7202
www.ashiwi.org

505-782-7000 MAIN

Carleton R. Bowekaty
Councilman

Audrey A. Simplicio
Councilwoman

Vacant
Councilmember

Eric Bobelu
Councilman

Officially known as the Zuni Tribe of the Zuni Indian Reservation

March 11, 2016

President Barack Obama
1600 Pennsylvania Avenue
Washington, DC 20500

Dear Mr. President,

I am writing on behalf of the Zuni Tribe to express our support for, and confirm our involvement with, the Bears Ears Inter-Tribal Coalition (Coalition). The Coalition is composed of five sovereign tribes located in the four corners region-Zuni, Hopi, Uintah & Ouray Ute, Ute Mountain Ute, and Navajo. It was formed in July of 2015 in response to Native American concerns. The Zuni Tribe, with the Coalition, is committed to the permanent protection of the Bears Ears cultural landscape in Southeast Utah through a national monument designation.

The Antiquities Act of 1906 is an invaluable tool for the protection of public lands in perpetuity. For the Zuni Tribe, the Antiquities Act is an important method of protecting the ancestral and sacred sites of ancestral Pueblo people. The Bears Ears region includes immeasurable sites, including ancient villages, shrines, burials, rock inscriptions, dwellings, and roads that are central to the cultural past and future of the Zuni people. In addition, the cultural resources located in the Bears Ears region represent our history, our identity, and our spiritual connections. The Zuni Tribe, therefore, requests that you use your authority under the Antiquities Act to designate this special place as a national monument, with strong collaborative management between tribes and the federal government.

Pueblo ancestral sites in the Bears Ears region are threatened by looting, desecration, irresponsible motorized travel, and mining and energy development. These activities severely impact the historic and cultural integrity of sites. In addition, Native peoples utilize the plants and animals of the Bears Ears region in traditional practices, which are also being negatively affected by a lack of sufficient protections. The Coalition member tribes have come together in response to these cultural violations. Our proposal, which was delivered to your staff on October 15, 2015, speaks to the need for permanent protection, as well as tribal inclusion in management on a co-equal level with the federal government, as pursuant to our government to government relationship.

The proposal was also delivered to the Utah Congressional Delegation on the same date for review and, possibly, inclusion in the Public Lands Initiative (PLI) legislation. The Zuni Tribe was, however, disappointed in the Delegation's rejection of the proposal. The draft language of the PLI proposal indicates the Delegation's unwillingness to work with tribal governments to find meaningful solutions that will protect cultural resources and the land, rather than developing it indiscriminately. The PLI

process repeatedly ignored the concerns of tribes with connections to the Bears Ears region, and, furthermore, seeks to undermine the presidential authority of the Antiquities Act.

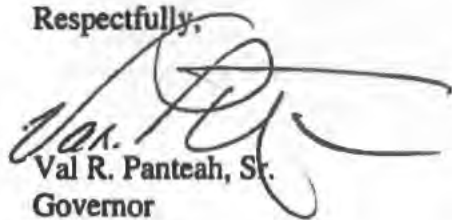
A Bears Ears National Monument designation with strong collaborative management between tribes and the federal government would be a new opportunity to heal the damage done to the land, and to tribal peoples. It would serve as a landmark of cooperation, public benefit, and the government to government relationship with Native American tribes. This national monument would honor the cultures and identities tied to the Bears Ears, and ensure it remains a place of deep connections for our children and grandchildren.


In 2015 at the Native Nations Conference you said that you would "*review tribal proposals to permanently protect sacred lands for future generations*". To the Zuni Tribe, Native Americans nationwide, and the American public, Bears Ears is deserving of special protections to secure its place in history and in the future. Collaborative management would respect tribal sovereignty, and provide a new venue for discourse on the management of public lands for the good of all people. With hundreds of thousands of archaeological and cultural sites, sacred spaces, and immense significance to contemporary Native Americans, we cannot afford to lose such a special place because it was not sufficiently protected.

We respectfully ask that you use your presidential authority under the Antiquities Act to designate the Bears Ears region as a National Monument. Together we can protect the final resting places and remains of our ancestors, our cultural and sacred sites, and the natural integrity and beauty of the Bears Ears region.

Please contact Zuni Tribal Councilman Carleton R. Bowekaty at carleton.bowekaty@ashiwi.org or (505) 782-7027 if the Zuni Tribe can be of any assistance to the administration in this important endeavor. Councilman Bowekaty serves as the Zuni representative for the Bears Ears Inter-Tribal Coalition.

Respectfully,


Val R. Panteah, Sr.
Governor


Carleton R. Bowekaty
Councilman

CC: The Honorable Sally Jewell, Secretary of the Interior
The Honorable Tom Vilsack, Secretary of Agriculture
The Honorable Christina W. Goldfuss, Managing Director,
Council on Environmental Quality



NATIONAL CONGRESS OF AMERICAN INDIANS

March 14, 2016

The Honorable Mitch McConnell
Majority Leader, U.S. Senate
U.S. Capitol Building, S-230
Washington, DC 20510

The Honorable Harry Reid
Minority Leader, U.S. Senate
U.S. Capitol Building, S-221
Washington, DC 20510

EXECUTIVE COMMITTEE

PRESIDENT
Brian Cladosby
Swanwick Tribe

FIRST VICE-PRESIDENT
Fawn Sharp
Quinault Indian Nation

RECORDING SECRETARY
Aaron Payment
Sault Ste. Marie Tribe of Chippewa
Indians of Michigan

TREASURER
W. Ron Allen
Jamestown S'Klallam Tribe

REGIONAL VICE-PRESIDENTS

ALASKA
Jerry Isaac
Native Village of Tonacross

EASTERN OKLAHOMA
Joe Byrd
Cherokee Nation

GREAT PLAINS
Leander McDonald
Sisseton S' Lake Nation

MIDWEST
Roger Rader
Pikagosa Band of Potawatomi

NORTHEAST
Lance Gumbis
Shinnecock Indian Nation

NORTHWEST
Mel Sheldon, Jr.
Tulalip Tribes

PACIFIC
Jack Potter, Jr.
Redding Rancheria

ROCKY MOUNTAIN
Darrin Old Coyote
Crow Nation

SOUTHEAST
Larry Townsend
Lumbee Tribe

SOUTHERN PLAINS
Liana Oopen
Prairie Band of Potawatomi Nation

SOUTHWEST
Joe Garcia
Ohkay Owingeh Pueblo

WESTERN
Bruce Ignacio
Ute Indian Tribe

EXECUTIVE DIRECTOR
Jacqueline Pata
Tlingit

NCAI HEADQUARTERS
1516 P Street, N.W.
Washington, DC 20005
703.527.7767
202.676.7797 fax
www.ncai.org

RE: NCAI OPPOSITION TO SENATE AMENDMENT 3447 TO S. 2012, THE ENERGY POLICY MODERNIZATION ACT OF 2015

Dear Senator McConnell and Senator Reid:

On behalf of the National Congress of American Indians (NCAI), the oldest, largest, and most representative organization of American Indian and Alaska Native tribal governments, I write to express our strong opposition to Senate Amendment 3447 to S. 2012, the Energy Policy Modernization Act of 2015. Senate Amendment 3447, filed on March 7, 2016, would undermine efforts to designate the Bears Ears area in southeastern Utah as a National Monument.

Aside from the conservation benefits the area would receive as a National Monument, the Bears Ears area contains over 100,000 archaeological sites and holds sacred significance to the region's tribal identities, history, and traditions. Throughout history many tribes across the country were relocated off their traditional homelands to reservations, and many of these relocations resulted in loss of access to sacred and ceremonial areas. Due to these actions, many tribal sacred places across the country are located in or around other federal lands such as National Forests or parks.

The Bears Ears area holds immense sacred, cultural, and ceremonial significance to tribes in the region including the Hopi, Navajo, Ute Mountain Ute, Zuni, and Uintah and Ouray Ute tribes who have formed the Bears Ears Inter-Tribal Coalition to protect and preserve this location. NCAI's membership has lent its support to the Coalition and its allies through adoption of Resolution #EC-15-002, "Support the Presidential Proclamation of the Bears Ears National Monument, Including Collaborative Management Between Tribal Nations and the Federal Agencies" (attached).

The Antiquities Act is one of the few legal instruments that can be used to protect areas of historical and cultural significance to tribes, and the Administration has used this law to protect tribal sacred places in the past. An earlier attempt to limit the President's authority to designate National Monuments failed during prior consideration of S. 2012 in February of this year. We ask you to stand with Indian country and NCAI and oppose Senate Amendment 3447 filed to S. 2012.

Sincerely,

Jacqueline Johnson Pata
Executive Director
National Congress of American Indians



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #EC-15-002

TITLE: Supporting the Presidential Proclamation of the Bears Ears National Monument, Including Collaborative Management Between Tribal Nations and the Federal Agencies

EXECUTIVE COMMITTEE

PRESIDENT
Brian Cladoosby
Swinomish Tribe

FIRST VICE-PRESIDENT
Randy Noka
Narragansett Tribe

RECORDING SECRETARY
Aaron Payment
*Sault Ste. Marie Tribe of Chippewa
Indians of Michigan*

TREASURER
Arlan Melendez
Reno Sparks Indian Colony

REGIONAL VICE-PRESIDENTS

ALASKA
Jerry Isaac
Native Village of Tanacross

EASTERN OKLAHOMA
S. Joe Crittenden
Cherokee Nation

GREAT PLAINS
Leander McDonald
Spirit Lake Nation

MIDWEST
Roger Rader
Pokagon band of Potawatomi

NORTHEAST
Lance Gumbs
Shinnecock Indian Nation

NORTHWEST
Fawn Sharp
Quinault Indian Nation

PACIFIC
Rosemary Morillo
Soboba Band of Luiseño Indians

ROCKY MOUNTAIN
Ivan Posey
Shoshone Tribe

SOUTHEAST
Ron Richardson
Haliwa-Saponi Indian Tribe

SOUTHERN PLAINS
Stephen Smith
Kiowa Tribe

SOUTHWEST
Manuel Heart
Ute Mountain Ute Tribe

WESTERN
Lan George
Fallon Paiute Shoshone Tribe

EXECUTIVE DIRECTOR
Jacqueline Johnson Pata
Tlingit

NCAI HEADQUARTERS
1516 P Street, N.W.
Washington, DC 20005
202.466.7767
202.466.7797 fax
www.ncai.org

WHEREAS, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

WHEREAS, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

WHEREAS, since time immemorial, the Bears Ears and surrounding land in Southeastern Utah have been a homeland and place of spiritual and cultural significance to tribal people. This living landscape continues to nurture, strengthen, and sustain tribal people, and tribal people remain dependent on these public lands to maintain our traditional livelihoods and cultural practices, such as hunting, gathering, and ceremonial uses.

WHEREAS, for the last century, tribal nations and tribal members have experienced removal from these ancestral homelands, and afterward, limited access to the land. Tribal nations and tribal members have also witnessed the looting of graves and sacred sites, and threats from more modern land uses such as off-road vehicle use and energy development.

WHEREAS, tribal leaders from Hopi, Navajo, Ute Mountain Ute, Zuni and Uintah & Ouray Ute formed the Bears Ears Inter-Tribal Coalition with the goal of protecting and preserving the homeland area of the Bears Ears region.

WHEREAS, the Bears Ears Inter-Tribal Coalition's chosen outcome is for President Obama to use his powers under the Antiquities Act to declare the Bears Ears National Monument, and secure permanent protection for these lands.

WHEREAS, the Bears Ears Inter-Tribal Coalition requests that President Obama proclaim the 1.9 million Bears Ears National Monument to honor the worldviews of our ancestors and Tribes today.

WHEREAS, the Bears Ears Inter-Tribal Coalition proposal asks that the new monument be managed under a path-breaking, comprehensive, and entirely workable regime of true Federal-Tribal Collaborative Management.

WHEREAS, the Bears Ears National Monument has every opportunity to serve as the shining example of the trust, the government-to-government relationship, and innovative, cutting-edge land management.

NOW THEREFORE BE IT RESOLVED, that NCAI does hereby urge President Obama to use his powers under the Antiquities Act to declare the Bears Ears National Monument and, by doing so, provide permanent protection for these lands.

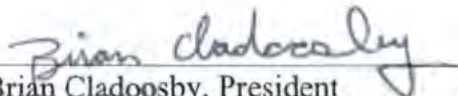
BE IT FURTHER RESOLVED, that NCAI does hereby support the Navajo, Hopi, Zuni, Uintah & Ouray Ute, and Ute Mountain Tribes that comprise the Bears Ears Inter-Tribal Coalition and their shared goal of permanently protecting the Bears Ears region.

BE IT FURTHER RESOLVED, that NCAI does hereby support the Bears Ears National Monument being meaningfully co-managed between the Bears Ears Inter-Tribal Coalition Tribes and federal management agencies for the purpose of honoring the trust relationship, protecting tribal sacred homelands, and preserving traditional and cultural ways of life.

BE IT FINALLY RESOLVED, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

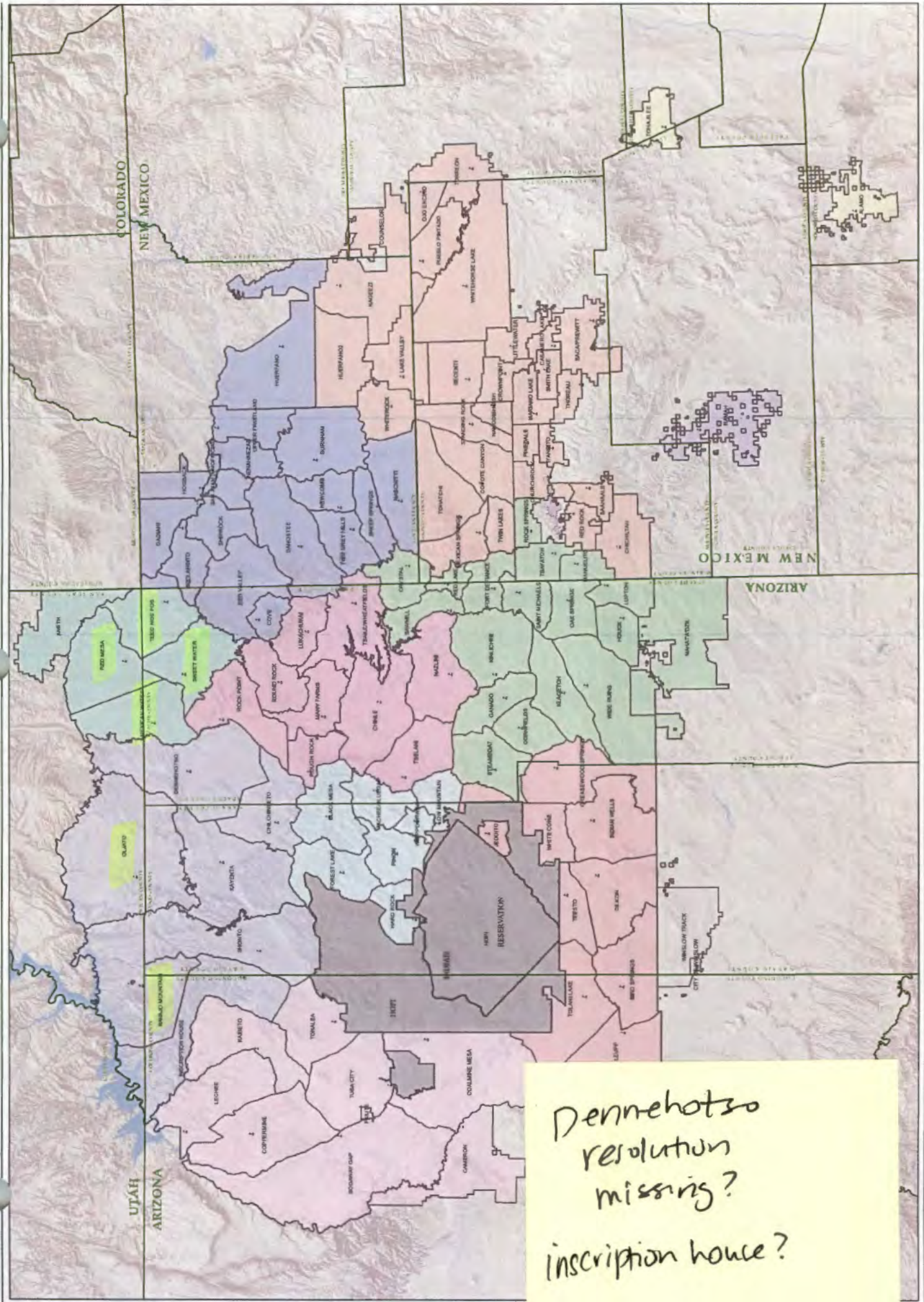
CERTIFICATION

The foregoing resolution was adopted by the Executive Committee of the National Congress of American Indians, held via a poll of Board Members, September 20, 2015 in Washington, D.C. with a quorum present.


Brian Cladoosby, President

ATTEST:


Aaron Payment, Recording Secretary



Dennehotso
 resolution
 missing?
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Navajo Nation:

4/16/16	The Navajo Nation	Letter of support to the President from Navajo Nation President Russell Begaye, VP Jonathan Nez, Speaker LoRenzo Bates, and Council Delegates
10/28/15	Navajo Nation Council (Legislative branch of the Navajo Nation Government)	Press release to dispel the notion that the proposal is not supported by local chapters, and noted that some officials are misinforming the public on this matter.
7/30/15	The Navajo Nation	Letter to Governor Herbert from Navajo Nation President, Russell Begaye, and Navajo Nation Council Speaker, LoRenzo Bates supporting Diné Bikeyah and the Bears Ears Inter-Tribal Coalition.
4/12/15	Oljato Chapter	Resolution of support for Diné Bikeyah.
3/12/15	Naabik'iyati' Committee* of the Navajo Nation Council	Resolution of support for Bears Ears National Conservation Area/National Monument
2/12/15	The Navajo Nation	Former Navajo Nation President Shelly asked Utah Governor Herbert for support in advancing the Bear's Ears proposal during the Native American caucus in Salt Lake City.
1/30/15	The Navajo Nation	Letter from the Executive Director of the Navajo Nation Division of Natural Resources to Rep. Bishop stating growing support for protection of the Bear's Ears region and Diné Bikeyah.
11/9/14	Mexican Water Chapter	Resolution of support for Diné Bikeyah
12/7/14	Tolikan (Sweet Water) Chapter	Resolution of support for Diné Bikeyah
9/9/14	Teec Nos Pos Chapter	Resolution of support for Diné Bikeyah
9/9/14	Oljato Chapter	Resolution of support for Diné Bikeyah
8/13/14	Navajo Utah Commission of the Navajo Nation Council	Resolution of support for Diné Bikeyah
5/21/14	Navajo Mountain Chapter	Resolution of support for Diné Bikeyah
7/22/11	The Navajo Nation	Letter to Utah State Director from former President Shelly in support of Diné Bikeyah
8/12/10	Teec Nos Pos Chapter	Resolution of support of 2010 proposal
8/9/10	Red Mesa Chapter	Resolution of support of 2010 proposal

**The Naabik'iyati' Committee is a standing committee of the Navajo Nation Council which assists and coordinates requests for information, appearances, and testimony relating to proposed county, state and federal legislation impacting the Navajo Nation. It is comprised of all 24 members of the Navajo Nation Council, with the Speaker of the Navajo Nation Council acting as the Chairperson.*



April 16, 2016

President Barack Obama
The White House
1600 Pennsylvania Avenue
Washington, DC 20500

RE: Bears Ears Initiative

President Obama,

The Bears Ears region is distinctive and significant in both culture and tradition to surrounding tribes, including the Navajo Nation. It is a unique cultural landscape including ancient villages, cliff dwellings, rock art, and the gravesites of our ancestors. The Bears Ears region is especially important to the Navajo Nation (Diné) as the birthplace of Headman Manuelito, an important figure in our contemporary history who helped our people return from Bosque Redondo to our Diné homeland after the Long Walk. Diné relate to the Bears Ears and the surrounding lands much like non-native people relate to a relative. When we visit the Bears Ears region, we greet these places by their names as if they were people - other than human people - with whom we can communicate, and who can communicate with us. Through this relationship, we are able to negotiate healing, not just of body, but also of mind, soul, and heart, but also as a community and society.

With this, the Navajo Nation respectfully requests that 1.9 million acres of federal public lands around the Bears Ears Buttes (Shash Jaa') in southeastern Utah be designated a national monument pursuant to the Antiquities Act of 1906. Furthermore, because of the Navajo people's direct tie to this land, there must be co-equal management of these lands that is respectful and will ensure protection of our history that exists in every part of this region. While your administration may be criticized using your Presidential authority, for the Navajo Nation and many tribes, your action will be one that will be remembered amongst our People for centuries as protecting our sacred resources, our history and our memories while preserving what we consider a place of healing and spirituality.

At the 2015 White House Tribal Nations Conference that you stated you will "*review tribal proposals to permanently protect sacred lands for future generations.*" Throughout your 8 years in office, you have been a friend to tribes and our initiatives, we can only hope and pray before you leave office you will "Protect the Bear Ears".

Respectfully,

THE NAVAJO NATION

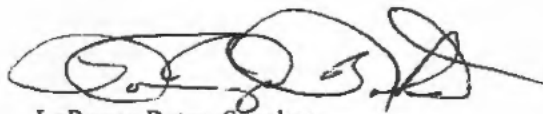
A handwritten signature in blue ink, appearing to read "Russell Begaye".

Russell Begaye, President

A handwritten signature in black ink, appearing to read "Jonathan Nez".

Jonathan Nez, Vice President

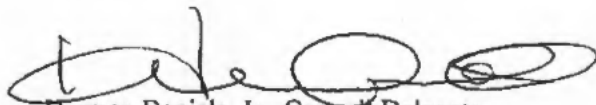
Re: Bears Ears Initiative
Page 2
April 16, 2016



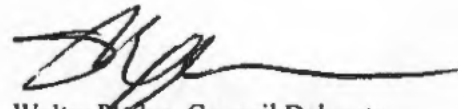
LoRenzo Bates, Speaker
23rd Navajo Nation Council



Davis Filfred, Council Delegate
23rd Navajo Nation Council



Herman Daniels, Jr., Council Delegate
23rd Navajo Nation Council



Walter Phelps, Council Delegate
23rd Navajo Nation Council

CC: The Honorable Sally Jewell, Secretary of the Interior
The Honorable Tom Vilsack, Secretary of Agriculture
The Honorable Christina W. Goldfuss, Managing Director,
White House Council on Environmental Quality



23RD NAVAJO NATION COUNCIL OFFICE OF THE SPEAKER

FOR IMMEDIATE RELEASE

October 28, 2015

MEDIA CONTACTS

Jared Touchin (928) 221-9253
Jolene Holgate (928) 380-4174
nrlb.communications@gmail.com

Council members address misinformation regarding Bears Ears initiative

WINDOW ROCK – On Oct. 15, an unprecedented coalition of five tribal governments hand delivered a formal proposal to the Obama Administration to designate 1.9 million acres of land known as Bears Ears as a national monument. Copies of the proposal were also delivered to U.S. Reps. Rob Bishop (R-Utah) and Jason Chaffetz (R-Utah).

Since then, San Juan County officials in the State of Utah have stated that local community members and Utah Navajo Chapters are opposed to the Bears Ears proposal. They have also been quoted in the media as stating that Native Americans support the county's proposal.

Council Delegate Davis Filfred (Mexican Water, Aneth, Teecnospos, Tólikan, Red Mesa), who represents five chapters in Utah, said the statements are unfounded and misleading.

"Seemingly false statements are being made to the media that the Bears Ears proposal is not supported by local chapters and local people," said Delegate Filfred. "This is not accurate. There has been, and continues to be, support from six of seven Utah chapters and the overwhelming support of local Navajo people for the Bears Ears proposal."

On March 12, the Navajo Nation Council's Naabik'iyáti' Committee unanimously passed a resolution in support of the federal designation of Bears Ears — ancestral home of many Southwestern tribes.

In July, a coalition of five federally recognized tribes – Hopi, Navajo, Ute Mountain Ute, Zuni, and Ute Tribe of the Uinta and Ouray Reservation – organized as the Bears Ears Inter-Tribal Coalition was established to move forward a strong vision of protection through the creation of the proposal that outlines goals for land protection and collaborative management agreements between the tribes and the federal government.

Despite opposition from a small handful of individuals in San Juan County, Bears Ears support from the Navajo Nation has remained united and strong.

The proposal has also been formally endorsed by nearly 300 tribes through resolutions, and is supported by a resolution from the National Congress of American Indians. Within the Navajo Nation, there is only one chapter house, out of seven Navajo chapters in Utah, which supports the San Juan County's proposal.

“Some officials are misinforming the public by stating that the proposal is not supported at the local level and this could not be further from the truth,” said Council Delegate Herman Daniels, Jr. (Shonto, Naa’tsis’Áán, Oljato, Ts’ah Bii Kin). “The reality is that there is strong support from the grassroots, local level, to the top tribal level.”

The process to protect the region was initiated over five years ago by Utah Diné Bikéyah, a non-profit organization in Utah established by a group of elders and traditional practitioners who came together over concerns for the aboriginal lands, particularly limitations placed on uses of the land for traditional and ceremonial uses.

In April 2013, Bears Ears became one of the first proposals to be put forward by the Navajo Nation in the Public Lands Initiative process, however, it has never been adequately recognized by elected officials in Utah.

Before San Juan County initiated its public comment period for local residents in 2014, the Navajo Nation and Utah Diné Bikéyah were assured by the county that the Bears Ears proposal would be included on the list of county-identified alternatives. However, one week before the first open house, the county excluded the Bears Ears proposal even though it was developed locally and represented the views of nearly half of San Juan County’s population.

Despite the Bears Ears proposal not being listed as an alternative, county residents overwhelmingly endorsed Bears Ears, which received 64-percent of the local comments of support.

San Juan County’s records show that the anti-conservation, pro-development “Alternative B” received just two comments of support — less than 1 percent. Yet this Alternative B — along with an “energy zone” to facilitate mining and drilling in the heart of the Bears Ears area — was officially endorsed by the San Juan County Commissioners as their preferred alternative in August 2015.

For more information regarding the Bears Ears proposal, please visit <http://www.bearscoalition.org/coalition-releases-monument-proposal-at-dc-press-conference/>.

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For news on the latest legislative branch activities, please visit www.navajonationcouncil.org or find us on Facebook and Twitter, keywords: Navajo Nation Council



July 30, 2015

The Honorable Gary R. Herbert
350 North State Street, Suite 200
PO Box 142220
Salt Lake City, Utah 84114

Dear Governor Herbert,

The Navajo Nation Office of the President and Vice President, Navajo Nation Council, and Office of the Speaker, look forward to meeting with you on July 30, 2015 for the tribal leaders meeting at the 10th Annual Governor's Native American Summit.

In preparation for this meeting, we have prepared the following list of priorities for your review:

1. ***Utah Public Lands Initiative: Acknowledging the efforts of the Utah Public Lands Initiative and with due respect to Congressman Rod Bishop, the Navajo Nation is taking lead alongside five other tribes as part of an unprecedented Bears Ears Inter-Tribal Coalition.***

The Inter-Tribal Coalition will deliver an official proposal by October 15 for a National Monument Designation or National Conservation Area for 1.9 million acres in southeastern Utah.

Navajo people and several surrounding tribes maintain a strong relationship and reverence for their ancestral lands located in and around San Juan County. The lands are important to Navajo people for the purposes of practicing traditional ceremonies, gathering of medicinal herbs, harvesting firewood, preserving sacred sites, and game hunting, among other activities. In addition to traditional religious practice, our Navajo communities look to protect archaeological resources and prevent illegal trafficking, such as the deplorable incidents experienced at Recapture Canyon.

Recognizing the need to protect these lands, Utah Navajos established the non-profit organization Utah Diné Bikéyah to advocate their purpose. Since 2010, the Utah Diné Bikéyah organization transformed grassroots voices into a large scale cross-

community initiative that has drawn the attention of many to the imminent threat of these ancestral lands.

Today, the hard work of our Utah Navajo people substantiates the platform our Inter-Tribal Coalition stands on. As a unified coalition of tribal governments, we look to leadership locally and in Washington, D.C. to join us in our historic campaign to preserve and protect that and those we greatly care about. With a 23rd Navajo Nation Council supporting resolution and the Office of the President and Vice President Co-Chairing the Bears Ears Inter-Tribal Coalition, Navajo Nation leadership welcome discussion on how we can continue to make southeastern Utah a truly blessed and protected area of land.

- 2. *Reauthorization of Federal Indian Bus Route Funding: The Navajo Utah Commission and the Utah chapters are seeking the support of Gov. Gary R. Herbert, the Utah Legislature, and the San Juan School District in lobbying Congress to reauthorize the Indian School Bus Route Maintenance Program.***

Education is a major priority to the Navajo Nation including Navajo families in San Juan County. It took years and some litigation to build schools on the Utah portion of the Navajo Nation. In *Meyers v. Board of Education of San Juan*, the court ruled all Navajo children have the same right to access education as every other child in the state of Utah. The Utah region of the Navajo Nation has 3 high schools, 4 elementary schools, and one K-6 school near the reservation serving Navajo students. Busing is the only mode of transportation for students from rural communities on the reservation. There is approximately 627 miles of road on the Navajo Nation in Utah including 258 miles that serve as school bus routes. The majority are dirt roads that become impassable frequently due to snow, mud, or sand. The San Juan School District canceled 10 days of school during the 2015 spring semester due to inclement weather and muddy roads. San Juan County has an MOA with the BIA and some funding to maintain some roads on the reservation. The amount appropriated is unfortunately enough to maintain only 128 miles. San Juan County and counties in Arizona and New Mexico used to receive a certain amount of funding from two previous highway bills identified as TEA-21 and MAP-21. These bills authorized the U.S. Department of Transportation (USDOT) to allocate funding for the maintenance of school bus routes serving Navajo students. MAP-21, the current federal highway bill, terminated funding for the Indian School Bus Routes Maintenance Program a few years ago despite continuing urgent need. San Juan County and counterparts in Arizona and New Mexico have hired a lobbyist (Tomhave Group) to seek reauthorization. The Navajo Utah Commission and the Utah chapters are seeking the support of Governor Gary R. Herbert, the Utah Legislature, and the San Juan School District in lobbying Congress to reauthorize the Indian School Bus Route Maintenance Program.

- 3. *Tribal Consultation: The Navajo Utah Commission and the Utah chapters are also re-issuing an invitation to Gov. Herbert to visit the Navajo Nation in San Juan County during FY2016 and to address the Navajo Nation Council in Window Rock, Arizona. And finally, congratulations to Gov. Herbert for recent appointment as chairperson for the National Governors Association (NGA).***

The Navajo Nation and the state of Utah have a government to government relationship pursuant to sovereign status of tribes. Recognition and meaningful consultation are necessary to keep dialogue efficient and productive. Governor Gary R. Herbert recognized this unique relationship by enacting a Utah Tribal Consultation Executive Order on July 30, 2015, during the 9th Annual Utah Native American Summit. The Executive Order required the various departments in state government to develop individual departmental policies for guidance and interaction with Utah tribes. After one year, the written policies have not been made available to tribes for review, endorsement, and application. In addition to immediate access to individual tribal leaders, the Navajo Nation has 5 standing committees, and recently established a Task Force committee to work on governmental matters within Utah, New Mexico, and Arizona. The Council delegates serving as Utah Task Force members are Davis Filfred, Herman Daniels, Jr., and Nathaniel Brown. Navajo Nation divisions of the Executive Branch, and one entity (Navajo Utah Commission) specifically-created to work with Utah chapters in the Legislative Branch stand ready to achieve to this end. To build and enhance tribal-state relations, the Navajo Nation strongly recommends designation of the Utah Division of Indian Affairs (UDIA) to cabinet-level status, and appointment of Native Americans to state boards and commissions. The Navajo Utah Commission and the Utah chapters are also re-issuing an invitation to Gov. Herbert to visit the Navajo Nation in San Juan County during FY2016 and to address the Navajo Nation Council in Window Rock, Arizona. And finally, congratulations to Governor Herbert for his recent appointment as chairperson for the National Governors Association (NGA).

4. ***Transportation:*** *The Utah Navajo Revitalization Fund (NRF) recently financed a feasibility study that recommended options and projected cost. The Navajo Utah Commission and the Utah chapters urge Gov. Herbert to work more directly with the Utah Transportation commission in addressing transportation issues in this corner of the state.*

The Navajo Utah Commission and the Utah chapters continue to advocate for Utah Department of Transportation (UDOT) appropriations and reconstruction of State Road 162 in Aneth-Montezuma Creek, and State Road 163 in Monument Valley. State Road 162 has been a long-discussed transportation issue that remains unappropriated. It was originally part of a UDOT project that reconstructed SR162 between Aneth and the Colorado stateline. The 9 mile segment between Aneth and Montezuma Creek has serious engineering challenges as the road is outdated in design and is a major safety matter due to narrow and winding contours. A section of SR 162 is currently washed out near Montezuma Creek. State Road 163 in Monument Valley has similar deficiencies and is of major concern to the community and visitors as well. The Oljato Chapter is currently requesting UDOT to fence the right of way to prevent livestock collisions and off-road damages to land. The Utah Department of Transportation is unfortunately indicating a low-priority for the roads as determined by rating indicators and an extended wait before funding is leveraged. The Oljato and Navajo Mountain chapters are also requesting UDOT to connect the two communities by paved road via Paiute Mesa to address isolation, delivery of governmental services, and economic development. The Utah Navajo Revitalization Fund (NRF) recently financed a feasibility study that recommended options and projected cost. The Navajo Utah Commission and the Utah chapters

urge Governor Herbert to work more directly with the Utah Transportation commission in addressing transportation issues in this corner of the state.

5. ***Utah Navajo Trust Fund Reactivation (S.B. 90):*** *The 2015 Utah Legislature enacted SB90 for the purpose of reactivating services and benefits provided by the Utah Navajo Trust Fund (UNTF) after a seven year absence. Gov. Herbert signed into law SB90 March 30, 2015 and it took effect July 1, 2015.*

While the Navajo Nation acknowledges and expresses appreciation for a new direction of accountability and opportunity for Navajo people residing in Utah, we look to Governor Gary Herbert, State Treasurer Richard Ellis, Utah Navajo Trust Fund Board of Trustees, and administrative personnel to work towards greater oversight and decision making abilities by our Utah Navajos. Effective management and usage, especially with direct service delivery to Navajo people remain of the utmost importance. The historical challenges related to the Utah Navajo Trust Fund should serve as unyielding reminders and lessons learned that local influence and prudent fiduciary responsibility remain critical going forward.

Furthermore, we ask for continued cooperation and improved relations with our local Utah leadership with grassroots organizations, chapter governments, and Navajo Utah Commission, and of course through inter-governmental relations with Office of the President and Vice President and Navajo Nation Council. Through open dialogue and a genuine willingness to sort through our differences, we believe we can make the differences for the people we represent.

We look forward to discussing these matters further at the meeting and appreciate in advance your attention and support of our concerns.

Sincerely,



Russell Begaye, President
NAVAJO NATION



LoRenzo Bates, Speaker
NAVAJO NATION COUNCIL

Herman Daniels Jr., President
Albert Holiday, Vice President
LaNell Menard-Parrish, Secretary/Treasurer
Shirlee A. Bedonie, CSC



Jonathan Nez, Council Delegate
Benedict Daniels, Grazing Official
Peggy Abrigo, AMS
Phone: 435-727-5850 Fax: 5852

Oljato Chapter; PO Box 360455; Monument Valley, Utah 84536

RESOLUTION OF THE OLJATO CHAPTER

Resolution No: OLJ0401-2015

THE COMMUNITY OF OLJATO CHAPTER ARE REAFFIRMING RESOLUTION NUMBER OLJ11-15-2014 PERTINENT TO UTAH DINE' BIKEYAH CONSERVATION PROPOSAL IN SAN JUAN COUNTY, UTAH TO PROTECT DINE' RIGHTS AND INTERESTS ON FEDERAL LANDS FOR FUTURE GENERATIONS.

WHEREAS;

1. Pursuant to Navajo Nation Code, Section 4001 (D) and 4028 (a), (b), the Oljato Chapter is established and certified as a local government entity of the Navajo Nation vested with the authority to review all matters affecting the Chapter and submit appropriate recommendations to the Navajo Nation Government or other local agencies by resolution; and
2. Pursuant to 26 N.N.C., Chapter 1: Navajo Nation Chapter, Section 1., (B) (1) & (2), The Navajo Nation Councils delegated to Chapter governmental authority with respect to local matters consistent with Navajo law, including custom and tradition and allows chapter to make decisions to govern with responsibility and accountability to community membership; and
3. The Oljato Chapter hereby supports the attached resolution based on the Dine' Bikeyah, The Peoples Sacred Land, is a National Conservation Area/National Monument proposal of 1.9⁶ million acres in size and includes additional Wilderness units within and outside of its boundary; and
4. The Oljato Chapter community has known that the National Conservation Area/Monument has been inhabited for more then 12,000 years by multiple indigenous cultures, who crossed and built civilizations on these lands; and
5. It is in the best interest of the Oljato Chapter to address deep concern to prevent rapid destruction of lands and protect of the area as a National Conservation Area/ Monument.

NOW THEREFORE BE IT RESOLVED THAT;

1. The Oljato Chapter herby reaffirms the attached resolution that the Community of Oljato continues to support the Utah Dine Bikeyah Conservation proposal in San Juan County, Utah to protect Dine' Rights and interests on Federal Lands for future generations.

PAGE TWO

Resolution number: OLJ0401-2015


Date: 04/12/15

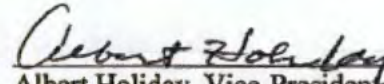
CERTIFICATION

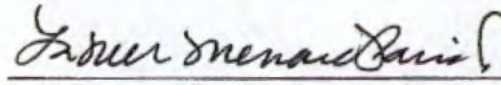
We hereby certify that the foregoing resolution was duly considered by the Oljato Chapter at a regular duly called meeting at Oljato, Navajo Nation, Utah at which a quorum was present and that same was passed by a vote of 53 in favor, 0 opposed and 3 abstained, this 12 day of APRIL 2015.


1st Motion by: Wesley Simpson

2nd Motion by: Shirlee Bedonie


Herman Daniels Jr., Chapter President


Albert Holiday, Vice-President


LaNell Menard-Parrish, Secretary/Treasurer


Benedict Daniels, Grazing Officer

RESOLUTION OF THE
NAABIK'ÍYÁTI' COMMITTEE OF THE
NAVJAO NATION COUNCIL

23RD Navajo Nation Council---First Year 2015

AN ACTION

RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE AND THE NAABIK'ÍYÁTI' COMMITTEE; SUPPORTING THE UTAH DINÉ BIKEYAH CONSERVATION PROPOSAL FOR THE FEDERAL DESIGNATION OF BEAR'S EARS NATIONAL CONSERVATION AREA/NATIONAL MONUMENT IN SAN JUAN COUNTY, UTAH, TO PROTECT NATIVE RIGHTS AND INTERESTS ON FEDERAL LANDS FOR FUTURE GENERATIONS

WHEREAS:

1. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. §102(A). All powers not delegated are reserved to the Navajo Nation Council. 2 N.N.C. §102(B). The Navajo Nation Council shall supervise all powers delegated. 2 N.N.C. §102(C).
2. The Naabik'iyáti' Committee is one of five standing committees of the Navajo Nation Council and is comprised of all twenty-four members of the Navajo Nation Council. The Committee is authorized to assist and coordinate all requests for information, appearances and testimony relating to proposed county, state and federal legislation impacting the Navajo Nation. 2 N.N.C. §§ 180 and 701(A)(6).
3. The Navajo Nation includes communities in San Juan County, Utah; these communities depend on federal lands and resources within San Juan County, Utah; a copy of a Memorandum of Understanding between the Utah Dine Bikeyah, A Utah Non-Profit Corporation and the Navajo Nation Division of Natural Resources is attached as Exhibit B; and
4. The Navajo Nation members occupy a special status as both U.S. citizens and members of the Navajo Nation whose ancestral lands encompass all of San Juan County; and

5. Bear's Ears area within San Juan County, Utah, is part of the proposed National Conservation Area/National Monument to consist of 1.9 million acres and would include additional Wilderness units within and outside of its boundary. This region is the ancestral home of many Southwestern Native American Tribes, including the Navajo, Hopi, Zuni, Acoma, Zia, and Jemez Pueblos along with the Ute Mountain, Southern, and Uintah Ouray Utes, the San Juan, Kaibab, and Utah Paiute Tribes and the Jicarilla Apache Tribes which assert their affiliation, occupation and enduring use of these lands. The Bear's Ears region is also the birthplace of Navajo Headman Manuelito; and
6. The proposed National Conservation Area/National Monument is bordered on the west by the Colorado River and on the south by the San Juan River and the Navajo Nation; the proposed National Conservation Area/National Monument is characterized by prodigious topographic diversity and striking landforms containing intricately rich ecological systems; the Navajo and other Tribes depend upon the land within the proposed National Conservation Area/National Monument to sustain their traditional livelihoods and cultural practices. Cedar Mesa, the proposed National Conservation Area/National Monument's centerpiece, offers sprawling vistas of Comb and Butler Washes, and extends beyond to Moki, Red, Dark, Grand Gulch, and White canyons that each support verdant ribbons of riparian habitat. Desert bighorn sheep grace the lower desert lands while the 11,000 foot Abajo Mountains host forests of ponderosa pine, spruce, fir and aspen, providing a home to mule deer, elk, black bear and mountain lion, sacred icons of the mesa's original peoples. Paramount for the Navajo, the majority of the regions inhabitants, is the proper management of the proposed National Conservation Area/National Monument's native plants and wildlife that are food, shelter and medicine and its cultural sites that are central to their spiritual practices; and
7. This region contains unsurpassed cultural and paleontological resources; the proposed National Conservation Area/National Monument is world renowned for the integrity and abundance of its archaeological resources. Six cultural special management areas are within the proposed National Conservation Area/National Monument boundaries: Alkali Ridge National Historic Landmark, the Hole-in-the-Rock Historical Trail and the Grand Gulch, Big Westwater Ruin, Dance Hall Rock, Sand

Island Petroglyph Panel, the Newspaper Rock Petroglyph Panel, and the Butler Wash Archaeological District National Register site. Also occurring in the proposed National Conservation Area/National Monument's 19 distinct geologic units are scientifically significant vertebrate and non-vertebrate paleontological resources that are particularly abundant in the Cedar Mountain, Burro Canyon, Morrison, and Chinle Formations; and

8. The proposed National Conservation Area/National Monument has been inhabited for more than 12,000 years by multiple indigenous cultures, which crossed, and built civilizations on these lands. At the Lime Ridge Clovis site is evidence of Paleoindian occupation and the archaeological record indicates widespread use between 6000 B.C. and A.D. 100 by Archaic Peoples. Possessing numerous Archaic Period sites of varying size and complexity are Cedar Mesa, Elk Ridge, and Montezuma Canyon. While other notable sites include Alkali Ridge, Cowboy Cave, Old Man Cave, and Dust Devil Cave. The heaviest occupation of the proposed National Conservation Area/National Monument lands was perhaps by the Formative Period Peoples (AD 100-AD 1300) who left very large numbers of archaeological sites ranging from small lithic scatters to large highly complex village sites; and
9. The proposed National Conservation Area/National Monument includes Bureau of Land Management Wilderness Study Areas and lands with Wilderness Characteristics and U.S. Forest Service Roadless Areas. Vast, remote desert mesas cut by sheer walled serpentine canyons provide unparalleled solitude and scenic quality that is comparable to or exceeds those found in nearby national parks and monuments, such as Canyonlands, Arches, Grand Staircase, Natural Bridges, Hovenweep, and Mesa Verde; and
10. Priority Management values to protect within the proposed National Conservation Area/National Monument are: archaeological, wildlife, natural and scenic resources. An essential aspect of the proposed National Conservation Area/National Monument's management is to better protect these resources and to ensure their ongoing and sustainable use; and
11. Native Americans have unique and important cultural and historical ties to the land, its wildlife and other natural resources; and the Navajo people have traditional ties to this particular landscape for hunting, medicinal herbs, food gathering, firewood gathering and the grazing of livestock; and

12. Native Americans have shown quality and excellence in managing lands and natural resources to protect the cultural integrity of the homeland of Native peoples; and
13. These areas are under constant threat of cultural vandalism, looting of Native cultural sites, indiscriminate off road vehicle use that damages areas sacred to Native peoples, energy development footprints that negatively impact lands of historic and cultural importance, and general degradation of wildlife and plant habitats of importance to Native traditional practices; and
14. To prevent this rapid destruction of lands in the San Juan County region important to Native peoples, formal protection as a national conservation area or national monument is required; and
15. Formal protection of the area as a National Conservation Area/National Monument will provide important consistency and quality to management of these lands, and define principles of management that will positively affect Native values on these lands in the following ways:
 - A. Protection will be permanent, part of a national system of protected lands that carry strong and clear legal definitions of the primacy of conservation of cultural, historical and ecological values that define Native connections to these lands.
 - B. Protection as a national conservation area or national monument creates important opportunities for Native American co-management of these resources and increased funding for protection with an emphasis on conservation and preservation of the region's cultural and natural resources.
 - C. Protection should be at the largest landscape level possible, providing connectivity of wildlife and plant habitats, ecological integrity of the region and be comprehensive in its protection of Native sacred sites, which cannot be considered out of the context of the larger landscape.
 - D. Protection of the region as a national conservation area or national monument will be a top priority for concerned federal agencies, with public involvement and prioritization of staffing, resources and cooperation with Native peoples.


16. It is in the best interest of the Navajo Nation to support the federal designation of 1.9 million acres in San Juan County, Utah, as the Bear's Ears National Conservation Area/National Monument. Resolutions in support of the federal designation are attached as Exhibit A.

THEREFORE BE IT RESOLVED, THAT THE NAVAJO NATION COUNCIL'S NAABIK'ÍYÁTI' COMMITTEE EXTENDS ITS SUPPORT FOR:

1. The designation of the 1.9 million acres in San Juan County, Utah, as the Bear's Ears National Conservation Area/National Monument.
2. The designation of identified roadless areas as wilderness under the Wilderness Act.
3. Establishment of Collaborative Management Agreement(s) between the Navajo Nation, other Tribes and the federal government to improve management and elevate the Native American voice in the long-term sustainable management of the region.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Naabik'iyáti' Committee of the 23rd Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 15 in favor, 0 oppose, 0 Abstain this 12th Day of March, 2015.



Honorable LoRenzo C. Bates, Chairperson
Naabik'iyáti' Committee

Motion: Honorable Alton Joe Shepherd
Second: Honorable Jonathan Nez



Utah Diné Bikéyah
February 23, 2015

The Honorable Rob Bishop
United States House of Representatives
123 Cannon House Office Building
Washington, D.C. 20515

Re: Bear's Ears Proposal and Public Lands Initiative

Dear Congressman Bishop,

On February 12th, President Shelley of the Navajo Nation asked Governor Herbert for support in advancing the Bear's Ears proposal during the Native American caucus in Salt Lake City. The governor's advice was to get our proposal to you and Congressman Chaffetz as soon as possible.

As you are aware, planning around the Public Lands Initiative has been moving at a fast pace in San Juan County for the past several weeks. Based on recommendations of your staff, Utah Diné Bikéyah (UDB) has been trying in earnest to re-engage with the San Juan County Commission and understand the path forward for advancing the Navajo proposal through these channels. This process remains uncertain. The Navajo Nation and UDB's main concerns at this point are that we still have no clarity on the path forward despite a rapidly approaching deadline of March 27th. We still have no understanding of the level of support we have from Commissioners for the Bear's Ears proposal, nor do we know when they might take a position. As a result, we would like to work directly with your office to ensure that Navajo needs are understood and included in the draft map and legislation you are preparing.

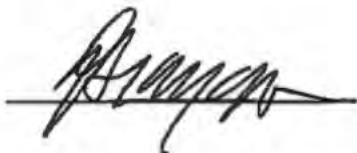
Toward this goal we want to meet to discuss key elements of the Navajo proposal and provide you details that are currently under development.

Items we are prepared to discuss now and deliver to you in the coming weeks include:

- 1) Draft Collaborative Management legislative language
- 2) Definition of "Nahodishgish" and Wilderness recommendation boundaries within NCA
- 3) Amendment of the NCA boundary to accommodate Ute Mtn Ute Tribe request in Cottonwood Wash

Thank you for your consideration of the Bear's Ears proposal and please let us know when you are available to meet.

Sincerely,



Willie Grayeyes
Chairman, Utah Dine Bikeyah

Cc: Congressman Jason Chaffetz, Senator Orrin Hatch, Senator Mike Lee, Secretary Sally Jewell, and Governor Gary Herbert

THE NAVAJO NATION



BEN SHELLY PRESIDENT
REX LEE JIM VICE PRESIDENT

January 30th, 2015

The Honorable Rob Bishop

United States House of Representatives
123 Cannon House Office Building
Washington, D.C. 20515

Re: Eastern Utah Public Lands Initiative

Dear Congressman Bishop,

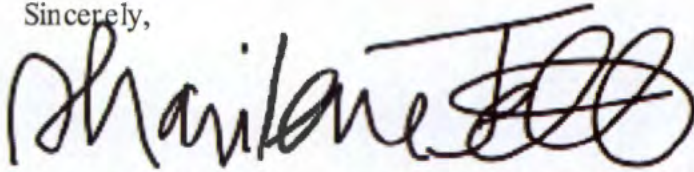
Congratulations on your recent appointment as Chairmen of the House Natural Resources Committee in the 114th Congress. This is a significant accomplishment and I look forward to working with you and your staff in the months ahead to advance the Utah Eastern Public Lands Initiative and other important bills. As you are aware the Navajo Nation has been a leader in bringing local people together in San Juan County and has presented your office with a proposal to protect the cultural interests of the Diné on federal lands in southeastern Utah.

To best support this legislative process, the Navajo Nation is seeking clarity on next steps for working with your office, San Juan County, and others to ensure that Navajo positions are well represented in the final bill. Support continues to grow among Navajo communities, Utah Chapter House officials, and among other Tribes for protection of the Bear's Ears region. This proposal includes the establishment of a 1.9 million acre National Conservation Area, wilderness areas, and a model agreement for collaborative management between land management agencies, the Navajo Nation, and other Native American Tribes. Prior to the drafting of legislation I would like to present and discuss collaborative management language to your office as this component is of high interest for inclusion in the final bill.

Navajo Nation officials hope the legislative process in San Juan County is successful and we request feedback from your office on when and how to move forward. Please contact me at your earliest convenience and also include Gavin Noyes, Executive Director of Utah Diné Bikéyah (UDB.) UDB holds a Memorandum of Understanding with the Navajo Division of Natural Resources to represent Diné community interests in this project and UDB should be included in all communications and discussions as we move forward.

Thanks for your efforts to advance this important legislation and for your commitment to including the voice of Diné People as we move forward.

Sincerely,

A handwritten signature in black ink, appearing to read "Sharilene Jeff". The signature is fluid and cursive, with a large, stylized initial "S" and "J".

Sharilene Jeff, Executive Director, Navajo Nation Division of Natural Resources

Cc: Congressman Jason Chaffetz, Secretary Sally Jewell, Governor Gary Herbert, and SJC Commission Chair Phil Lyman

(Council of Mexican Water Chapter Government)

Notice is hereby given to the general public that the Council of Mexican Water Chapter Government will convene a regular chapter meeting open to the public on November 09, 2014 at Mexican Water Chapter Multipurpose Building Complex 1 locate at Highway 191 N Milepost#2, Mexican Water, Utah beginning at 10:00 o'clock a.m.

Information regarding the following agenda items may be reviewed in the office of the Council Manager at Highway 191 N Milepost#2, Mexican Water, Utah

The Council may vote to convene in Executive Session, which will not be open to the public for discussion or consultation for legal advice with the attorney or attorneys of the Council for any agenda item below

Members of the Council will attend either in person or by telephone, video or internet conferencing.

If any disabled person needs any type of accommodation in order to attend this meeting, please notify Braniel Smith at (928) 429-0986 at least seventy-two (72) hours prior to the time scheduled for the meeting.

I. REGULAR CHAPTER MEETING

A. Call to Order by Jerry Tsosie @ 11:10 a.m.

B. Invocation Mary R. Benally

C. Roll Call by Mary Ann Woody for the record

D. Approval of previous meeting Journal of Proceedings/minutes of October 08, 2014

Motion for approval by Mary R. Benally, second by Wilhelmina John with a vote of 16 in favor, 0 opposed, 1 abstained, motion carried

E. Approval of Agenda

Motion for approval by Thomas Poyer, second by Gladys Begay with a vote of 16 in favor, 0 opposed, 1 abstained, motion carried with the addition below.

Question: TPoyer - Item B, wants to thank the voting people and the votes and on top of that we did transfer of budget and veterans organization as a group and we are part of this chapter, why was our budget carry over just been put aside and wants to have it approve, etc. He wants to re-add the budget so it can be voted on today. He wants all the listed items on planning agenda as is and have it approve today.

There was a request to purchase a **Flag** for the late Bennie S. Begay Sr. to present to his wife. We planned to present this Flag to the spouse today and at Veterans Day but apparently this did not happen. We did selected another commander – Ttsiniginie. I just wondering why we are considered to be an outsider, we are part of this chapter and sometimes we feel like we are just being pushed away at times, this is not the first time, it have happened too many times, etc.

CPresident: Back in September all subcommittee updated their plan of operation, did veterans submitted their plan of operation as is with a memo, etc.? During planning meeting, we had questions on it and there was no representative there at the meeting.

VPresident: During planning meeting we had questions on all the listed items. Who were the officers? 2014 to 2015 budget transfer (\$31,767.00), housing policy, FY 2015 allocation, Veterans Financial Assistance for 2015, Client List for 2015, AZ (2), UT (2) from Trust Fund, Request for assistance (3) equals \$900.00. David requested the voting party to add the above list and what was listed on the planning agenda since there are three veterans present today here at the chapter meeting. According to Thomas Poyer president for the Veterans Organization they submitted all the paperwork that was requested to Chapter Coordinator before planning meeting and did informed the people requesting for assistance to be present at the planning meeting, etc.

II. OLD BUSINESS - none

III. **NEW BUSINESS/ACTION ITEMS**

- A. MWCNOV09-006** Recommend to select and appoint a Soil & Water Conservation District Representative for Fiscal Year 2015
Sarah Yanito motion for discussion and second by Mary R. Benally with a vote of 16 in favor, 0 opposed, 2 abstained, motion carried
Harry Descheeny was a representative for many years. He stated that he wants to get off. Their meeting is usually in Shiprock every month and they have a lot of money they are working with.
Comment: RYanito – Does Harry want to get off? Response is yes.
CPresident – does Curtis Yanito (grazing rep.) be willing to be the representative? We will get a resolution ready for you and take that over there but see Chapter Coordinator first and inform her and we can put your name on the resolution.
- B. NWCNOV09-007** Approve and accept the FY 2015 Veterans Organization Plan of Operation
Motion for approval by Sarah Yanito, second by Doris Haskan with all item listed on the planning agenda and all 2014 to 2015 budget transfer (\$31,767.00), housing policy, FY 2015 allocation, Veterans Financial Assistance for 2015, Client List for 2015, AZ (2), UT (2) from Trust Fund, Request for assistance (3) equals \$900.00. With a vote of 17 in favor, 0 opposed, 2 abstained, motion carried.
Comment: RYanito – Why? It's not fair.
VPresident: We had no Veterans Representative at the planning meeting and we had questions on the items so now we have three Veterans present here and they explained all the listed items, etc. We just need to approve it as is.
- C. MWCNOV09-008** Supporting and Approving to request the Navajo Nation Community Development Block Grant (CDBG) to allocate FY 2015 funding for the Mexican Water Chapter Utah Scattered Phase II Power Line Project to construct 4.39 miles of power line to serve twelve (12) homes located within San Juan County, Utah
Motion for support by Mary R. Benally, second by Thomas Poyer for item C to K with a vote of 17 in favor, 0 opposed, 1 abstained, motion carried
Comment: RYanito – who are getting power line? There is one person who has been requesting for power line and has not happened yet, maybe put this person on the list.
VPresident read item C to K and explain each item in Navajo term so that all understands what they are. These are just wish list... Administration has the list of people and we can request for it or post it? We can add this person if Richard has the name.
- D. MWCNOV09-009** Supporting Approving to request the Navajo Nation Community Development Block Grant (CDBG) to allocate FY 2014 funding of \$1,486,915.33 for the Phase 3 Power Line Extension Project Construction
- E. MWCNOV09-010** Approve to request Navajo Revitalization Fund (NRF) Board to authorize expenditure of \$5,000.00 from the FY 2015 Chapter Project Allocation to be used towards the Technology Project within the 50 acre land tract development
- F. MWCNOV09-011** Approve to request Navajo Revitalization Fund (NRF) Board to authorize expenditure of \$5,000.00 from the FY 2015 Chapter Project Allocation to be used towards the Tourism Cabins Project within the 50 acre land tract development
- G. MWCNOV09-012** Approve to request Navajo Revitalization Fund (NRF) Board to authorize expenditure of \$2,500.00 from the FY 2015 Chapter Project Allocation to be used towards labor funds (Marketing is already on the way out there, people making reservation). We do have Van available to haul tourist for sight-seeing, etc.

- H. **MWCNOV09-013** Approve to request Navajo Revitalization Fund (NRF) Board to authorize expenditure of \$2,266.00 from the FY 2015 Chapter Project Allocation to be used towards Housing Materials
- I. **MWCNOV09-014** Approve to request Navajo Revitalization Fund (NRF) Board to authorize expenditure of \$2,500.00 from the FY 2015 Chapter Project Allocation to be used towards the Flag Pole installation at MPB within the 50 acre land tract development
- J. **MWCNOV09-015** Supporting and approving to contract for information Technology (IT) for computer maintenance and networking monitoring services for FY 2015
- K. **MWCNOV09-016** Approving to authorize expenditure from the Mexican Water Chapter Capital Outlay Funds of \$59,284.44 for preliminary right of way cost to provide services to twelve (12) clients within Mexican Water, San Juan County, Utah and NTUA will commence with archaeological clearance, environmental assessment, and legal survey of ROW easement for PL extension
- L. **MWCNOV09-015** Approve and Support Utah Dineh Bi ke'yak conservation proposal in San Juan County Utah to protect Dine Rights and interest on Federal Land
Motion for approval by Mary R. Benally, second by Richard Yanito with a vote of 18 in favor, 0 opposed, 1 abstained, motion carried

IV. REPORTS/ANNOUNCEMENTS

CPresident: \$554M Settlement Public Hearing will set one for Utah people, probably at Whitehorse High School. CLUP meeting was held last week and has been completed.

Grazing Rep.: went over the \$554M that was on the board:

8% 44.32M attorney fee

8% 44.32M Land Acquisition

4% 22.16M Veterans

2% 11.08M

12% 66.48M Permanent Trust

TOTAL: 24%

Left Over 409.9M 66%: This is what we need to discuss with the community. There is already a Permanent Trust Account. Some are saying we need to save it and put it into a Trust Fund for interest, just like what Peterson Zah did which is now probably at a Billion, etc.

CPresident: CLUP has listed some items for this public hearing, we need to discuss how we can use the outcome of the public hearing, etc.

Question: RYanito, where is this money at?

Vice-President: There was law suit and Navajo Nation won this money back

KMaryboy: Just do a Per Capita; let the people have it, why just put it in the bank.

MR. Benally: If its Per Capita, we are just going to run out of money (waste it, we need water, electricity, home, schools, use it for chapter projects. **November 18 is CLUP meeting.** Come and discuss the issue.

TPoyer: We have been hearing about this \$554M. Certain people have nice/good roads, homes, etc. Why just 2% for Veterans? More people/Veterans in other Agencies. He has a question for item 4, \$161.48 what was this? Find out what this was from the administration

A. Financial Reports (Attached)

Motion for item 1 to 7 under financial reports by Thomas Poyer, second by Wilhelmina John with a vote of 18 in favor, 0 opposed, 1 abstained, motion carried

1. Ratification of October 2014 Payroll Expenses of **\$9,091.01**

2. Ratification of October 2014 Chapter Official Stipend Expenses of **\$3,000**

3. Ratification of October 2014 Chapter Grazing Official Stipend Expenses of **\$00**
4. Ratification of October 2014 Chapter Veteran Organization Expenses of **\$161.48**
5. Ratification of October 2014 Scholarship Expenses of **\$00**
6. Ratification of October 2014 Vouchers Expenses of **\$122,946.82**
7. Budget Transfer /Modifications to cover expenses incurred October 2014

B. Quarterly Reports (Written/Oral) The Recorder went out here

1. Program for Self-Reliance
2. DCRM – Clarinda Clark from Farmington, NM
3. Council Delegate, Kenneth Maryboy

A lot of issues regarding NN President, etc. Voted against the Navajo Language. Council doesn't give a dam and Washington is overseeing them. There is no Veterans Fund in Washington. There was an agreement somewhere down the road there that they will never pick up a weapon again. 18 6 gun during WWII, Hep E disease never got paid for it but Whites got paid for and no Navajo person. Our Language won the war, etc.

Chris D. never came to the chapter but Russell Begay seems to be OK and will help us. Had a meeting with Russell Begay and told him why he choose Jonathan Nez. Was told him about the Land Bill and Trust Fund and Water Settlement, want Kenneth to work on it. McLaughin, a lot of money given to in Kayenta Township and due to that a law suit against Russell Begay so there will be Donald Benally, etc., Dine Benally law suit against him with Joe Shirley. Navajo Supreme Court.

Dineh Bi Ke'yah – is moving along the way (Bruce Babbit) came and gave him a tour of Bear's Ears, etc. "It Means Most While" was a statement by him. There were people around that area. Oljato has a lot of questions on this.

San Juan County Alliance: BLM and are doing a town hall meeting. Separate from the County 1.9M acres give back to the Navajo People

RYanito: need date of the meeting; there is a flyer which will be posted, etc. November 12 at MW 5:00: November 14. I took a picture of it, etc.

Ruby William – NN President for 2 terms instead of 3 or 4, etc.

The election is Council's fault, not doing anything about it but the bottom line is Chris D. lied about the use of Navajo Language. Danny Sampson put forth a paper, saying that just English! "Remove Maryboy from Competition" a paper went out again.

Mary Benally – comment, this Navajo Language, we are all at fault, each one of us. We don't teach our children the Navajo Way, etc. So teach your children while they're young. "Don't say Squaw Dance" Enemy Way Ceremony, etc.

DJohn – Five Year Program, don't understand Navajo Language so everybody spoke to him in English

TPoyer – we are going along every day, our children are going to school and learning what they are interested in. Too many naataanii and we listened to them speak, etc.

4. Grazing Committee Representative, Curtis Yanito
 1. Land Bill in Utah on November 12, 2014 here at Mexican Water (Water Issue) concerns all of us, etc. Talk about it and discuss it
 2. Branding/Count all papers have been turn in – submitted
 3. 2015 branding is coming forth and next year don't hide your animals, every animal has to be accounted for.
 4. Budget: A lot of LAWS, it seems like everything has policy such as Navajo Range Land was not made for the people, we want to do the paperwork ourselves

5. Grazing Permit: 1906 has been used and forgotten since then, a lot of work we do for free and gas is high (cost of living), etc. Just a little bit of money is allocated for us. We want to get the same amount as the chapter officials.\
6. We are told to go to water conservation meetings which we do but don't get paid for
7. Requesting for resolution regarding allocation of money just like the Chapter Officials
8. Conferences: no money for traveling to places, etc. Permit Holder meetings and we need food for these meetings.
9. Horse Training happened in Toda (3) horses were trained. It was a big turnout. Right now they are doing one in Red Mesa.
10. Niinanizaa on November 20, 2014.

Vice-President: We used to put money in Supplemental Fund but they don't do this anymore. \$500.00 a meeting for next chapter meeting and approve his resolution he is requesting and asking the motioning party and add adjournment.

Motion by Thomas Poyer and second by Roy Hathale with a vote of 25 in favor, 0 opposed, 1 abstained, which includes all quarterly reports and adjournment, motion carried.

5. UNHS, INC Health Board, Cassandra Beletso – no show
6. Chapter Officials

V. **MEETING ADJOURNMENT** by Jerry Tsosie @ 2:07 p.m.

Posted by: Mary Ann Woody

Date Posted: 11-09-2014

Time Posted: 2:08 p.m.



Tółíkan Chapter

P. O. Box 105 • TeecNosPos, Arizona 86514

RESOLUTION # TC-109 – 12/07/2014

SUPPORTING THE UTAH DINE BIKEYAH CONSERVATION PROPOSAL IN SAN JUAN COUNTY, UTAH TO PROTECT DINE RIGHTS AND INTERESTS ON FEDERAL LANDS FOR FUTURE GENERATIONS.

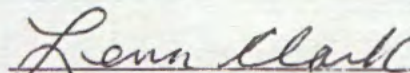
WHEREAS:

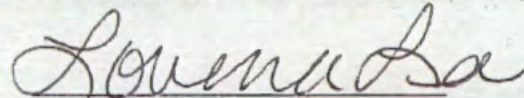
1. Tolíkan Chapter is officially recognized and certified as a political unit of the Navajo Tribal Government pursuant to Navajo Tribe Council Resolution No. CJ-20-55; and
2. Tolíkan Chapter includes community members that live in San Juan County and depend on its federal lands and resources; and
3. Tolíkan Chapter community members occupy a special status as both U.S. citizens and members of the Navajo Nation whose ancestral lands encompass all of San Juan County; and
4. The Diné Bikéyah, *the Peoples Sacred Land*, is a National Conservation Area/ National Monument proposal of 1.9 million acres in size and includes additional Wilderness units within and outside of its boundary. This region is the ancestral home of many Southwestern Native American Tribes, including the Navajo, Hopi, Zuni, Acoma, Zia, and Jemez Pueblos along with the Ute Mountain, Southern, and Uintah Ouray Utes, the San Juan, Kaibab, and Utah Paiute Tribes and the Jicarilla Apache Tribe, assert their affiliation, occupation and enduring use of these lands; and
5. The National Conservation Area/ Monument is bordered on the west by the Colorado River and on the south by the San Juan River and Navajo Nation Reservation, the Conservation Area/ Monument is characterized by prodigious topographic diversity and striking landforms. Containing intricately rich ecological systems, the Navajo and other Tribes depend upon the Conservation Area/ Monument to sustain their traditional livelihoods and cultural practices. Cedar Mesa, the Conservation Area/ Monument's centerpiece offers sprawling vistas while Comb and Butler Washes, and extends beyond to Moki, Red, Dark, Grand Gulch, and White canyons that each support verdant ribbons of riparian habitat. Desert Bighorn Sheep grace the lower desert lands while the 11,000 foot Abajo Mountains host forests of Ponderosa Pine, Spruce, Fir and Aspen, providing a home to Mule Deer, Elk, Black Bear and Mountain Lion, sacred icons of the mesa's original peoples. Paramount for the Navajo, the majority of the regions inhabitants, is the proper management of the Conservation Area/ Monument's native plants and wildlife that are food, shelter and medicine and its cultural sites that are central to their spiritual practices.
6. This region contains unsurpassed cultural and paleontological resources; the Conservation Area/ Monument is world renowned for the integrity and abundance of its archaeological resources. Six cultural special management areas are within the Conservation Area/ Monument boundaries; Alkali Ridge National Historic Landmark, the Hole-in-the-Rock Historical Trail and the Grand Gulch, Big Westwater Ruin, Dance Hall Rock, Sand Island Petroglyph Panel, the Newspaper Rock Petroglyph Panel, and the Butler Wash Archaeological District National Register site. Also occurring in the Conservation Area/ Monument's 19 distinct geologic units are scientifically significant vertebrate and non-vertebrate paleontological resources that are particularly abundant in the Cedar Mountain, Burro Canyon, Morrison, and Chinle Formations
7. The National Conservation Area/ Monument has been inhabited for more than 12,000 years by multiple indigenous cultures, who crossed, and built civilizations on these lands. At the Lime Ridge Clovis site is evidence of Paleo-Indian occupation and the archaeological record indicates widespread use between 6000

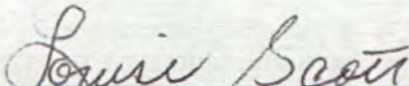
- Designation of the full extent of the Dine Bikeyah National Conservation Area/ National Monument in San Juan County, Utah
- Designation of identified roadless areas as Wilderness
- Establishment of Co-management Agreement(s) between the Navajo Nation/ other Tribes and the federal government to improve management and elevate the Native American voice in the long-term sustainable management of the region

CERTIFICATION

We, hereby, certify that the foregoing resolution was considered by the Tolikan Chapter at a duly called meeting in which a quorum was present was motioned by Howard Yazzie; seconded by Carole Blackhat and that same was passed by a vote of 23 in favor; 00 opposed and 03 abstained, this 7th day of December 2014.


Lena Clark, President


Lovena Lee, Vice-President


Louise Scott, Secretary/Treasurer

David Tsosie, Grazing Committee

Kenneth Maryboy, Council Delegate



TEEC NOS POS CHAPTER

P. O. Box 106, Teec Nos Pos, Arizona, Navajo Nation 86514
Highway 160 BIA School Road #5114 Chapter Government Building
Telephone #928-656-3662 Facsimile #928-656-3661

RESOLUTION OF TEECNOSPOS CHAPTER

TNPCH 11-09-14 82R

SUPPORTING THE UTAH DINE BIKEYAH CONSERVATION PROPOSAL IN SAN JUAN COUNTY, UTAH TO PROTECT DINE RIGHTS AND INTERESTS ON FEDERAL LANDS FOR FUTURE GENERATIONS.

WHEREAS:

1. The TeecNosPos Chapter is a certified Chapter of the Navajo Nation established and recognized as a political unit of the Navajo Tribal Government pursuant to Navajo Tribe Council Resolution No. CJ-20-55; and
2. The TeecNosPos Chapter includes community members that live in San Juan County and depend on its federal lands and resources; and
3. The TeecNosPos Chapter community members occupy a special status as both U.S. citizens and members of the Navajo Nation whose ancestral lands encompass all of San Juan County; and
4. The Dine Bikeyah, *the Peoples Sacred Land*, is a National Conservation Area/ National Conservation Area/ National Monument proposal of 1.9 million acres in size and includes additional Wilderness units within and outside of its boundary. This region is the ancestral home of many Southwestern Native American Tribes, including the Navajo, Hopi, Zuni, Acoma, Zia, and Jemez Pueblos along with the Ute Mountain, Southern, and Uintah Ouray Utes, the San Juan, Kaibab, and Utah Paiutes Tribes and the Jicarilla Apache Tribe, assert their affiliation, occupation and enduring use of these lands; and
5. The National Conservation Area/ Monument is bordered on the west by the Colorado River and on the south by the San Juan River and Navajo Nation Reservation, the Conservation Area/ monument is characterized by prodigious topographic diversity and striking landforms. Containing intricately rich ecological systems, the Navajo and other Tribes depends upon the Conservation Area/ Monument to sustain their Monument's centerpiece offers sprawling vistas while Comb and Butler Washes, and extends beyond to Moki, Red, Dark, Grand Gulch, and White canyons that each support verdant ribbons of riparian habitat. Desert Bighorn Sheep grace the lower desert lands while the 11,000 foot Abajo Mountains host forests of Ponderosa Pine, Spruce Fir, and Aspen, providing a home to Mule Deer, Elk, Black Bear and Mountain Lion, sacred icons of the mesa's originals peoples. Paramount for the Navajo, the majority of the regions inhabitants, is the proper management of the Conservation Area/ Monument's native plants and wildlife that are food, shelter and medicine and its culture sites that are central to their spiritual practices.

CHAPTER OFFICERS

Alfred L. Jiro Arqold L. Bitab Verge Francisco
President Vice President Secretary/Treasurer

Hernando Lee Kasey Maryboy
Grazing Officer Council Delegate

ADMINISTRATION

vacant vacant
Chapter Coordinator A.M.S.

6. This region contains unsurpassed culture and paleontological resources; the Conservation Area/ Monument is world renowned for the integrity and abundance of its archaeological resources. Six cultural special management areas are within the Conservation Area/ Monument boundaries; Alkali Ridge National Historic Landmark, the Hole-in-the-Rock Historical Trail and the Grand Gulch, Big West water Ruin, Dance Hall Rock, Sand Island Petroglyph Panel, the Newspaper Rock Petroglyph Panel, and the Butler Wash Archaeological District National Register site. Also occurring in the Conservation Area/ Monument's 19 distinct geologic units are scientifically significant vertebrate and non-vertebrate paleontological resources that are particularly abundant in the Cedar Mountain, Burro Canyon, Morrison, and Chinle Formations.

7. The National Conservation Area/ Monument has been inhabited for more than 12,000 years by multiple indigenous cultures, who crossed, and built civilizations on these lands. At the Lime Ridge Clovis site is evidence of Paleo-Indian occupation and the archaeological record indicates widespread use between 6000 B.C. and A.D. 100 by Archaic Peoples. Possessing numerous Archaic Period sites of carrying size and complexity are Cedar Mesa, Elk Ridge, and Montezuma Canyon. While other notable sites include Alkali Ridge, Cowboy Cave, Old Man Cave, and Dust Devil Cave. The heaviest occupation of the Conservation Area/ Monument lands was perhaps by the Formative Period Peoples, (AD 100-AD 1300) who left very large numbers of archaeological sites ranging from small lithic scatters to large highly complex village sites.

8. The Conservation Area/ Monument includes Bureau of Land Management Wilderness Study Areas and lands with Wilderness Characteristics and U.S. Forest Service Roadless Areas. Vast, remote desert mesas cut by sheer walled serpentine canyons provide unparalleled solitude and scenic quality that is comparable to or exceeds those found in nearby national parks and monuments, such as Canyonlands, Arches, Grand Staircase, Natural Bridges, Hovenweep, and Mesa Verde.

9. Priority management values to protect within the Conservation Area/ Monument are: archaeological, wildlife, natural and scenic resources. An essential aspect of the Conservation Area/ Monument's management is to better protect these resources and to ensure their ongoing and sustainable use.

10. Native Americans have unique and important cultural and historical ties to the land, its wildlife and other natural resources; and the Navajo people have traditional ties to this particular landscape for hunting, medicinal herbs, food gathering, firewood gathering and the grazing of livestock; and,

11. Native Americans have shown quality and excellence in managing lands and natural resources to protect the cultural integrity of the homeland of Native peoples; and

12. These areas are under constant threat of cultural vandalism, looting of Native cultural sites, indiscriminate off road vehicle use that damages areas sacred to Native peoples, energy development footprints that negatively impact lands of historic and cultural importance, and general degradation of wildlife and plant habitats of importance to Native traditional practices; and

13. To prevent this rapid destruction of lands in the San Juan County region important to Native Peoples, formal protection as a national conservation area or national monument is required; and

14. The formal protection of the area as a National Conservation Area/Monument will provide important consistency and quality to management of these lands, and define principles of management that will positively affect Native values on these lands in the following ways: and

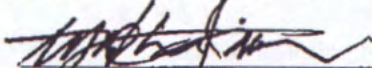
- Protection will be permanent, part of a national system of protected lands that carry strong and clear legal definitions of the primacy of conservation of cultural, historical and ecological values that define Native connections these lands.
- Protection as a national conservation area or national monument creates important opportunities form Native American co-management of these resources and increased funding for protection with an emphasis on conservation and preservation of the region's cultural and natural resources.
- Protection should be at the largest landscape level possible, providing connectivity of wildlife and plant habitats, ecological integrity of the region and be compressive in its protection of Native sacred sites, which cannot be considered out of the context of the larger landscape.
- Protection of the region as a national conservation area or national monument will be a top priority for concerned federal agencies, with public involvement and a prioritization of staffing, resources and cooperation with Native peoples.

NOW THEREFORE BE IT RESOLVED THAT:

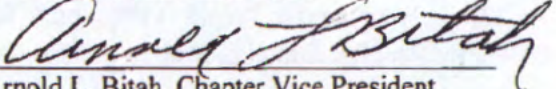
1. The TecNosPos Chapter hereby respectfully extends its support for:
 - a. *Designation of the full extent of the Dine Bikeyah National Conservation Area/National Monument in San Juan County, Utah.*
 - b. *Designation of identified road less areas as Wilderness.*
 - c. *Establishment of Co-management Agreements(s) between the Navajo Nation/other Tribes and the federal government to improve management and elevate the Native American voice in the long-term sustainable management of the region.*

C E R T I F I C A T I O N

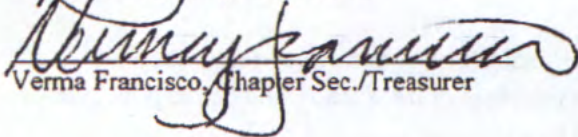
We, hereby, certify, that the foregoing resolution was duly considered by the TeecNosPos Chapter at a duly called meeting at TeecNosPos, Navajo Nation, which a quorum was present and that same was passed by vote of 18 infavor, 0 opposed and 01 abstained on this 09th day of November, 2014, motioned by Arlene Ayze and seconded by Ariene Howard.



Alfred L. Jim, Chapter President



Arnold L. Bitah, Chapter Vice President



Verma Francisco, Chapter Sec./Treasurer

Kenneth Maryboy, Council Delegate

Herman Daniels Jr., President
Albert Holiday, Vice President
LaNell Menard-Parrish, Secretary/Treasurer
Shirlee A. Bedonle, CSC



Jonathan Nez, Council Delegate
Benedict Daniels, Grazing Official
Peggy Abrigo, AMS
Phone: 435-727-5850 Fax: 5852

Scanned & emailed
11/18/14 - spb

Oljato Chapter; PO Box 360455; Monument Valley, Utah 84536

RESOLUTION OF THE OLJATO CHAPTER

Resolution No: OLJ11-15-2014

SUPPORTING THE UTAH DINE BIKEYAH CONSERVATION PROPOSAL IN SAN JUAN COUNTY, UTAH TO PROTECT DINE' RIGHTS AND INTERESTS ON FEDERAL LANDS FOR FUTURE GENERATIONS

WHEREAS, OLJATO CHAPTER is officially recognized and certified as a political unit of the Navajo Tribal Government pursuant to Navajo Tribe Council Resolution No. CJ-20-55; and

WHEREAS, OLJATO CHAPTER includes community members that live in San Juan County and depend on its federal lands and resources; and

WHEREAS, OLJATO CHAPTER community members occupy a special status as both U.S. citizens and members of the Navajo Nation whose ancestral lands encompass all of San Juan County; and

WHEREAS, the Diné Bikéyah, *the Peoples Sacred Land*, is a National Conservation Area/ National Monument proposal of 1.9 million acres in size and includes additional Wilderness units within and outside of its boundary. This region is the ancestral home of many Southwestern Native American Tribes, including the Navajo, Hopi, Zuni, Acoma, Zia, and Jemez Pueblos along with the Ute Mountain, Southern, and Uintah Ouray Utes, the San Juan, Kaibab, and Utah Paiute Tribes and the Jicarilla Apache Tribe, assert their affiliation, occupation and enduring use of these lands; and

WHEREAS, the National Conservation Area/ Monument is bordered on the west by the Colorado River and on the south by the San Juan River and Navajo Nation Reservation, the Conservation Area/ Monument is characterized by prodigious topographic diversity and striking landforms. Containing intricately rich ecological systems, the Navajo and other Tribes depend upon the Conservation Area/ Monument to sustain their traditional livelihoods and cultural practices. Cedar Mesa, the Conservation Area/ Monument's centerpiece offers sprawling vistas while Comb and Butler Washes, and extends beyond to Moki, Red, Dark, Grand Gulch, and White canyons that each support verdant ribbons of riparian habitat. Desert Bighorn Sheep grace the lower desert lands while the 11,000 foot Abajo Mountains host forests of Ponderosa Pine, Spruce, Fir and Aspen, providing a home to Mule Deer, Elk, Black Bear and Mountain Lion, sacred icons of the mesa's original peoples. Paramount for the Navajo, the majority of the regions inhabitants are the proper management of the Conservation Area/ Monument's native plants and wildlife that are food, shelter and medicine and its cultural sites that are central to their spiritual practices.

WHEREAS, this region contains unsurpassed cultural and paleontological resources; the Conservation Area/ Monument is world renowned for the integrity and abundance of its archaeological resources. Six cultural special management areas are within the Conservation Area/ Monument boundaries; Alkali Ridge National Historic Landmark, the Hole-in-the-Rock Historical Trail and the Grand Gulch, Big Westwater Ruin, Dance Hall Rock, Sand Island Petroglyph Panel, the Newspaper Rock Petroglyph Panel, and the Butler Wash Archaeological District National Register site. Also occurring in the Conservation Area/ Monument's 19 distinct geologic units are scientifically significant vertebrate and non-vertebrate paleontological resources that are particularly abundant in the Cedar Mountain, Burro Canyon, Morrison, and Chinle Formations.

WHEREAS, the National Conservation Area/ Monument has been inhabited for more than 12,000 years by multiple indigenous cultures, who crossed, and built civilizations on these lands. At the Lime Ridge Clovis site is evidence of Paleoindian occupation and the archaeological record indicates widespread use between 6000 B.C. and A.D. 100 by Archaic Peoples. Possessing numerous Archaic Period sites of varying size and complexity are Cedar Mesa, Elk Ridge, and Montezuma Canyon. While other notable sites include Alkali Ridge, Cowboy Cave, Old Man Cave, and Dust Devil Cave. The heaviest occupation of the Conservation Area/ Monument lands was perhaps by the Formative Period Peoples, (AD 100-AD 1300) who left very large numbers of archaeological sites ranging from small lithic scatters to large highly complex village sites.

WHEREAS, the Conservation Area/ Monument includes Bureau of Land Management Wilderness Study Areas and lands with Wilderness Characteristics and U.S. Forest Service Roadless Areas. Vast, remote desert mesas cut by sheer walled serpentine canyons provide unparalleled solitude and scenic quality that is comparable to or exceeds those found in nearby national parks and monuments, such as Canyonlands, Arches, Grand Staircase, Natural Bridges, Hovenweep, and Mesa Verde.

WHEREAS, priority management values to protect within the Conservation Area/ Monument are: archaeological, wildlife, natural and scenic resources. An essential aspect of the Conservation Area/ Monument's management is to better protect these resources and to ensure their ongoing and sustainable use.

WHEREAS, Native Americans have unique and important cultural and historical ties to the land, its wildlife and other natural resources; and the Navajo people have traditional ties to this particular landscape for hunting, medicinal herbs, food gathering, firewood gathering and the grazing of livestock; and,

WHEREAS, Native American have shown quality and excellence in managing lands and natural resources to protect the cultural integrity of the homeland of Native peoples; and

WHEREAS, these areas are under constant threat of cultural vandalism, looting of Native cultural sites, indiscriminate off road vehicle use that damages areas sacred to Native peoples, energy development footprints that negatively impact lands of historic and cultural importance, and general degradation of wildlife and plant habitats of importance to Native traditional practices;

WHEREAS, to prevent this rapid destruction of lands in the San Juan County region important to Native peoples, formal protection as a national conservation area or national monument is required;

WHEREAS, formal protection of the area as a National Conservation Area/ Monument will provide important consistency and quality to management of these lands, and define principles of management that will positively affect Native values on these lands in the following ways:

- o Protection will be permanent, part of a national system of protected lands that carry strong and clear legal definitions of the primacy of conservation of cultural, historical and ecological values that define Native connections to these lands.
- o Protection as a national conservation area or national monument creates important opportunities for Native American co-management of these resources and increased funding for protection with an emphasis on conservation and preservation of the region's cultural and natural resources.
- o Protection should be at the largest landscape level possible, providing connectivity of wildlife and plant habitats, ecological integrity of the region and be comprehensive in its protection of Native sacred sites, which cannot be considered out of the context of the larger landscape.

- o Protection of the region as a national conservation area or national monument will be a top priority for concerned federal agencies, with public involvement and a prioritization of staffing, resources and cooperation with Native peoples.

NOW THEREFORE BE IT RESOLVED, that the Oljato Chapter extends its support for

- Designation of the full extent of the Dine Bikeyah National Conservation Area/ National Monument in San Juan County, Utah
- Designation of identified roadless areas as Wilderness, under the Wilderness Act
- Establishment of Co-management Agreement(s) between the Navajo Nation/ other Tribes and the federal government to improve management and elevate the Native American voice in the long-term sustainable management of the region

CERTIFICATION

We hereby certify that the foregoing resolution was duly considered by the Oljato Chapter at a regular duly called meeting at Oljato, Navajo Nation, Utah at which a quorum was present and that same was passed by a vote of 47 in favor, 0 opposed and 0 abstained, this 9 day of NOVEMBER 2014.

1st Motion by: Nelson Yellowman




Herman Daniels Jr., Chapter President

LaNell Menard-Parrish

LaNell Menard-Parrish, Secretary/Treasurer

2nd Motion by: Have Holiday



Albert Holiday, Vice-President



Benedict Daniels, Grazing Officer



RESOLUTION OF THE
NAVAJO UTAH COMMISSION
OF THE NAVAJO NATION COUNCIL

NUCAUG-616-14

SUPPORTING CONSERVATION DESIGNATION TO PROTECT CULTURAL,
HISTORICAL, AND NATURAL RESOURCES ON FEDERAL LANDS IN SAN
JUAN COUNTY, UTAH

WHEREAS, the Navajo Utah Commission is a subunit of the Navajo Nation and hereby establish and submit the following resolution; and,

WHEREAS, the Navajo Utah Commission recognizes the historic and ongoing ties to the lands, animals, plants, resources of San Juan County, Utah by Native American people; and

WHEREAS, the Diné Bikéyah, *the Peoples Sacred Land*, National Conservation Area/ Monument is the ancestral home of many additional Southwestern Native American Tribes, including the Navajo, accompanied by the, Hopi, Zuni, Acoma, Zia, and Jemez Pueblos along with the Ute Mountain, Southern, and Uintah Ouray Utes, the San Juan, Kaibab, and Utah Paiute Tribes and the Jicarilla Apache Tribe, assert their affiliation, occupation and enduring use of these Conservation Area/ Monument lands; and

WHEREAS, the National Conservation Area/ Monument is bordered on the west by the Colorado River and on the south by the San Juan River and Navajo Nation Reservation, the Conservation Area/ Monument is characterized by prodigious topographic diversity and striking landforms. Containing an intricately rich ecological system, the Navajo and other Tribes depend upon the Conservation Area/ Monument to sustain their traditional livelihoods and cultural practices. Cedar Mesa, the Conservation Area/ Monument's centerpiece offers sprawling vistas while Comb and Butler Washes, as well as Moki, Red, Dark, Grand Gulch, and White canyons support verdant ribbons of riparian habitat. Desert Bighorn Sheep grace the lower desert lands while the 11,000 foot Abajo Mountains host forests of Ponderosa Pine, Spruce, Fir and Aspen, providing a home to Mule Deer, Elk, Black Bear and Mountain Lion, sacred icons of the mesa's original peoples. Paramount for the Navajo, the majority of the regions inhabitants, is the proper management of the Conservation Area/ Monument's native plants and wildlife that are food, shelter and medicine and its cultural sites that are central to their spiritual practices.

WHEREAS, the National Conservation Area/ Monument includes towering cliffs and mesas bisected by sheer canyons expose sedimentary layers revealing a geologic history stretching back to when a sea covered this landscape. Containing unsurpassed cultural and

palaeontological resources; the Conservation Area/ Monument is world renowned for the integrity and abundance of its archaeological resources. Six cultural special management areas are within the Conservation Area/ Monument boundaries; Alkali Ridge National Historic Landmark, the Hole-in-the-Rock Historical Trail and the Grand Gulch, Big Westwater Ruin, Dance Hall Rock, Sand Island Petroglyph Panel, the Newspaper Rock Petroglyph Panel, and the Butler Wash Archaeological District National Register site. Also occurring in the Conservation Area/ Monument's 19 distinct geologic units are scientifically significant vertebrate and non-vertebrate paleontological resources that are particularly abundant in the Cedar Mountain, Burro Canyon, Morrison, and Chinle Formations.

WHEREAS, the National Conservation Area/ Monument has been inhabited for greater than 12,000 years by multiple indigenous cultures, who crossed, and built civilizations on these lands. At the Lime Ridge Clovis site is evidence of Paleoindian occupation and the archaeological record indicates widespread use between 6000 B.C. and A.D. 100 by Archaic Peoples. Possessing numerous Archaic Period sites of varying size and complexity are Cedar Mesa, Elk Ridge, and Montezuma Canyon. While other notable sites include Alkali Ridge, Cowboy Cave, Old Man Cave, and Dust Devil Cave. The heaviest occupation of the Conservation Area/ Monument lands was perhaps by the Formative Period Peoples, (AD 100-AD 1300) who left very large numbers of archaeological sites ranging from small lithic scatters to large highly complex village sites.

WHEREAS, the Conservation Area/ Monument is comprised of primarily Bureau of Land Management Wilderness Study Areas and lands with Wilderness Characteristics and U.S. Forest Service Roadless Areas. Vast, remote desert mesas cut by sheer walled serpentine canyons provide unparalleled solitude and scenic quality that is comparable to or exceeds those found in nearby national parks and monuments, such as Canyonlands, Arches, Grand Staircase, Natural Bridges, Hovenweep, and Mesa Verde.

WHEREAS, priority management values to protect within the Conservation Area/ Monument are: archaeological, wildlife, natural and scenic resources. An essential aspect of the Conservation Area/ Monument's management is to better protect these resources and to ensure their ongoing and sustainable use.

WHEREAS, Native Americans have unique and important cultural and historical ties to the land and its wildlife and other natural resources; and

WHEREAS, Native Americans' connections to the land support Native life and culture in important, life sustaining ways, including: subsistence hunting, fishing and gathering of nature's materials for medicinal, spiritual and other uses, preservation of tribal sacred places and as sources of economic development; and

WHEREAS, Native American have shown quality and excellence in managing lands and natural resources to protect the cultural integrity of the homeland of Native peoples; and

WHEREAS, the Greater Cedar Mesa region of southeastern Utah includes many areas of vital importance to Native peoples' identity and history;

WHEREAS, these areas are under constant threat of cultural vandalism, looting of Native cultural sites, indiscriminate off road vehicle use that damages areas sacred to Native peoples, energy development footprints that negatively impact lands of historic and cultural importance, and general degradation of wildlife and plant habitats of importance to Native traditional practices;

WHEREAS, to prevent this rapid destruction of lands in the Greater Cedar Mesa region important to Native peoples, formal protection as a national conservation area or national monument is required;

WHEREAS, formal protection of the Greater Cedar Mesa region as a national conservation area/ monument will provide important consistency and quality to management of these lands, and define principles of management that will positively affect Native values on these lands in the following ways:


- Protection will be permanent, part of a national system of protected lands that carry strong and clear legal definitions of the primacy of conservation of cultural, historical and ecological values that define Native connections to these lands.
- Protection as a national conservation area or national monument creates important opportunities for consultation of Native Americans and participation in management of these resources and increased funding for the protection of these resources with an emphasis on conservation and preservation of the region's cultural and natural resources.
- Protection should be at the largest landscape level possible, providing connectivity of wildlife and plant habitats, ecological integrity of the region and be comprehensive in its protection of Native sacred sites, which cannot be considered out of the context of the larger landscape.
- Protection of the Greater Cedar Mesa region as a national conservation area or national monument will be a top priority for concerned federal agencies, with public involvement and a prioritization of staffing, resources and cooperation with Native peoples.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Navajo Utah Commission hereby extends its support for a National Conservation Area or National Monument designation that reflects the will and the values of Native peoples whose identities, histories, cultures and futures are inextricably tied to these lands.

CERTIFICATION

We, hereby certify that the foregoing resolution was duly considered by Navajo Utah Commission at a duly called meeting in Tse Bonito, New Mexico at which a quorum was present and the same was passed by a vote of 6 in favor, 0 opposed, and 0 abstentions, this 13th day of August, 2014.


Herman Daniels, Jr., Chairperson
NAVAJO UTAH COMMISSION

MOTION: Herman Farley
SECOND: Brenda Brown



**RESOLUTION OF THE
NAVAJO MOUNTAIN CHAPTER
OF THE NAVAJO NATION**

RESOLUTION NO: NM05/303-2014

Alex Bitsinnie
President

Jamie R. Holgate
Vice-President

Ella Jean Badoni
Secretary/Treasurer

Lucille S. Krause
*Grazing Committee
Member*

Jonathan Nez
Council Delegate

**SUPPORTING THE EFFORTS OF UTAH DINE' BIKE' YAH, INC PURSUANT TO
PROPOSED LAND DESIGNATION FOR A NATIONAL MONUMENT AND/OR NATIONAL
CONSERVATION AREA WITHIN THE SOUTH EASTERN STATE OF UTAH AND IN SAN
JUAN COUNTY OF THE STATE OF UTAH.**

WHEREAS:

1. The Navajo Mountain Chapter is recognized as local government body of the Navajo Nation Government pursuant to 2.N.N.C., Section 4004; and vested with the authority to discuss all matters affecting the Navajo people and its nation; furthermore, pursuant to 2 N.N.C., Section 4028, (a) the local Navajo chapter is authorized to made recommend to appropriate entities to the Navajo Nation and other local agencies for appropriate relief or actions of the matters impacting; and
2. The Navajo people of Navajo Mountain, Utah are apart of the San Juan County residents just as their forefathers did for generations before them and according to the Federal laws they have unique political recognition whereby they are citizen of the Navajo Nation, San Juan County, the State of Utah and the United States America; and
3. By virtue of the Civil Rights Act, these Navajo people have the same and equal rights as other ethnic groups throughout the United States; therefore, their interest in the public land (Bureau of Land Management) is perpetual and dating back long before the discovery; and
4. Furthermore, the area of interest and proposed for land designation reflects a very high interest for the Native American people throughout the Colorado Plateau, more specifically, the Navajo people have traditional ties to this particular landscape for hunting, medicinal herbs and organic food gathering areas plus firewood gathering and grazing of livestock before Columbus sat foot on this continent and even before of the Treaty of 1886, between the Navajo people's Headmen and the Federal Government.

NOW, THEREFORE BE IT RESOLVED THAT:

The Navajo Mountain Chapter hereby supports the efforts of Utah Dine' Bike' yah, Inc pursuant to proposed land designation for a national monument and/or national conservation area within the south eastern State of Utah and in San Juan County of the State of Utah.

CERTIFICATION

I, hereby certify that the foregoing resolution was considered at a duly called chapter meeting at Navajo Mountain Chapter at Navajo Mountain, Navajo Nation (Utah) at which a quorum was present and the same was passed by a vote of 25 in favor, 00 opposed and 00 abstained on this 21 day of May, 2014.

Motion: Margaret Bitsinnie

Second: Clarita Drake

Alex Bitsinnie
Alex Bitsinnie, President

Ella J. Badoni
Ella J. Badoni, Secretary / Treasurer

Jamie Holgate
Jamie Holgate, Vice- President

Lucille Saganiso Krause
Lucille Saganiso Krause

PRESIDENT BEN SHELLY
VICE PRESIDENT REX LEE JIM



THE EXECUTIVE OFFICE
Window Rock

THE NAVAJO NATION

July 22, 2011

Mr. Juan Palma, *Utah State Director*
BLM Utah State Office
West 200 South, Suite 500
Salt Lake City, Utah 84101

Dear Mr. Palma,

This letter specifically addresses the request from Secretary of the Interior Ken Salazar to identify "crown jewel" lands administered by the Bureau of Land Management.

Modeled on the Washington County Bill, a lands-use legislative process was initiated in February 2010 by former Senator Bob Bennett in San Juan County, Utah. Given that roughly 20% of the county is within the Navajo Nation Reservation, that over 50% of the population are Native American and our centuries old and continued use of these lands; we initiated our own process to gather information on Navajo historic and current land values. Accompanying this letter is the book, *Diné Bikéyah*, describing this course of action.

The Navajo Nation is proposing the creation of the Diné Bikéyah National Conservation Area as it provides the best management approach for a diversity of uses and designations of the land, while directing resources towards priority cultural and natural resource protection issues.

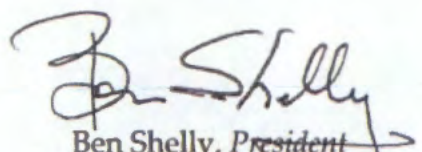
To honor our deep history in this region, we are proposing that the Navajo Nation have a formal role in planning and managing the Diné Bikéyah National Conservation Area. Because we actively use and rely upon these lands, management of the area should incorporate Navajo input to effectively protect its diverse resources. Federal agencies will also benefit from Navajo contributions to better inform decision-making and increase resources for management.

Even though, at this time we cannot supply a definitive spatial reference for Secretary Salazar's request we can identify areas of importance. We envision the Diné Bikéyah National Conservation Area containing all the contributing watersheds of the San Juan River in Utah. All BLM wilderness study areas and areas within the Citizen's Red Rock Wilderness Bill within or bordering the Diné Bikéyah National Conservation Area should be legislated as wilderness. Furthermore, within this region are Cedar Mesa, Comb Ridge, Elk Ridge, Dark Canyon, Montezuma Canyon, and San Juan River that are of particular importance to Navajo

people, as well as, national treasures to all American citizens, therefore, they should be seriously considered by President Obama for National Monument designation.

Thanks to you Mr. Palma and Secretary Salazar. We look forward to discussing this important work with you in the near future.

Very Respectfully,


Ben Shelly, *President*
THE NAVAJO NATION



TEEC NOS POS CHAPTER GOVERNMENT

P. O. Box 106, Teec Nos Pos, Arizona, Navajo Nation 86514
Highway 160 BIA School Road #5114 Chapter Government Building
Telephone #928-656-3662 Facsimile #928-656-3661

TNPCH-42-010

RESOLUTION OF THE TEEC-NOS-POS CHAPTER

SUPPORTING THE "UTAH NAVAJO SAN JUAN COUNTY LAND-USE LEGISLATIVE PROPOSAL" TO PROTECT NAVAJO RIGHTS AND INTERESTS ON FEDERAL LANDS FOR FUTURE GENERATIONS.

WHEREAS

1. TEEC-NOS-POS CHAPTER is officially recognized and certified as a political unit of the Navajo Tribal Government pursuant to Navajo Tribe Council Resolution No. CJ-20-55; and
2. TEEC-NOS-POS CHAPTER includes community members that live in San Juan County and depend on its federal lands and resources; and
3. TEEC-NOS-POS CHAPTER community members occupy a special status as both U.S. citizens and members of the Navajo Nation whose ancestral lands encompass all of San Juan County; and
4. On March 23rd, 2010, Utah Senator Bob Bennett announced the intention to pursue the creation of a Congressional land-use bill that will likely result in the designation of wilderness, boundary and management changes to National Parks and monuments, and the zoning of different regions of the county for protection and development; and
5. Senator Bennett's office has requested information from the Utah Navajo related to land use, natural resource use, and motorized access needs of the Utah Navajo community members; and
6. The Utah Navajos are in the process of creating a land plan to inform this and future land management processes in which the Tribe holds interests.

THEREFORE, BE IT RESOLVED, the official position of the TEEC CHAPTER, regarding the creation of San Juan County Land-Use Legislation is as follows:

1. TEEC-NOS-POS CHAPTER supports the "Utah Navajo Land-Use Proposal" submitted to Senator Bennett's office on August 12, 2010.
2. TEEC-NOS-POS CHAPTER supports the designation of a special management area (such as a National Conservation Area) in which the Navajo people's interests in these landscapes are acknowledged and co-management, shared decision-making, and revenue sharing are explored.
3. TEEC-NOS-POS CHAPTER supports the designation of current roadless areas in San Juan County as wilderness.
4. TEEC-NOS-POS CHAPTER community members are in the process of identifying motorized access routes to ensure that routes currently used to access ceremonial, hunting, gathering, and firewood collecting sites are not disrupted by wilderness designation.

CERTIFICATION

We hereby certify that the foregoing resolution was duly considered by the TEEC CHAPTER at a duly called Regular meeting at Teec Nos Pos Chapter, NAVAJO NATION, Arizona, at which a quorum was present and that the same was passed by a vote of 26 in favor, 0 opposed, and 01 abstained, this 12 day of AUGUST, 2009. MOTION BY: Wallace Todacheeny SECOND BY: Elsie Dee

Roy Kady, President

John MacDonald, Sr., Vice President

Verma Francisco, Sec./Treas

Francis Redhouse, Council Delegate

Dale Redhouse, Grazing Officer

CHAPTER OFFICERS

Roy Kady John MacDonald, Sr. Verma Francisco
PRESIDENT VICE PRESIDENT SECRETARY/TREASURER

ADMINISTRATION:

Dale Redhouse Francis Redhouse May Howard Susie Joe
GRAZING OFFICER COUNCIL DELEGATE COMMUNITY SERVICE COORDINATOR OFFICE SPECIALIST



RED MESA CHAPTER
Red Mesa, Navajo Nation, Utah



Resolution RM- 011-08-09-10

**RESOLUTION OF THE RED MESA CHAPTER
SUPPORTING THE "UTAH NAVAJO SAN JUAN COUNTY LAND-USE LEGISLATIVE
PROPOSAL" TO PROTECT NAVAJO RIGHTS AND INTERESTS ON FEDERAL LANDS FOR
FUTURE GENERATIONS.**

WHEREAS:

1. RED MESA CHAPTER is officially recognized and certified as a political unit of the Navajo Tribal Government pursuant to Navajo Tribe Council Resolution No. CJ-20-55; and
2. RED MESA CHAPTER includes community members that live in San Juan County and depend on its federal lands and resources; and
3. RED MESA CHAPTER community members occupy a special status as both U.S. citizens and members of the Navajo Nation whose ancestral lands encompass all of San Juan County; and
4. On March 23rd, 2010, Utah Senator Bob Bennett announced the intention to pursue the creation of a Congressional land-use bill that will likely result in the designation of wilderness, boundary and management changes to National Parks and monuments, and the zoning of different regions of the county for protection and development; and
5. Senator Bennett's office has requested information from the Utah Navajo related to land use, natural resource use, and motorized access needs of the Utah Navajo community members; and
6. The Utah Navajo are in the process of creating a land plan to inform this and future land management processes in which the Tribe holds interests.

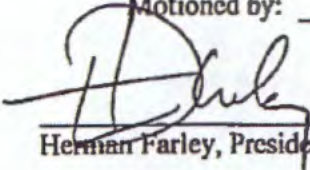
THEREFORE, BE IT RESOLVED, the official position of the RED MESA CHAPTER, regarding the creation of San Juan County Land-Use Legislation is as follows:

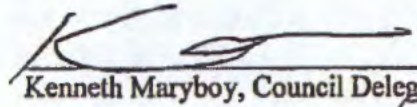
1. The RED MESA CHAPTER supports the "Utah Navajo Land-Use Proposal" submitted to Senator Bennett's office on _____, 2010.
 2. The RED MESA CHAPTER supports the designation of a special management area (such as a National Conservation Area) in which the Navajo people's interests in these landscapes are acknowledged and co-management, shared decision-making, and revenue sharing are explored.
 3. The RED MESA CHAPTER supports the designation of current roadless areas in San Juan County as wilderness.
 4. RED MESA CHAPTER community members are in the process of identifying motorized access routes to ensure that routes currently used to access ceremonial, hunting, gathering, and firewood collecting sites are not disrupted by wilderness designation.
-

We hereby certify that the foregoing resolution was duly considered by the RED MESA CHAPTER at a duly called Regular meeting at Red Mesa Chapter, NAVAJO NATION, Utah, at which a quorum was present and that the same was passed by a vote of 31 in favor, 00 opposed, and 00 abstained, this 9th day of August, 2010.

Motioned by: Mr. Sam Dee

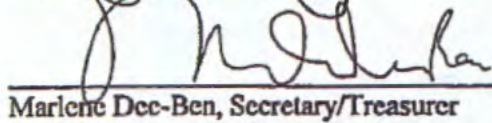
Seconded by: Ms. Fannie Clark


Herman Farley, President


Kenneth Maryboy, Council Delegate


Doris J. Tsinnijinnie, Vice-President


Davis Filfred, Council Delegate

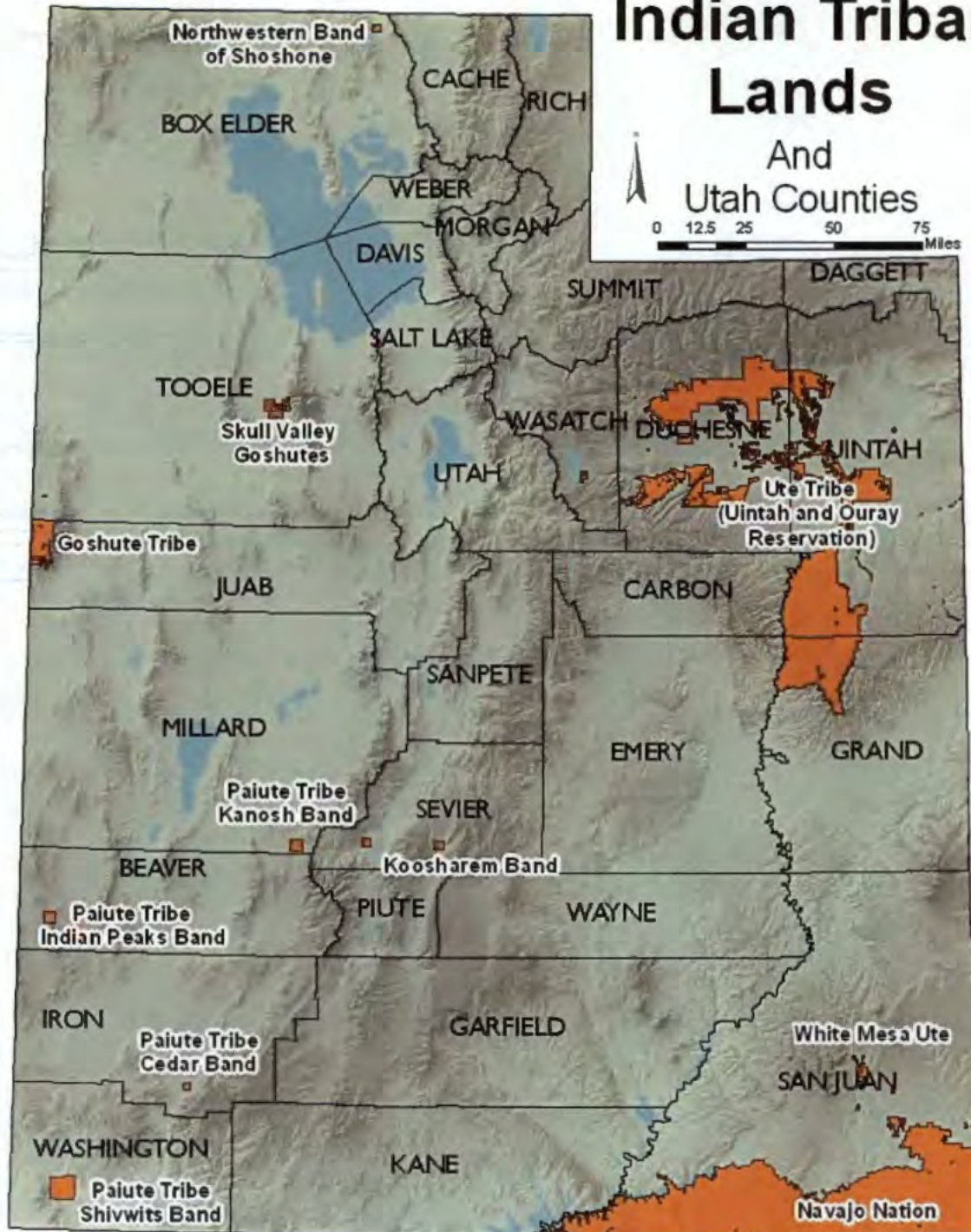

Marlene Dec-Ben, Secretary/Treasurer

UTAH

- 6/14/16 Tri-Ute Council (Ute Tribes of CO & UT) Resolution of support for Bears Ears
- 6/9/16 Utah Tribal Leaders Association Resolution of support for Bears Ears
- 7/14/15 Ute Tribal Business Committee Letter to Ute Mountain Ute Tribal Council Chairman Manuel Heart and UDB Board Member Kenneth Maryboy stating support for a Bears Ears National Conservation Area/Monument

Indian Tribal Lands

And Utah Counties



(White Mesa Ute is a sub-agency of the Ute Mountain Ute Tribe in Colorado)

San Juan Southern Paiute (reservation land not designated)

TRI-UTE COUNCIL



Joint Inter-Tribal Resolution # 16-001

TITLE: Support for Presidential designation of the Bears Ears National Monument to protect cultural, historical, and natural resources on federal lands in San Juan County, UT

WHEREAS, we, the Tri-Ute Council are invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian Nations, rights reserved and secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States, to enlighten the public toward a better understanding of the Indian People, to preserve Indian cultural values, and otherwise promote health, safety, and welfare of our Indian People, do hereby establish and submit the following resolution; and,

WHEREAS, the three Ute Tribes of Utah and Colorado including the Ute Mountain Ute Tribe, Ute Indian Tribe, and Southern Ute Indian Tribe claim historic and ongoing ties to the lands, animals, plants, resources of San Juan County, Utah; and

WHEREAS, the *Bear's Ears National Monument* is the ancestral home of many additional Southwestern Native American Tribes, including the Utes, Hopi, Zuni, Acoma, Zia, and Jemez Pueblos, and the White Mountain and Jicarilla Apache Tribe, also assert their affiliation, occupation and enduring use of these Monument lands; and

WHEREAS, the National Monument is bordered on the west by the Colorado River and on the south by the San Juan River and Navajo Nation reservation, the Monument is characterized by prodigious topographic diversity and striking landforms.

WHEREAS, the National Monument region is unsurpassed in the world for its integrity and abundance of archaeological resources.

WHEREAS, the National Monument area has been inhabited for greater than 12,000 years by multiple indigenous cultures, who roamed, and built civilizations on these lands.

WHEREAS, the Bears Ears National Monument region is comprised of primarily Bureau of Land Management Wilderness Study Areas and lands and U.S. Forest Service Roadless Areas.

WHEREAS, the Utes and Native Americans have a unique and important cultural and historical ties to the land and its wildlife and other natural resources; and

WHEREAS, the Utes' connections to the land support Native life and culture in important, life sustaining ways, including subsistence hunting, fishing and gathering of natural materials for medicinal

development footprints that negatively impact lands of historic and cultural importance, and general degradation of wildlife and plant habitats of importance to Native traditional practices;

WHEREAS, to prevent this rapid destruction of lands in southeastern Utah is important to Native peoples, formal protection as a National Monument is required;

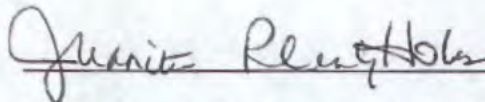
WHEREAS, the Bears Ears National Monument will best be Collaboratively Managed with the full and active involvement of the Tribes that share ancestral and ongoing ties to the region.

WHEREAS, formal protection of southeastern Utah lands as a National Monument will provide important consistency and quality to management of these lands, and define principles of management that will positively affect Native values on these lands in the following ways:

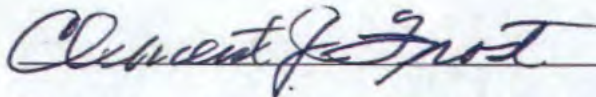
NOW THEREFORE BE IT RESOLVED, that the Tri-Ute Council extends its support for the Bears Ears National Monument designation by President Obama that reflects the will and the values of Native peoples whose identities, histories, cultures and futures are inextricably tied to these lands.

CERTIFICATION

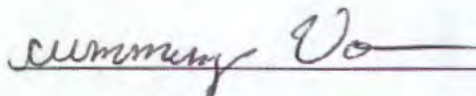
The foregoing resolution was adopted by the Tri-Ute Council at a meeting on June 14, 2016 in Towaoc, Colorado with a quorum present.



Juanita Plentyholes, Ute Mountain Ute Tribe, Towaoc, Colorado

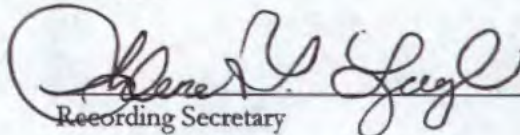


Clement Frost, Southern Indian Ute Tribe, Ignacio, Colorado



Ute Indian Tribe Representative, Ft. Duchesne, Utah

ATTEST:



Recording Secretary

Utah Tribal Leaders Association



Joint Inter-Tribal Resolution # June 9, 2016 Tribal leaders
Support to Bear Ears

TITLE: Support for Presidential designation of the Bears Ears National Monument to protect cultural, historical, and natural resources on federal lands in San Juan County, UT

WHEREAS, we, the Tribal Leaders of Utah invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian Nations, rights reserved and secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States, to enlighten the public toward a better understanding of the Indian People, to preserve Indian cultural values, and otherwise promote health, safety, and welfare of our Indian People, do hereby establish and submit the following resolution; and,

WHEREAS, Native Nations of Utah including the Ute, Paiute, and Navajo claim historic and ongoing ties to the lands, animals, plants, resources of San Juan County, Utah; and

WHEREAS, the *Bear's Ears National Monument* is the ancestral home of many additional Southwestern Native American Tribes, including the Hopi, Zuni, Acoma, Zia, and Jemez Pueblos, and the White Mountain and Jicarilla Apache Tribe, also assert their affiliation, occupation and enduring use of these Monument lands; and

WHEREAS, the National Monument is bordered on the west by the Colorado River and on the south by the San Juan River and Navajo Nation reservation, the Monument is characterized by prodigious topographic diversity and striking landforms.

WHEREAS, the National Monument is unsurpassed in the world for its integrity and abundance of archaeological resources.

WHEREAS, the National Monument has been inhabited for greater than 12,000 years by multiple indigenous cultures, who roamed, and built civilizations on these lands.

WHEREAS, the Bears Ears National Monument is comprised of primarily Bureau of Land Management Wilderness Study Areas and lands and U.S. Forest Service Roadless Areas.

WHEREAS, Native Americans have unique and important cultural and historical ties to the land and its wildlife and other natural resources; and

WHEREAS, Native Americans' connections to the land support Native life and culture in important, life sustaining ways, including: subsistence hunting, fishing and gathering of nature's materials for medicinal, spiritual and other uses, preservation of tribal sacred places and as sources of economic development; and

WHEREAS, Native American have shown quality and excellence in managing lands and natural resources to protect the cultural integrity of the homeland of Native peoples; and

WHEREAS, these areas are under constant threat of cultural vandalism, looting of Native cultural sites, indiscriminate off road vehicle use that damages areas sacred to Native peoples, energy development footprints that negatively impact lands of historic and cultural importance, and general degradation of wildlife and plant habitats of importance to Native traditional practices;

WHEREAS, to prevent this rapid destruction of lands in southeastern Utah is important to Native peoples, formal protection as a National Monument is required;

WHEREAS, the Bears Ears National Monument will best be Collaboratively Managed with the full and active involvement of the Tribes that share ancestral and ongoing ties to the region.

WHEREAS, formal protection of southeastern Utah lands as a National Monument will provide important consistency and quality to management of these lands, and define principles of management that will positively affect Native values on these lands in the following ways:

NOW THEREFORE BE IT RESOLVED, that the Utah Tribal Leaders Association extends its support for the Bears Ears National Monument designation by President Obama that reflects the will and the values of Native peoples whose identities, histories, cultures and futures are inextricably tied to these lands.

CERTIFICATION

The foregoing resolution was adopted by the Utah Tribal Leaders Association at a meeting on

June 9, 2016 in Cedar City, Utah with a quorum present.

Virgil Jonson

Virgil Jonson, Chairman Utah Tribal Leaders Association

ATTEST:

Recording Secretary

*Covina Bay, Paiute Indian Tribe of Utah
Zelda Johnny, Confederated Tribe of Goshute*

[Signature]
DAVIS FILFREO Navajo National
ZBO Council

*Michael [Signature] the member of
the Tribe Council*

*Merrin' [Signature]
Northwestern Band Shoshone Nation
Tribal Council Secretary*

Nay = Impreston San Juan So Paiute

*Cedron Ben
Skull Valley Band of Goshute 2*



UTE INDIAN TRIBE

P. O. Box 190
Fort Duchesne, Utah 84026
Phone (435) 722-5141 • Fax (435) 722-5072

July 14, 2015

Via Email and Hand Delivery

Re: Ute Indian Tribe's Support for Preserving the Bears Ears Region

Dear Messrs. Manual Heart and Kenneth Maryboy:

The Tribal Business Committee ("Business Committee") of the Ute Indian Tribe ("Tribe") supports the permanent protection of the Bears Ears region in the form of a National Conservation Area, or alternatively, as a new National Monument. Providing better stewardship and stronger protections preserves Native American heritage for current and future generations.

Native American traditional and cultural sites need protection from outside threats such as mineral development, indiscriminate off-road vehicle use, and looting. Not only is the Bears Ears region a natural wonder, it is a cultural landscape that contains archaeological and sacred sites, and has been traditionally used for collecting traditional medicines and for ceremonies. With the increase in recreational use, this region deserves status as a National Conservation Area.

Without federal protection, this extraordinary landscape that is culturally significant to so many Native American groups faces the likelihood of destruction. Therefore, the Ute Indian Tribe joins the Native American tribes and Pueblos that have already publically expressed their support to protect the Bears Ears region. Native American heritage cannot be ignored. It is time for the Bears Ears region to finally have the federal protection it deserves.

Sincerely,

Shaun Chapoose
Chairman, Ute Tribal Business Committee

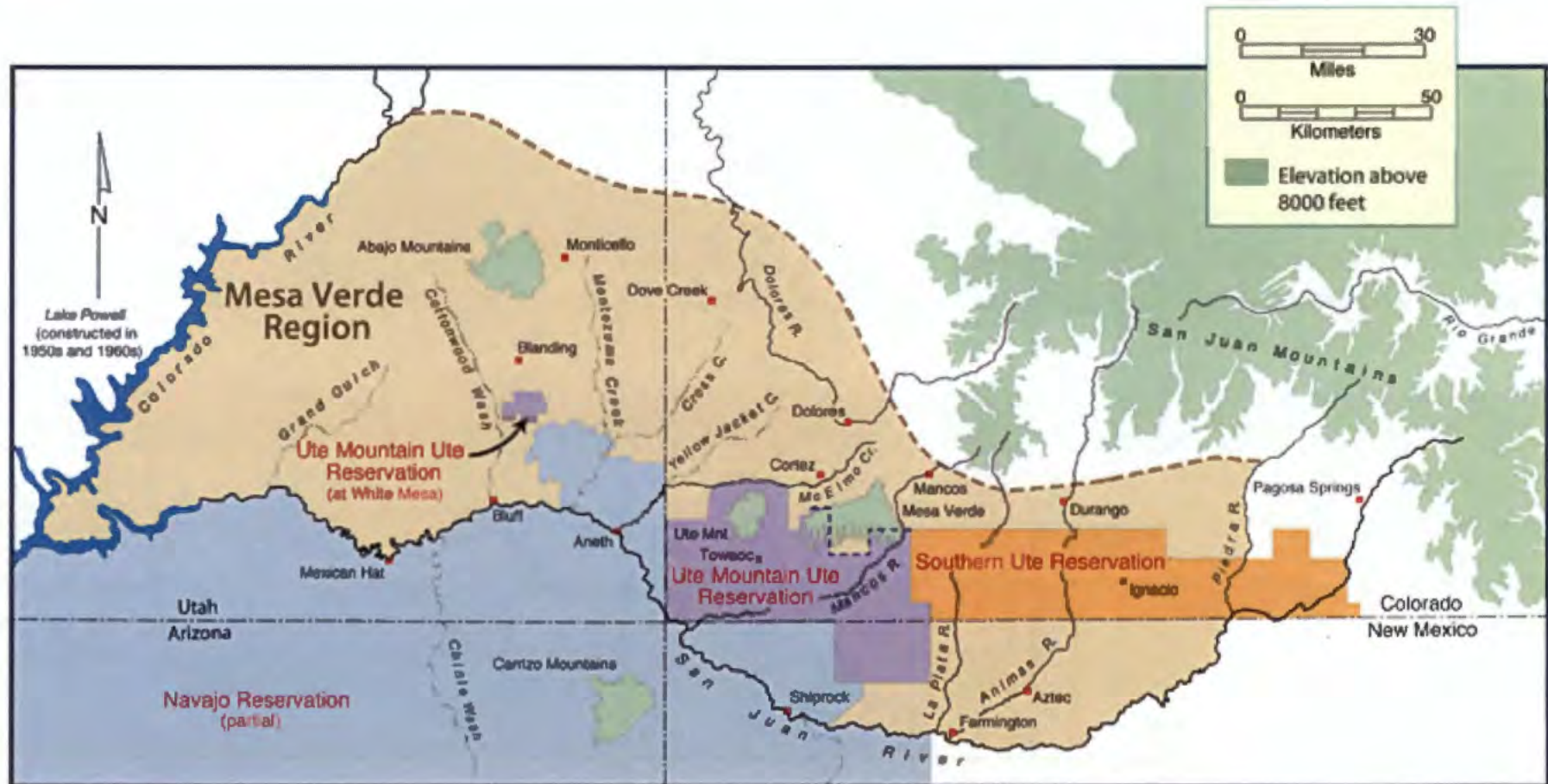
Cc: Malcolm Lehi, Council Member, Ute Mountain Ute Tribal Council

Other Utah Paiute

“Navajos hunted and lived in Bears Ears and built hogans and other structures until they were removed against their will to the reservation in the 19th Century. Many other Tribes, (virtually all of whom have formally supported this proposal) also have significant historical contacts with Bears Ears, including the Southern Ute; White Mountain and Jicarilla Apache; San Juan, Kaibab, and Utah Paiute; Hualapai; Havasupai; and the twenty Pueblos of the All Pueblo Council of Governors.”

COLORADO

- 6/14/16 Tri-Ute Council (Ute Tribes of CO & UT) Resolution of support for Bears Ears
- 4/13/16 Ute Mountain Ute Tribe Letter of support to the President from Chairman Manuel Heart, Councilwoman Regina Lopez-Whiteskunk, and Councilman Malcolm Lehi
- 3/9/16 Ute Mountain Ute Tribal Council Resolution of support for Bears Ears
- 8/12/15 Ute Mountain Ute Tribe Letter of support to the Bears Ears Inter-Tribal Coalition from Manuel Heart, Chairman of the Ute Mountain Ute Tribe



TRI-UTE COUNCIL



Joint Inter-Tribal Resolution # 16-001

TITLE: Support for Presidential designation of the Bears Ears National Monument to protect cultural, historical, and natural resources on federal lands in San Juan County, UT

WHEREAS, we, the Tri-Ute Council are invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian Nations, rights reserved and secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States, to enlighten the public toward a better understanding of the Indian People, to preserve Indian cultural values, and otherwise promote health, safety, and welfare of our Indian People, do hereby establish and submit the following resolution; and,

WHEREAS, the three Ute Tribes of Utah and Colorado including the Ute Mountain Ute Tribe, Ute Indian Tribe, and Southern Ute Indian Tribe claim historic and ongoing ties to the lands, animals, plants, resources of San Juan County, Utah; and

WHEREAS, the *Bears Ears National Monument* is the ancestral home of many additional Southwestern Native American Tribes, including the Utes, Hapt, Zuni, Acorna, Zia, and Jemez Pueblos, and the White Mountain and Jicarilla Apache Tribe, also assert their affiliation, occupation and enduring use of these Monument lands; and

WHEREAS, the National Monument is bordered on the west by the Colorado River and on the south by the San Juan River and Navajo Nation reservation, the Monument is characterized by prodigious topographic diversity and striking landforms.

WHEREAS, the National Monument region is unsurpassed in the world for its integrity and abundance of archaeological resources.

WHEREAS, the National Monument area has been inhabited for greater than 12,000 years by multiple indigenous cultures, who roamed, and built civilizations on these lands.

WHEREAS, the Bears Ears National Monument region is comprised of primarily Bureau of Land Management Wilderness Study Areas and lands and U.S. Forest Service Roadless Areas.

WHEREAS, the Utes and Native Americans have a unique and important cultural and historical ties to the land and its wildlife and other natural resources; and

WHEREAS, the Navajo Nation and Hopi Tribe also have a unique and important cultural and historical ties to the land and its wildlife and other natural resources; and

development footprints that negatively impact lands of historic and cultural importance, and general degradation of wildlife and plant habitats of importance to Native traditional practices;

WHEREAS, to prevent this rapid destruction of lands in southeastern Utah is important to Native peoples, formal protection as a National Monument is required;

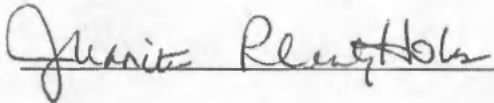
WHEREAS, the Bears Ears National Monument will best be Collaboratively Managed with the full and active involvement of the Tribes that share ancestral and ongoing ties to the region.

WHEREAS, formal protection of southeastern Utah lands as a National Monument will provide important consistency and quality to management of these lands, and define principles of management that will positively affect Native values on these lands in the following ways:

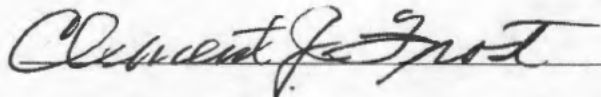
NOW THEREFORE BE IT RESOLVED, that the Tri-Ute Council extends its support for the Bears Ears National Monument designation by President Obama that reflects the will and the values of Native peoples whose identities, histories, cultures and futures are inextricably tied to these lands.

CERTIFICATION

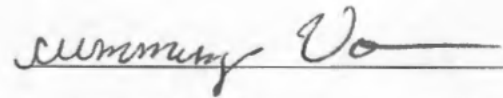
The foregoing resolution was adopted by the Tri-Ute Council at a meeting on June 14, 2016 in Towaoc, Colorado with a quorum present.



Juanita Plentyholes, Ute Mountain Ute Tribe, Towaoc, Colorado

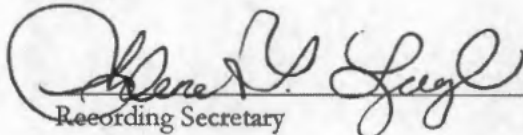


Clement Frost, Southern Indian Ute Tribe, Ignacio, Colorado



Ute Indian Tribe Representative, Ft. Duchesne, Utah

ATTEST:



Recording Secretary



UTE MOUNTAIN UTE TRIBE

P.O. Box 248
Towaoc, Colorado 81334-0248
(970) 565-3751

April 13, 2016

President Barack Obama
1600 Pennsylvania Avenue
Washington, DC 20500

Dear Mr. President,

I am writing on behalf of the people of the Ute Mountain Ute Tribe to express our support for the Bears Ears Inter-Tribal Coalition and to state the Tribe's interest in the protection of natural and cultural resources within the Bears Ears region. The five tribes of the Bears Ears Inter-Tribal Coalition (Navajo, Hopi, Uintah and Ouray Ute, Ute Mountain Ute, and Zuni) operate jointly and formally under a Memorandum of Understanding that governs our sovereign actions. Individually and together, we strongly support your formal designation of the 1.9 million acres of public lands including and surrounding the Bears Ears Buttes in southeast Utah as a national monument utilizing the Antiquities Act of 1906.

The Ute Mountain Ute Tribe has numerous important and sacred interests in the region surrounding Bears Ears. Not only does the Tribe have federal trust lands (both reservation land and allotments) that are held in trust for the best interests of the Tribe and the related Tribal Members, but we also have private fee lands. Our Tribal Members reside in a small community named White Mesa, within San Juan County, Utah, where the proposed Bears Ears National Monument is located. Our ancestors have occupied the region for generations, and our people are intrinsically tied to the lands; our individual and collective health and prosperity depends upon the health of these lands. Few things are more important to us than the protection and preservation we can put in place today on these invaluable natural and cultural resources.

Working as a part of the Bears Ears Inter-Tribal Coalition, we prepared and submitted a formal proposal to protect the Bears Ears region on October 15th, 2015. In addition to your administration receiving the proposal, we also delivered it to Representatives Rob Bishop (R, UT) and Jason Chaffetz (R, UT). At that time, we requested that the representatives incorporate our proposal in their draft Utah Public Lands Initiative (PLI) legislation. Regrettably, the draft PLI released on January 20th, 2016, failed to incorporate our proposal, wholly ignored our

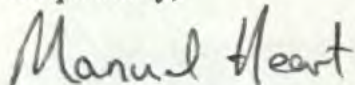
concerns, and failed to adequately protect the Bears Ears in both size and scope. Worse still, the supposed "protections" that the PLI draft proposes erode existing protections already in place, while allowing destructive development on Native American ancestral lands, including the Trust lands of our Tribal partners. As such, the PLI is insensitive to our interests and the interests of Native Americans who live in and have long-standing ancestral ties to Utah.

In service of protecting the lands and preserving the important cultural and natural resources that are so valuable to us at Bears Ears, we appreciate your staff's willingness to meet with us and other representatives of the Coalition to hear our vision for a Bears Ears National Monument that includes robust tribal collaborative management.

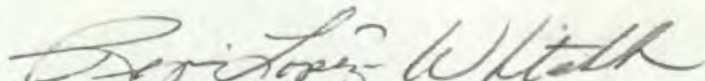
We sincerely thank you for your commitment made at the 2015 Native Nations Conference to: "*review tribal proposals to permanently protect sacred lands for future generations.*" Our Bears Ears National Monument proposal is the first national monument proposal submitted by sovereign Native American Tribes, and our formal agreement to work together to protect Bears Ears is truly historic. One voice alone can be lost in a canyon, but with many voices we create a song. With the togetherness of our coalition, the five core Tribes and the more than 270 other Tribes who have passed resolutions of support, we have that bond; we sing our collective song as a group of indigenous people to protect our ancestral lands for our people today and for future generations.

Both Regina Lopez-Whiteskunk, Councilwoman, and Malcolm Lehi, Councilman and representative for the White Mesa community, are the appropriate contacts with the Ute Mountain Ute Tribe regarding Bears Ears. Regina can be reached at rwhiteskunk@utemountain.org, or 970-564-5601, and Malcolm Lehi at mlehi@utemountain.org, or 435-678-3396. Please do not hesitate to reach out to him/her with any questions or concerns

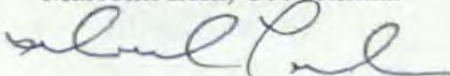
Respectfully,



Manuel Heart, Chairman


Regina Lopez-Whiteskunk, Councilwoman

Malcolm Lehi, Councilman



CC: The Honorable Sally Jewell, Secretary of the Interior
The Honorable Tom Vilsack, Secretary of Agriculture
The Honorable Christina W. Goldfuss, Managing Director,
Council on Environmental Quality



**RESOLUTION OF THE UTE MOUNTAIN UTE TRIBAL COUNCIL
REFERENCE: SUPPORT FOR THE PROTECTION OF BEARS EARS AS A
NATIONAL MONUMENT UTILIZING THE ANTIQUITIES ACT OF 1906
TO FORMALLY PROTECT 1.9 MILLION ACRES THROUGH TRIBAL
COLLABORATIVE MANAGEMENT**

WHEREAS, the Constitution and By-Laws of the Ute Mountain Ute Tribe, approved June 6, 1940, and subsequently amended, provides in Article III that the governing body of the Ute Mountain Ute Tribe ("Tribe") is the Ute Mountain Ute Tribal Council and sets forth in Article V the powers of the Tribal Council exercised in this Resolution;

WHEREAS, the Tribal Council has the duty to promote programs that serve the best interests of the Tribe and its members;

WHEREAS, the Ute Mountain Ute Tribe recognizes the historic and ongoing ties to the lands, animals, plants, resources of southeastern Utah, including San Juan County, by Native American people; and

WHEREAS, the proposed *Bears Ears National Monument* area is the ancestral home of many additional Southwestern Native American Tribes, including the Navajo, accompanied by the Hopi, Zuni, Acoma, Zia, and Jemez Pueblos along with the Ute Mountain, Southern, and Uintah Ouray Utes, the San Juan, Kaibab, and Utah Paiute Tribes and the Jicarilla Apache Tribe; and

WHEREAS, the proposed Bears Ears National Monument area is bordered on the west by the Colorado River and on the south by the San Juan River and Navajo Nation reservation, the proposed Bears Ears National Monument area is characterized by prodigious topographic diversity and striking landforms. Containing an intricately rich ecological system, the Ute Mountain Ute and other Tribes depend upon the proposed Bears Ears National Monument area to sustain their traditional livelihoods and cultural practices. Cedar Mesa, the proposed Bears Ears National Monument area's centerpiece offers sprawling vistas while Comb and Butler Washes, as well as Moki, Red, Dark, Grand Gulch, and White canyons support verdant ribbons of riparian habitat. Desert Bighorn Sheep grace the lower desert lands while the 11,000 foot Abajo Mountains host forests of Ponderosa Pine, Spruce, Fir and Aspen, providing a home to Mule Deer, Elk, Black Bear and Mountain Lion, sacred icons of the mesa's original peoples. Paramount for the Ute Mountain Ute Tribe is the proper management of the proposed Bears Ears National Monument area's native plants and wildlife that are food, shelter and medicine and its cultural sites that are central to their spiritual practices.

WHEREAS, the proposed Bears Ears National Monument area includes towering cliffs and mesas bisected by sheer canyons exposing sedimentary layers revealing a geologic history stretching back to when a sea covered this landscape. Containing unsurpassed cultural and paleontological resources; the proposed Bears Ears National Monument area is world renowned for the integrity and abundance

Resolution Number 2016-028

Re: SUPPORT FOR THE PROTECTION OF BEARS EARS AS A NATIONAL MONUMENT THAT INCLUDES TRIBAL COLLABORATIVE MANAGEMENT IN UTILIZING THE ANTIQUITIES ACT OF 1906

of its archaeological resources. Six cultural special management areas are within the proposed Bears Ears National Monument boundaries; Alkali Ridge National Historic Landmark, the Hole-in-the-Rock Historical Trail and the Grand Gulch, Big Westwater Ruin, Dance Hall Rock, Sand Island Petroglyph Panel, the Newspaper Rock Petroglyph Panel, and the Butler Wash Archaeological District National Register site. Also occurring in the proposed Bears Ears National Monument area is 19 distinct geologic units that are scientifically significant vertebrate and non-vertebrate paleontological resources that are particularly abundant in the Cedar Mountain, Burro Canyon, Morrison and Chinle Formations.

WHEREAS, the proposed Bears Ears National Monument area has been inhabited for greater than 12,000 years by multiple indigenous cultures, who crossed, and built civilizations on these lands. At the Lime Ridge Clovis site is evidence of Paleoindian occupation and the archaeological record indicates widespread use between 6000 B.C. and A.D. 100 by Archaic Peoples. Possessing numerous Archaic Period sites of varying size and complexity are Cedar Mesa, Elk Ridge, and Montezuma Canyon. While other notable sites include Alkali Ridge, Cowboy Cave, Old Man Cave, and Dust Devil Cave. The heaviest occupation of the proposed Bears Ears National Monument lands was perhaps by the Formative Period Peoples, (AD 100-AD 1300) who left very large numbers of archaeological sites ranging from small lithic scatters to large highly complex village sites.

WHEREAS, the proposed Bear's Ears National Monument area is comprised of primarily Bureau of Land Management Wilderness Study Areas and lands with Wilderness Characteristics and U.S. Forest Service Roadless Areas. Vast, remote desert mesas cut by sheer walled serpentine canyons provide unparalleled solitude and scenic quality that is comparable to or exceeds those found in nearby national parks and monuments, such as Canyonlands, Arches, Grand Staircase, Natural Bridges, Hovenweep and Mesa Verde.

WHEREAS, priority management values deserving of protection within the proposed Bears Ears National Monument are: cultural, archaeological, wildlife, natural and scenic resources. An essential aspect of the proposed Bears Ears National Monument's management is to better protect these resources and to ensure their ongoing and sustainable use.

WHEREAS, Native Americans have unique and important cultural and historical ties to the land and its wildlife and other natural resources; and

WHEREAS, Native Americans' connections to the land support Native life and culture in important, life sustaining ways, including: subsistence hunting, fishing and gathering of nature's materials for medicinal, spiritual and other uses, preservation of tribal sacred places and as sources of economic development; and

WHEREAS, Native Americans' have shown quality and excellence in managing lands and natural resources to protect the cultural integrity of the homeland of Native peoples; and

WHEREAS, southeastern Utah includes many areas of vital importance to Native peoples' identity and history;

WHEREAS, these areas are under constant threat of cultural vandalism, looting of Native cultural sites, indiscriminate off road vehicle use that damages areas sacred to Native peoples, energy development footprints that negatively impact lands of historic and cultural importance, and general degradation of wildlife and plant habitats of importance to Native traditional practices;

WHEREAS, to prevent this rapid destruction of lands in southeastern Utah that are important to Native peoples, formal protection of 1.9 million acres as a Bears Ears National Monument is required utilizing the Antiquities Act of 1906;

WHEREAS, formal protection of southeastern Utah lands as a Bears Ears National Monument will provide important consistency and quality to manage these lands, and to define principles of collaborative management that will positively affect Native values on these lands in the following ways:

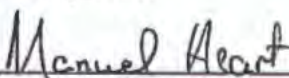
- Protection will be a permanent part of a national system of protected lands that carry strong and clear legal definitions of the primacy of conservation of cultural, historical and ecological values that define Native connections to these lands.
- Protection under a National Monument designation creates important opportunities for consultation of Native Americans and participation in management of these resources and increased funding for the protection of these resources with an emphasis on conservation and preservation of the region's cultural and natural resources.
- Protection should be at the largest landscape level possible, providing connectivity of wildlife and plant habitats, ecological integrity of the region and be comprehensive in its protection of Native sacred sites, which cannot be considered out of the context of the larger landscape.
- Protection of lands in southeastern Utah as a Bears Ears National Monument will be a top priority for concerned federal agencies, with public involvement and a prioritization of staffing, resources and cooperation with Native peoples.

WHEREAS, the Tribal Council has reviewed the proposal and believes the action taken by this resolution is in the best interests of the Tribe.

NOW THEREFORE BE IT RESOLVED, that the Ute Mountain Ute Tribe asserts its interest in supporting the utilization of the Antiquities Act of 1906 to protect the Bears Ears landscape, comprised of 1.9 million acres, as a National Monument designation with principles of tribal collaborative management in place to reflect the will and the values of Native peoples whose identities, histories, cultures and futures are inextricably tied to these lands; and

BE IT FINALLY RESOLVED that the Ute Mountain Tribal Council authorizes the Chairman to sign this Resolution and further authorizes him to take such action as may be necessary to carry out the intent of this Resolution.

The foregoing Resolution was duly adopted this 9th day of March, 2016.



Manuel Heart, Chairman
Ute Mountain Tribal Council

Resolution Number 2016-028

Re: SUPPORT FOR THE PROTECTION OF BEARS EARS AS A NATIONAL MONUMENT THAT INCLUDES TRIBAL COLLABORATIVE MANAGEMENT IN UTILIZING THE ANTIQUITIES ACT OF 1906

CERTIFICATION

This is to certify that there was a quorum of 6 Tribal Council members present at a regular meeting of the Ute Mountain Ute Tribal Council held on March 9, 2016, that 5 voted for and 0 opposed this resolution and that this resolution was duly adopted.

Michela Aire

Michela Aire, Recording Secretary
Ute Mountain Tribal Council

Ute Mountain Ute Tribe
Office of the Chairman

Mr. Manuel Nieto
P.O. Box 21
Towaoc, CO 81224

August 12, 2015

VIA Hand Delivery

Members of Bears Ears Inter-Tribal Coalition

Dear Tribes:

I am writing to express Ute Mountain Ute Tribe's support of the Bears Ears Inter-Tribal Coalition and to state the Tribe's concerns and interest in the protection of cultural resources within the Bears Ears region.

As you know, the Ute Mountain Ute Tribe has numerous important and sacred interests in the region surrounding Bears Ears. Not only does the Tribe have federal trust lands (both reservation land and allotments) that are held in trust for the best interests of the Tribe and the related Tribal Members, but we also have private fee lands and numerous Tribal Members reside within San Juan County. Our ancestors have occupied the region for generations and our people are intrinsically tied to the lands; for health and prosperity depended upon the health of the lands. Few things are more important to us than the protections and preservations we put in place today on our invaluable land resources.

To protect the lands and preserve the important cultural and natural resources that are so valuable to us, we intend to participate in the Bears Ears Inter-Tribal Coalition. However the Tribe is most interested in the management of the region and we intend to examine any proposed management plan in order to ensure that the Tribe's interests are properly addressed. Until such management plan is developed, we cannot state with certainty that we will support the management plan so we respectfully request copies of all proposed plans and related documents. We are confident that a proper plan can be developed, especially if developed by the Coalition. Not only can we establish a model for future land management, but we can ensure these lands are managed in the best interest of our people.

Therefore, please accept this letter in support of the Bears Ears Inter-Tribal Coalition and the development of a management plan for the region and we intend to participate in the development of a management plan for the region that will protect the valuable cultural and natural resources that are so important to the Ute people.

Phone: 970-564-5606

Fax: 970-564

Chief Jack House, Last Traditional Chief 1896-1972

Thank you for your time and I look forward to working with each of you on this important project.

Respectfully,

Manuel Heart

Manuel Heart
Chairman

Southern Ute

“Navajos hunted and lived in Bears Ears and built hogans and other structures until they were removed against their will to the reservation in the 19th Century. Many other Tribes, (virtually all of whom have formally supported this proposal) also have significant historical contacts with Bears Ears, including the Southern Ute; White Mountain and Jicarilla Apache; San Juan, Kaibab, and Utah Paiute; Hualapai; Havasupai; and the twenty Pueblos of the All Pueblo Council of Governors.”

NEW MEXICO

- 3/11/16 Zuni Tribe Letter to the president stating support for Bears Ears
- 3/7/16 Zuni Tribal Council Resolution of support for Bears Ears
- 6/16/15 All Pueblo Council of Governors Letter to the president and members of Congress stating support for Bears Ears
- 9/19/14 All Pueblo Council of Governors Resolution of support for National Conservation Area/Monument





Val R. Panteah, Sr.
Governor

Birdena Sanchez
Lt. Governor

Vacant
Head Councilmember

Virginia R. Chavez
Councilwoman

PUEBLO OF ZUNI

P. O. Box 339
Zuni, New Mexico 87327
1203-B NM State Hwy 53
Phone: (505) 782-7022
Fax: (505) 782-7202
www.ashiji.org

505-782-7000 MAIN

Carleton R. Bowekaty
Councilman

Audrey A. Simplicio
Councilwoman

Vacant
Councilmember

Eric Bobelu
Councilman

Officially known as the Zuni Tribe of the Zuni Indian Reservation

March 11, 2016

President Barack Obama
1600 Pennsylvania Avenue
Washington, DC 20500

Dear Mr. President,

I am writing on behalf of the Zuni Tribe to express our support for, and confirm our involvement with, the Bears Ears Inter-Tribal Coalition (Coalition). The Coalition is composed of five sovereign tribes located in the four corners region-Zuni, Hopi, Uintah & Ouray Ute, Ute Mountain Ute, and Navajo. It was formed in July of 2015 in response to Native American concerns. The Zuni Tribe, with the Coalition, is committed to the permanent protection of the Bears Ears cultural landscape in Southeast Utah through a national monument designation.

The Antiquities Act of 1906 is an invaluable tool for the protection of public lands in perpetuity. For the Zuni Tribe, the Antiquities Act is an important method of protecting the ancestral and sacred sites of ancestral Pueblo people. The Bears Ears region includes immeasurable sites, including ancient villages, shrines, burials, rock inscriptions, dwellings, and roads that are central to the cultural past and future of the Zuni people. In addition, the cultural resources located in the Bears Ears region represent our history, our identity, and our spiritual connections. The Zuni Tribe, therefore, requests that you use your authority under the Antiquities Act to designate this special place as a national monument, with strong collaborative management between tribes and the federal government.

Pueblo ancestral sites in the Bears Ears region are threatened by looting, desecration, irresponsible motorized travel, and mining and energy development. These activities severely impact the historic and cultural integrity of sites. In addition, Native peoples utilize the plants and animals of the Bears Ears region in traditional practices, which are also being negatively affected by a lack of sufficient protections. The Coalition member tribes have come together in response to these cultural violations. Our proposal, which was delivered to your staff on October 15, 2015, speaks to the need for permanent protection, as well as tribal inclusion in management on a co-equal level with the federal government, as pursuant to our government to government relationship.

The proposal was also delivered to the Utah Congressional Delegation on the same date for review and, possibly, inclusion in the Public Lands Initiative (PLI) legislation. The Zuni Tribe was, however, disappointed in the Delegation's rejection of the proposal. The draft language of the PLI proposal indicates the Delegation's unwillingness to work with tribal governments to find meaningful solutions that will protect cultural resources and the land, rather than developing it indiscriminately. The PLI

process repeatedly ignored the concerns of tribes with connections to the Bears Ears region, and, furthermore, seeks to undermine the presidential authority of the Antiquities Act.

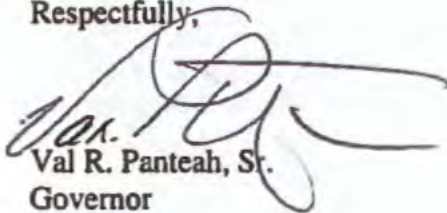
A Bears Ears National Monument designation with strong collaborative management between tribes and the federal government would be a new opportunity to heal the damage done to the land, and to tribal peoples. It would serve as a landmark of cooperation, public benefit, and the government to government relationship with Native American tribes. This national monument would honor the cultures and identities tied to the Bears Ears, and ensure it remains a place of deep connections for our children and grandchildren.

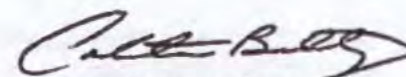
In 2015 at the Native Nations Conference you said that you would "*review tribal proposals to permanently protect sacred lands for future generations*". To the Zuni Tribe, Native Americans nationwide, and the American public, Bears Ears is deserving of special protections to secure its place in history and in the future. Collaborative management would respect tribal sovereignty, and provide a new venue for discourse on the management of public lands for the good of all people. With hundreds of thousands of archaeological and cultural sites, sacred spaces, and immense significance to contemporary Native Americans, we cannot afford to lose such a special place because it was not sufficiently protected.

We respectfully ask that you use your presidential authority under the Antiquities Act to designate the Bears Ears region as a National Monument. Together we can protect the final resting places and remains of our ancestors, our cultural and sacred sites, and the natural integrity and beauty of the Bears Ears region.

Please contact Zuni Tribal Councilman Carleton R. Bowekaty at carleton.bowekaty@ashiwi.org or (505) 782-7027 if the Zuni Tribe can be of any assistance to the administration in this important endeavor. Councilman Bowekaty serves as the Zuni representative for the Bears Ears Inter-Tribal Coalition.

Respectfully,


Val R. Panteah, Sr.
Governor


Carleton R. Bowekaty
Councilman

CC: The Honorable Sally Jewell, Secretary of the Interior
The Honorable Tom Vilsack, Secretary of Agriculture
The Honorable Christina W. Goldfuss, Managing Director,
Council on Environmental Quality



**ZUNI TRIBAL COUNCIL
ZUNI, NEW MEXICO**

March 7, 2016

RESOLUTION NO. M70-2016-P014

Permanent Protection of Bears Ears Region through National Monument Designation

WHEREAS, the Zuni Tribal Council, consisting of the Governor, Lieutenant Governor, and six Tenientes is declared to be the legislative authority of the Pueblo of Zuni by Article V, Section 1, of the Constitution of the Zuni Tribe; and

WHEREAS, the Zuni Tribal Council, Pursuant to Article VI, Section 1(d) of the Constitution of the Zuni Tribe, to represent the tribe, and to act in all matters that concern the welfare of the tribe; and

WHEREAS, the Zuni Tribe, Also known as the Pueblo of Zuni, is a Federally Recognized Indian Tribe; and

WHEREAS, to protect the traditional cultural properties and sacred sites of ancestral Pueblo people is paramount to all and each Pueblo's cultural preservation now and in the future, and

WHEREAS, the Bears Ears region of Southeastern Utah is historically, culturally, and spiritually tied to Native American tribes, including but not limited to, the Navajo, Hopi, Ute, and Zuni people; and

WHEREAS, the Bears Ears region of Southeastern Utah holds immense importance for all the Pueblo people' identity and history, including and but not limited to, villages, shrines, burials, rock inscriptions, dwellings, and ancient transportation routes, as well as natural resources necessary for traditional and spiritual practice; and

WHEREAS, archaeological and cultural sites in the Bears Ears region face destruction, desecration, and violation from irresponsible motorized travel, energy development, mining, uneducated visitors, and looting of ancestral sites and burials; and

WHEREAS, to prevent harm and mitigate existing damage to the Bears Ears region the Pueblo of Zuni is seeking permanent protection; and

WHEREAS, the Antiquities Act of 1906 is an invaluable and essential tool in protecting Native American sacred and cultural sites in perpetuity; and

WHEREAS, the Pueblo of Zuni is a member of the Bears Ears Inter-Tribal Coalition, a partnership with Hopi, Navajo, Ute Mountain Ute, and Uintah & Ouray Ute which is supported by the National Congress of American Indians and a total of 26 tribes; and

WHEREAS, the Bears Ears Inter-Tribal Coalition is asking for a national monument designation using presidential authority for the Bears Ears region under the 1906 Antiquities Act; and

WHEREAS, the Pueblo of Zuni supports collaborative management of the Bears Ears region between tribes and the federal government, and the government to government relationship shall ensure proper protection, preservation and management of the sacred ancestral sites and regions for all Pueblo people and Native Americans as whole; and

THEREFORE NOW, BE IT RESOLVED, that the Pueblo of Zuni, along with the other nineteen Pueblos, as well as Ute Mountain, Uintah & Ouray Ute, Navajo, and Hopi Nations stand together as one unified Native American coalition dedicated to the permanent protection of the Bears Ears region and its cultural and natural resources through a national monument designation

ZUNI TRIBAL COUNCIL:

Absent-Cx
Val R. Panteah, Sr., Governor

Head Councilmember - VACANT

Carleton R. Bowekaty
Carleton R. Bowekaty, Councilman

Councilmember - VACANT

Birdena Sanchez
Birdena Sanchez, Lt. Governor


Virginia R. Chavez
Virginia R. Chavez, Councilwoman

Audrey A. Simplicio
Audrey A. Simplicio, Councilwoman

Eric Bobelu
Eric Bobelu, Councilman

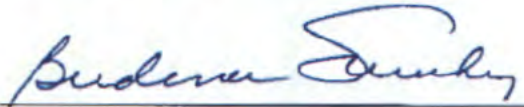
CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Zuni Tribal Council at a duly called meeting at Zuni, New Mexico, at which a quorum was present and the same was approved by a vote of 5 in favor, 0 opposed, 0 abstaining on March 7, 2016.



Audrey A. Simplicio, Tribal Council Secretary
Pueblo of Zuni

APPROVED / DISAPPROVED


for Val R. Panteah, Sr., Governor

3/7/16
Date

All Pueblo Council of Governors

2401 12th Street NW Suite 200 N Albuquerque NM 87104

Officers

Governor E. Paul Torres, Chairman
Governor Val Panteah Sr. Vice Chairman
Governor Terry Aguilar, Secretary

Acoma June 16, 2015

Cochiti

Isleta RE: All Pueblo Council of Governors Support Efforts to Protect Bears Ears Cultural Landscape

Jemez

Dear Mr. President and Members of Congress:

Laguna

The All Pueblo Council of Governors, which represents the nineteen Pueblos of New Mexico and one in Texas, has engaged in multiple discussions over the past three years about the need to protect important landscapes and cultural sites in southeast Utah. These lands contain the homes of our ancestors, including thousands of sacred sites and many cultural resources significant to Pueblo people.

Nambe

Ohkay

Owingeh

Picuris

To make official our collective interest in and concern for this area, we passed a resolution (No. APCG 2014-07) in November of 2014 supporting the protection of the greater Cedar Mesa area via a "permanent protection mechanism, such as a National Conservation Area or a National Monument."

Pojoaque

Sandia

When we passed that resolution, several proposals had been put forward by different groups interested in the region. At the time, we did not favor one proposal or geographic boundary over another. Now, the various groups working to protect the area have unified behind a single proposal and boundary that has been called the "Bears Ears" cultural landscape. This proposal would protect the sacred sites and cultural resources described in our November resolution. Through this letter, we extend our support to the efforts to protect the Bears Ears cultural landscape and confirm our intention for Pueblo people to be actively engaged in future protective and management efforts in the area.

San

Felipe

San

Hdefonso

Santa Ana

Santa Clara

Sincerely,
ALL PUEBLO COUNCIL OF GOVERNORS

Santo

Domingo



Taos

Governor E. Paul Torres
Chairman

Testuque

to Del Sur

Zia

Zuni

Officers
Governor: *E. Paul Torres, Chairman*
Governor: *Arlene Quetawki, Vice Chairman*
Governor: *Terry Aguilar, Secretary*

RESOLUTION

ALL PUEBLO COUNCIL OF GOVERNORS RESOLUTION NO. APCG 2014-17

Support for the Protection of Cultural Resources and Sacred Sites on Public Lands in the Greater Cedar Mesa region

WHEREAS, the All Pueblo Council of Governors (“APCG”) is comprised of the Pueblos of Acoma, Cochiti, Isleta, Jemez, Laguna, Nambe, Ohkay Owingeh, Picuris, Pojoaque, San Felipe, San Ildefonso, Sandia, Santa Ana, Santa Clara, Santo Domingo, Taos, Tesuque, Zia and Zuni, and one pueblo in Texas, Ysleta del Sur, each having the sovereign authority to govern their own affairs;

WHEREAS, the purpose of the All Pueblo Council of Governors is to advocate, foster, protect, and encourage the social, cultural & traditional well-being of the Pueblo Nations; and

WHEREAS, through their inherent & sovereign rights, the All Pueblo Council of Governors will promote the language, health, economic, and educational advancement of all Pueblo people; and

WHEREAS, each APCG member is a federally recognized Pueblo Nation within the United States with the sovereign right to protect its traditional cultural properties and sacred sites, whether or not they are located within each pueblo’s current exterior boundaries; and

WHEREAS, the protection of the traditional cultural properties and sacred sites of Pueblo people is paramount to each pueblo’s cultural preservation now and into the future; and

WHEREAS, the greater Cedar Mesa region is located in southeast Utah and includes the Montezuma Canyon, the Indian Creek Corridor and Beef Basin; and

WHEREAS, the greater Cedar Mesa region includes hundreds of thousands of sites of vital importance to the pueblo peoples’ identity and history, including villages, shrines, burials, rock paintings, and etchings, ancestral dwellings, and ancient roads; and

WHEREAS, these ancestral sites are under constant threat of grave digging, cultural vandalism, looting of cultural sites, indiscriminate off-road vehicle use that damages areas sacred to Pueblo peoples, energy development footprints that negatively impact lands of historic and cultural importance, and general degradation of wildlife and plant habitats of importance to traditional practices; and

WHEREAS, to prevent the rapid destruction of the lands in the Greater Cedar Mesa region, the Pueblos are seeking the formal and permanent protection mechanism, such as a National Conservation Area or a National Monument; and

WHEREAS, the APCG believes the Greater Cedar Mesa region needs to be a National Conservation Area or a National Monument because it will provide important consistency and

quality management of these lands and define standard principles of management, establish consultation with Native Americans, and emphasize the primacy of conservation and preservation of the region's cultural and natural resources; and

WHEREAS, through consultation and coordination with the APCG's member cultural preservation offices, or designated offices, APCG seeks to exercise administrative responsibilities to negotiate and enter into agreements with the necessary and proper entities which will ensure protection, preservation and management of these sacred ancestral sites and regions for the Pueblo people and its members; and


WHEREAS, while the APCG recognizes the important role of other tribes and groups in advocating for protection of the area, APCG's support of a designation for the greater Cedar Mesa area should not be perceived as support for any specific proposal for the area. Discussion of many details of management and boundaries are ongoing and the APCG intends to have an active voice in those discussions;

NOW, THEREFORE, BE IT RESOLVED THAT the All Pueblo Council of Governors supports the permanent, long-term protection of cultural resources and sacred sites on public lands in the Greater Cedar Mesa region through designation such as a National Conservation Area or a National Monument.

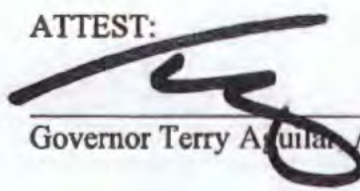
CERTIFICATION

We, the undersigned officials of the All Pueblo Council of Governors hereby certify that the foregoing Resolution No. APCG 2014-17 was considered and adopted at a duly called council meeting held on the 19th day of November 2014, and at which time a quorum was present and the same was approved by a vote of 12 in favor, 0 against, 0 abstain, and 8 absent.

ALL PUEBLO COUNCIL OF GOVERNORS

By: 
Governor E. Paul Torres, APCG Chairman

ATTEST:


Governor Terry Aguilar, APCG Secretary

Jicarilla Apache

“Navajos hunted and lived in Bears Ears and built hogans and other structures until they were removed against their will to the reservation in the 19th Century. Many other Tribes, (virtually all of whom have formally supported this proposal) also have significant historical contacts with Bears Ears, including the Southern Ute; White Mountain and Jicarilla Apache; San Juan, Kaibab, and Utah Paiute; Hualapai; Havasupai; and the twenty Pueblos of the All Pueblo Council of Governors.”

ARIZONA

- 4/18/16 Hopi Tribe Letter to the president stating support for designation of Bears Ears
- 3/25/16 Hopi Tribe Resolution of support for Bears Ears
- 2/9/15 Hualapai Tribal Council Resolution of support for Bears Ears

- 9/30/14 Hopi Tribe Letter to the president and members of Congress stating support for National Conservation Area/Monument
- 3/22/16 Hopi Tribal Council Resolution of support for Bears Ears



THE HOPI TRIBE



Herman G. Honanie
CHAIRMAN

Alfred Lomahquahu, Jr.
VICE-CHAIRMAN

April 18, 2016

President Barack Obama
1600 Pennsylvania Avenue
Washington, D.C. 20500

Dear Mr. President,

On behalf of all *Hopisinom* (the Hopi People) it is my honor to re-affirm the Hopi Tribe's strong support for designation of the Bears Ears region in Southeast Utah as a national monument. Specifically, the Hopi Tribe requests that you assert your authority under the Antiquities Act of 1906 to accomplish this long-overdue goal for Native people throughout the Southwest.

The modern day federal lands of the Bears Ears region are our Tribe's ancestral lands. The Hopi Cultural Preservation Office has long since documented our people's relationship to the Bears Ears region. As articulated in detail in Hopi Tribal Council Resolution AI#042-2016/H-035-2016, the Hopi Tribe claims cultural affiliation to ancestral Puebloan groups that inhabited the Bears Ears. Our ancestors settled and lived in the Bears Ears region during their long migration back to *Tuwanasavi* (the Center of the Earth) on the Hopi Mesas.

We have requested avoidance and preservation of our ancestors' remains, but the federal land managers of the Bears Ears regions simply lack the capacity to do so. While we have spoken out before about this situation, most recently in September 2014 about the need to permanently protect this region through a special designation like a national monument, those calls have fallen on deaf ears in Congress.

Beginning in July 2015, the Hopi Tribe joined with four other sovereign nations to establish the Bears Ears Inter-Tribal Coalition (Coalition) to jointly advocate for permanent protection of the 1.9 million acre Bears Ears Region as a national monument, and to establish a collaborative management regime assuring co-equal Tribal engagement in future management. We appreciate your staff's willingness to meet with representatives of the Coalition, and take seriously your commitment at the 2015 Native Nations Conference to "review tribal proposals to permanently protect sacred lands for future generations." The Bears Ears National Monument proposal is exactly that, and is unprecedented as the first national monument proposal to come forth from sovereign Native American Tribes. The Hopi Tribe believes a national monument designation for the Bears Ears that comes with strong tribal collaborative management can help to stop the centuries of looting and grave robbing that continue in this area. It can also be a meaningful

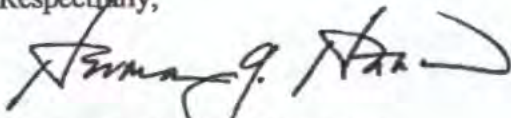
recognition of tribal sovereignty, while ensuring that the public lands of the Bears Ears remain open to all, and managed in such a way that they can forever be cherished by future generations.

Our proposal, which was delivered to your staff on October 15, 2015, was also delivered to the Utah Congressional Delegation for potential inclusion in legislation via their proposed Public Lands Initiative. Unfortunately, the Delegation refused to incorporate this proposal into their legislation, and instead proposes large-scale destructive development throughout Native American ancestral lands, and even on our Tribal partners Trust lands. Even those areas that are identified for "conservation" lack meaningful protection and are proposed to be managed by the decidedly anti-conservation state and county governments. As a result, the Hopi Tribe, along with the Navajo, Ute Mountain Ute, Zuni, and Ute Indian Tribes, which comprise the Coalition, have been forced to abandon the insensitive and simply unacceptable Public Lands Initiative.

The Antiquities Act was created precisely for the protection of cultural and historic objects. Such objects permeate the Bears Ears, and were left behind as "footprints" of ancient villages, trails, petroglyphs, springs, as well as our ancestors' remains. Hopi ancestors who lived in the Bears Ears continue to inhabit the land today, and are part of a living landscape that sustains our Hopi identity. This deep and timeless connection to the Bears Ears is the basis for our request that you use your authority under the Antiquities Act to establish a Bears Ears National Monument.

If the Hopi Tribe can be of any assistance, please contact Hopi Vice-Chairman Alfred Lomahquahu who serves as the Hopi Representative to, and co-chairs the Bears Ears Inter-Tribal Coalition at alomahquahu@hopi.nsn.us or 928-734-3112.

Respectfully,



Herman G. Honanie, Chairman
THE HOPI TRIBE



Alfred Lomahquahu, Vice-Chairman
THE HOPI TRIBE

CC: The Honorable Sally Jewell, Secretary of the Interior
The Honorable Tom Vilsack, Secretary of Agriculture
The Honorable Christina W. Goldfuss, Managing Director, Council on Environmental Quality

THE HOPI TRIBE



Herman G. Honanie
CHAIRMAN

Alfred Lomahquahu, Jr.
VICE-CHAIRMAN

MEMORANDUM

TO: Leigh Kuwanwisiwma, Director
Hopi Cultural Preservation Office

FROM: *Maxine Wadsworth*
Maxine Wadsworth, Tribal Secretary
Hopi Tribal Council

DATE: March 25, 2016

SUBJECT: APPROVAL TO SUPPORT PROPOSAL FOR A PRESIDENTIAL
PROCLAMATION DESIGNATING BEARS EARS NATIONAL
MONUMENT – A.I. #042-2016/H-035-2016



The Hopi Tribal Council on March 22, 2016, by motion and majority vote, approved the above mentioned Action Item and Resolution.

By passage of this Resolution, the Hopi Tribal Council hereby supports the permanent long term protection of cultural and natural resources and sacred sites on these public lands through a proposal for a Presidential Proclamation designating BEARS EARS NATIONAL MONUMENT.

Offices of the Chairman, Vice Chairman and the Hopi Cultural Preservation Office are hereby authorized to continue consultations with the Bears Ears Inter-Tribal Coalition for the purpose of developing a proposal for the Presidential Proclamation.

Should you have any questions, you may contact me at 928 734-3131. Thank you

c: Office of Chairman
Office of Vice Chairman
Office of the Treasurer
Office of Financial Management
Office of Executive Director
Office of General Counsel
Department of Natural Resources
File

HOPI TRIBAL COUNCIL
RESOLUTION
H-035-2016

WHEREAS, the Hopi Tribe is a federally recognized Indian Tribe pursuant to the Indian Reorganization Act of 1934, and the Hopi Tribal Council is empowered by the Constitution and By-laws of the Hopi Tribe, ARTICLE VI-POWERS OF THE TRIBAL COUNCIL, SECTION 1 (a), (d), and (k), respectively: "To represent and speak for the Hopi Tribe in all matters for the welfare of the Tribe . . ."; "To advise with the Secretary of the Interior and other governmental agencies. . ."; and "To protect the arts, crafts, traditions, and ceremonies . . ."; and

WHEREAS, ARTICLE IV-EAGLE HUNTING TERRITORIES AND SHRINES, of the Constitution and By-laws of the Hopi Tribe provides that the Tribal Council shall negotiate with the United States Government agencies concerned, and with other tribes and other persons concerned, in order to secure protection of the right of the Hopi Tribe to "...secure adequate protection for its outlying, established shrines . . ."; and

WHEREAS, pursuant to Resolution H-098-2011, the Hopi Tribal Council adopted the 2011 revised Hopit Pötskwaniat, the Hopi Tribal Consolidated Strategic Plan, which established Hopi Tribal goals "Towards Preservation & Protection of Cultural Resources", "to fulfill the constitutional responsibilities in the protection and preservation . . ." and to "continue the preservation and protection of cultural resources including archeological sites, traditional cultural properties and other historical properties."; and

HOPI TRIBAL COUNCIL
RESOLUTION
H-035-2016

WHEREAS, Hopi migration is intimately associated with a sacred Covenant between the Hopi people and the Earth Guardian, in which the Hopi people made a solemn promise to protect the land by serving as stewards of the Earth, and in accordance with this Covenant, ancestral Hopi clans traveled through and settled on the lands in and around southeastern Utah during their long migration to *Tuwanasavi*, the Earth Center on the Hopi Mesas; and

WHEREAS, the land is a testament of Hopi stewardship through thousands of years, manifested by the "footprints" of ancient villages, sacred springs, migration routes, pilgrimage trails, artifacts, petroglyphs, and the physical remains of buried *Hisatsinom*, the "People of Long Ago," all of which were intentionally left to mark the land as proof that the Hopi people have fulfilled their Covenant, and the Hopi ancestors buried in the area continue to inhabit the land, and they are intimately associated with the clouds that travel out across the countryside to release the moisture that sustains all life; and

WHEREAS, the Hopi footprints and clouds are part of a living, sacred landscape that nourishes and sustains Hopi identity, and this landscape is steeped in cultural values and maintained through oral traditions, songs, ceremonial dances, pilgrimages, and stewardship, and as a cultural landscape, the archaeological sites and physical terrain situates the Hopi people in time and space, providing a geographical conception of history and religion that connects the past, present and future; and

HOPI TRIBAL COUNCIL
RESOLUTION
H-035-2016

WHEREAS, these lands are part of our ancestral lands and Hopi history and cultural values associated with ancestral sites and landscapes are deep and abiding, and pursuant to Hopi Tribal Council Resolution H-70-94, the Hopi Tribe claims cultural affiliation to Ancestral Puebloan cultural groups in the greater Cedar Mesa area, and the Hopi Tribe supports the identification and avoidance of prehistoric archaeological sites and Traditional Cultural Properties, and we consider the prehistoric archaeological sites of our ancestors to be "footprints" and Traditional Cultural Properties; and

WHEREAS, in the attached letter from Chairman Herman Honanie dated September 30, 2014 to President Barack Obama, Senator Orin Hatch, Senator Mike Lee, Congressman Rob Bishop, Congressman Jason Chaffetz, Congressman Jim Matheson, and Congressman Chris Stewart, the Hopi Tribe supported the designation of the greater Cedar Mesa area in southeastern Utah as a National Conservation Area or National Monument; and

WHEREAS, the Hopi Tribe is fully aware that over the last few decades the archaeological, natural and geographic resources in the region have been severely impacted by looting, federal management inadequacies, industrial development, and rampant visitation including increased motorized and recreational access and inappropriate all-terrain vehicle use, and the Tribe has encouraged the Bureau of Land Management to enforce the laws protecting cultural and natural resources on public land in San Juan County and not to acquiesce to local political and illegal

HOPI TRIBAL COUNCIL
RESOLUTION
H-035-2016

actions by proposing to make illegal motorized trails into legal motorized roads on public lands that contain irreplaceable cultural resources that have been looted for over a century and continue to be looted today; and

WHEREAS, the Hopi, Zuni, Ute, Ute Mountain Ute, and Navajo Tribes, composing the Bears Ears Inter-Tribal Coalition, have developed a proposal for a Presidential Proclamation designating BEARS EARS NATIONAL MONUMENT that will enhance the protection of cultural landscapes and the sites within them.

NOW THEREFORE BE IT RESOLVED that the Hopi Tribe hereby supports the permanent long term protection of cultural and natural resources and sacred sites on these public lands through a proposal for a Presidential Proclamation designating BEARS EARS NATIONAL MONUMENT.

BE IT FURTHER RESOLVED that the Hopi Tribal Council supports the proposal that BEARS EARS NATIONAL MONUMENT will be co-managed with stakeholder decision making by the Hopi, Zuni, Ute, Ute Mountain Ute, and Navajo Tribes, composing the Bears Ears Inter-Tribal Coalition, since such a designation and co-management could accomplish the goal of prioritizing protection of cultural resources while also allowing flexibility in management of traditional Native American uses including wood, plants, medicine, ancestral sites, shrines, and hunting.

BE IT FURTHER RESOLVED that based on over century of looting and grave robbing in San Juan County, Utah, the Hopi Tribe hereby supports a provision in the proposal for

HOPI TRIBAL COUNCIL
RESOLUTION
H-035-2016

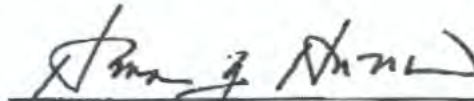
the BEARS EARS NATIONAL MONUMENT that provides for protection, preservation, and avoidance of our ancestor's human remains and associated funerary objects.

BE IT FINALLY RESOLVED that the Offices of the Chairman and Vice Chairman and the Hopi Cultural Preservation Office are hereby authorized to continue consultations with the Bears Ears Inter-Tribal Coalition for the purpose of developing and supporting a proposal for a Presidential Proclamation designating BEARS EARS NATIONAL MONUMENT, which recognizes these lands as Hopi ancestral lands and requires Bears Ears Inter-Tribal Coalition co-management in policy formulation, management, and evaluation of results.

HOPI TRIBAL COUNCIL
RESOLUTION
H-035-2016

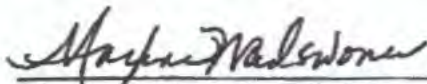
CERTIFICATION

The Hopi Tribal Council duly adopted the foregoing Resolution on March 22, 2016 at a meeting at which a quorum was present with a vote of 13 in favor, 3 opposed, 1 abstaining (Chairman presiding and not voting) pursuant to the authority vested in the Hopi Tribal Council by ARTICLE VI-POWERS OF THE TRIBAL COUNCIL, SECTION 1 (a), (d), and (k) of the Hopi Tribal Constitution and By-Laws of the Hopi Tribe of Arizona, as ratified by the Tribe on October 24, 1936, and approved by the Secretary of Interior on December 19, 1936, pursuant to Section 16 of the Act of June 18, 1934. Said Resolution is effective as of the date of adoption and does not require Secretarial approval.



Herman G. Honanie, Chairman
Hopi Tribal Council

ATTEST:



Maxine Wadsworth, Tribal Secretary
Hopi Tribal Council

**HUALAPAI TRIBAL COUNCIL
RESOLUTION NO. 06-2015
OF THE GOVERNING BODY OF THE
HUALAPAI TRIBE OF THE HUALAPAI RESERVATION
PEACH SPRINGS, ARIZONA**

TITLE: Support for conservation of the Bear's Ears region to protect cultural, historical, and natural resources on federal lands in San Juan County, UT

WHEREAS, we, the Hualapai Tribe does hereby establish and submit the following resolution; and,

WHEREAS, the Hualapai Tribe recognizes the historic and ongoing ties to the lands, animals, plants, resources of San Juan County, Utah by Native American people; and

WHEREAS, the proposed *Bear's Ears National Conservation Area/ National Monument* is the ancestral home of many Southwestern Native American Tribes, including the Navajo, the Hopi, Zuni, Acoma, Zia, and Jemez Pueblos along with the Ute Mountain, Southern, and Uintah •Uray Utes, the San Juan, Kaibab, and Utah Paiute Tribes and the White Mountain and Jicarilla Apache Tribes, all of whom assert their affiliation, occupation and enduring use of these Conservation Area/ Monument lands; and

WHEREAS, the proposed National Conservation Area/ National Monument is bordered on the west by the Colorado River and on the south by the San Juan River and Navajo Nation reservation, the Conservation Area/ Monument is characterized by prodigious topographic diversity and striking landforms. Containing an intricately rich ecological system, the Navajo and other Tribes depend upon the proposed Conservation Area/ Monument to sustain their traditional livelihoods and cultural practices. Cedar Mesa, the Conservation Area/ Monument's centerpiece offers sprawling vistas while Comb and Butler Washes, as well as Moki, Red, Dark, Grand Gulch, and White canyons support verdant ribbons of riparian habitat. Desert Bighorn Sheep grace the lower desert lands while the 11,000 foot Abajo Mountains host forests of Ponderosa Pine, Spruce, Fir and Aspen, providing a home to Mule Deer, Elk, Black Bear and Mountain Lion, sacred icons of the mesa's original peoples. Paramount for the Navajo, the majority of the regions current inhabitants, is the proper management of the proposed Conservation Area/ Monument's native plants and wildlife that are food, shelter and medicine and its cultural sites that are central to their spiritual practices.

WHEREAS, the proposed National Conservation Area/ Monument includes towering cliffs and mesas bisected by sheer canyons, which expose sedimentary layers revealing a geologic history stretching back to when a sea covered this landscape. Containing unsurpassed cultural and paleontological resources, the proposed Conservation Area/ Monument is world renowned for the integrity and abundance of its archaeological resources. Six cultural special management areas are within the proposed Conservation Area/ Monument boundaries: Alkali Ridge National Historic Landmark, the Hole-in-the-Rock Historical Trail and the Grand Gulch, Big Westwater Ruin, Dance Hall Rock, Sand Island Petroglyph Panel, the Newspaper Rock Petroglyph Panel, and the Butler Wash Archaeological District National Register site. Also occurring in the proposed Conservation Area/ Monument's 19 distinct geologic units are scientifically significant vertebrate and non-

vertebrate paleontological resources that are particularly abundant in the Cedar Mountain, Burro Canyon, Morrison, and Chink Formations.

WHEREAS, the proposed National Conservation Area/ National Monument has been inhabited for greater than 12,000 years by multiple indigenous cultures, who utilized, traveled through, and built civilizations on these lands. At the Lime Ridge Clovis site is evidence of Paleoindian occupation and the archaeological record indicates widespread use between 6000 B.C. and A.D. 100 by Archaic Peoples. Possessing numerous Archaic Period sites of varying size and complexity are Cedar Mesa, Elk Ridge, and Montezuma Canyon. Other notable sites include Alkali Ridge, Cowboy Cave, Old Man Cave, and Dust Devil Cave. Perhaps the most intensive occupation of the proposed Conservation Area/ Monument lands was during the time that archaeologists have called the Formative Period (AD 100 – AD 1300), which resulted in very large numbers of archaeological sites ranging from small lithic scatters to large, highly complex village sites. The region continued to be occupied and utilized by the ancestors of present-day Southern Paiute, Ute, Navajo, Apache, and various Puebloan cultures for many centuries, up until modern times.

WHEREAS, the proposed Bear's Ears Conservation Area/ National Monument is comprised of primarily Bureau of Land Management Wilderness Study Areas and lands with Wilderness Characteristics and U.S. Forest Service Roadless Areas. Vast, remote desert mesas cut by sheer walled serpentine canyons provide unparalleled solitude and scenic quality that is comparable to or exceeds those found in nearby national parks and monuments, such as Canyonlands, Arches, Grand Staircase, Natural Bridges, Hovenweep, and Mesa Verde.

WHEREAS, priority management values to protect within the proposed Conservation Area/ Monument are: cultural, archaeological, wildlife, and natural & scenic resources. An essential aspect of the proposed Conservation Area/ Monument's management is to better protect these resources and to ensure their ongoing and sustainable use.

WHEREAS, Native Americans have unique and important cultural and historical ties to the land and its wildlife and other natural resources; and

WHEREAS, Native Americans' connections to the land support Native life and culture in important, life sustaining ways, including: subsistence hunting, fishing and gathering of nature's materials for medicinal, spiritual and other uses, preservation of tribal sacred places, and as sources of economic development; and

WHEREAS, Native American have shown quality and excellence in managing lands and natural resources to protect the cultural integrity of the homeland of Native peoples; and

WHEREAS, southeastern Utah includes many areas of vital importance to Native peoples' identity and history;

WHEREAS, these areas are under constant threat of cultural vandalism, looting of Native cultural sites, indiscriminate off road vehicle use that damages areas sacred to Native peoples, energy development footprints that negatively impact lands of historic and cultural importance, and general degradation of wildlife and plant habitats of importance to Native traditional practices;

WHEREAS, to prevent this rapid destruction of lands in southeastern Utah is important to Native peoples, formal protection as a national conservation area or national monument is required;

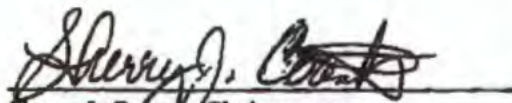
WHEREAS, formal protection of southeastern Utah lands as a National Conservation Area/ Monument will provide important consistency and quality to management of these lands, and define principles of management that will positively affect Native values on these lands in the following ways:

- Protection will be a permanent part of a national system of protected lands that carry strong and clear legal definitions of the primacy of conservation of cultural, historical and ecological values that define Native connections to these lands.
- Protection as a national conservation area or national monument creates important opportunities for consultation of Native Americans and participation in management of these resources and increased funding for the protection of these resources with an emphasis on conservation and preservation of the region's cultural and natural resources.
- Protection should be at the largest landscape level possible, providing connectivity of wildlife and plant habitats, ecological integrity of the region and be comprehensive in its protection of Native sacred sites, which cannot be considered out of the context of the larger landscape.
- Protection of lands in southeastern Utah as a national conservation area or national monument will be a top priority for concerned federal agencies, with public involvement and a prioritization of staffing, resources and cooperation with Native peoples.

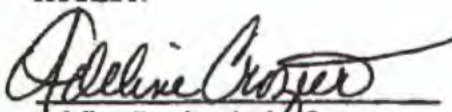
NOW THEREFORE BE IT RESOLVED, that the Hualapai Tribe extends its support for the Bear's Ears National Conservation Area or National Monument designation that reflects the will and the values of Native peoples whose identities, histories, cultures and futures are inextricably tied to these lands.

CERTIFICATION

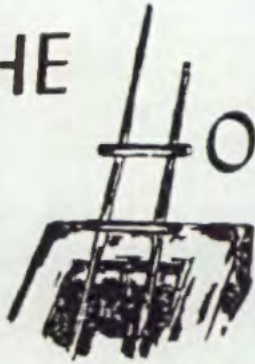
I, the undersigned as Chairwoman of the Hualapai Tribal Council hereby certify that the Hualapai Tribal Council of the Hualapai Tribe is composed of nine (9) members of whom nine (9) constituting a quorum were present at a Regular Council meeting held on this 9th day of February 2015; and that the foregoing resolution was duly adopted by a vote of (9) in favor, (0) opposed; pursuant to authority of Article V, Section (a) of the Constitution of the Hualapai Tribe approved March 13, 1992.


Sherry J. Counts, Chairwoman
HUALAPAI TRIBAL COUNCIL

ATTEST:


Adeline Crozier, Assist. Secretary
HUALAPAI TRIBAL COUNCIL

THE HOPI TRIBE



Herman G. Honanie
CHAIRMAN

Alfred Lomahquahu Jr.
VICE-CHAIRMAN

September 30, 2014

President Barack Obama
The White House
1600 Pennsylvania Ave., NW
Washington, D.C.

Senator Orin Hatch
104 Hart Senate Office Building
Washington, D.C. 20510

Congressman Rob Bishop
123 Cannon Building
Washington, D.C. 20515

Congressman Jim Matheson
2211 Rayburn House Office Building
Washington, D.C. 20515

Senator Mike Lee
316 Hart Senate Office Building
Washington, D.C. 20510

Congressman Jason Chaffetz
2464 Rayburn House Office Building
Washington, D.C. 20515

Congressman Chris Stewart
323 Cannon House Office Building
Washington, D.C. 20515

Dear Mr. President, Senators and Congressmen,

On behalf of Hopi people, Hopisenom, I have the honor of providing the Hopi Tribe's support for the designation of the greater Cedar Mesa area including Alkali Ridge and Montezuma Canyon in southeastern Utah as a National Conservation Area or National Monument.

Pursuant to the enclosed Hopi Tribal Council Resolution H-70-94, the Hopi Tribe claims cultural affiliation to ancestral puebloan cultural groups in the greater Cedar Mesa area. The Hopi Cultural Preservation Office supports the identification and avoidance of prehistoric archaeological sites and Traditional Cultural Properties, and we consider the prehistoric archaeological sites of our ancestors to be "footprints" and Traditional Cultural Properties. Therefore, we appreciate your solicitation of our input and your efforts to address our concerns.

Hopi migration is intimately associated with a sacred Covenant between the Hopi people and *Mâasaw*, the Earth Guardian, in which the Hopi people made a solemn promise to protect the land by serving as stewards of the Earth. In accordance with this Covenant, ancestral Hopi clans

traveled through and settled on the lands in and around southeastern Utah during their long migration to *Tuurwanasavi*, the Earth Center on the Hopi Mesas.

The land is a testament of Hopi stewardship through thousands of years, manifested by the "footprints" of ancient villages, sacred springs, migration routes, pilgrimage trails, artifacts, petroglyphs, and the physical remains of buried *Hisatsinom*, the "People of Long Ago," all of which were intentionally left to mark the land as proof that the Hopi people have fulfilled their Covenant. The Hopi ancestors buried in the area continue to inhabit the land, and they are intimately associated with the clouds that travel out across the countryside to release the moisture that sustains all life.

The Hopi footprints and clouds are part of a living, sacred landscape that nourishes and sustains Hopi identity. This landscape is steeped in cultural values and maintained through oral traditions, songs, ceremonial dances, pilgrimages, and stewardship. As a cultural landscape, the archaeological sites and physical terrain situates the Hopi people in time and space, providing a geographical conception of history and religion that connects the past, present and future. These lands are part of our ancestral lands. Hopi history and cultural values associated with ancestral sites and landscapes are deep and abiding.

We are fully aware that over the last few decades the archaeological, natural and geographic resources in the region have been severely impacted by looting, federal management inadequacies, industrial development, and rampant visitation including increased motorized and recreational access and inappropriate all terrain vehicle use. We have encouraged the BLM to enforce the laws protecting cultural and natural resources on public land in San Juan County and not to acquiesce to local political and illegal actions by proposing to make illegal motorized trails into legal motorized roads on public lands that contain irreplaceable cultural resources that have been looted for over a Century and continue to be looted today.

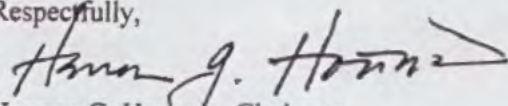
We appreciate the Friends of Cedar Mesa and National Trust for Historic Preservation for working with the Hopi Tribe and other tribes culturally associated to the area to develop proposals that will enhance the protection of cultural landscapes and the sites within them in San Juan County.

And therefore, the Hopi Tribe and Hopi Cultural Preservation Office supports Congressional action to designate the greater Cedar Mesa area as a National Conservation Area. Based on over century of looting and grave robbing, we also support a provision in the designation that provides for protection and preservation and avoidance of our ancestor's human remains. Such a designation could accomplish the goal of prioritizing protection of cultural resources while also allowing flexibility in management of traditional Native American uses.

However, if Congress fails to act quickly to protect this landscape, we urge the President to be ready to preserve this imperiled resource as a National Monument before the end of this term.

Should you have any questions or need additional information, please contact Leigh Kuwanwisiwma, Director, Hopi Cultural Preservation Office at tkuwanwisiwma@hopi.nsn.us or 928-734-3611. Thank again you for your consideration.

Respectfully,


Herman G. Honanie, Chairman
THE HOPI TRIBE

THE



HOPI TRIBE

Herman G. Honanie
CHAIRMAN

Alfred Lomahquahu, Jr.
VICE-CHAIRMAN

MEMORANDUM

TO: Leigh Kuwanwisiwma, Director
Hopi Cultural Preservation Office

FROM: *Maxine Wadsworth*
Maxine Wadsworth, Tribal Secretary
Hopi Tribal Council

DATE: March 25, 2016

SUBJECT: APPROVAL TO SUPPORT PROPOSAL FOR A PRESIDENTIAL
PROCLAMATION DESIGNATING BEARS EARS NATIONAL
MONUMENT – A.I. #042-2016/H-035-2016



The Hopi Tribal Council on March 22, 2016, by motion and majority vote, approved the above mentioned Action Item and Resolution.

By passage of this Resolution, the Hopi Tribal Council hereby supports the permanent long term protection of cultural and natural resources and sacred sites on these public lands through a proposal for a Presidential Proclamation designating BEARS EARS NATIONAL MONUMENT.

Offices of the Chairman, Vice Chairman and the Hopi Cultural Preservation Office are hereby authorized to continue consultations with the Bears Ears Inter-Tribal Coalition for the purpose of developing a proposal for the Presidential Proclamation.

Should you have any questions, you may contact me at 928 734-3131. Thank you

c: Office of Chairman
Office of Vice Chairman
Office of the Treasurer
Office of Financial Management
Office of Executive Director
Office of General Counsel
Department of Natural Resources
File

HOPI TRIBAL COUNCIL
RESOLUTION
H-035-2016

WHEREAS, the Hopi Tribe is a federally recognized Indian Tribe pursuant to the Indian Reorganization Act of 1934, and the Hopi Tribal Council is empowered by the Constitution and By-laws of the Hopi Tribe, ARTICLE VI-POWERS OF THE TRIBAL COUNCIL, SECTION 1 (a), (d), and (k), respectively: "To represent and speak for the Hopi Tribe in all matters for the welfare of the Tribe . . ."; "To advise with the Secretary of the Interior and other governmental agencies. . ."; and "To protect the arts, crafts, traditions, and ceremonies . . ."; and

WHEREAS, ARTICLE IV-EAGLE HUNTING TERRITORIES AND SHRINES, of the Constitution and By-laws of the Hopi Tribe provides that the Tribal Council shall negotiate with the United States Government agencies concerned, and with other tribes and other persons concerned, in order to secure protection of the right of the Hopi Tribe to "...secure adequate protection for its outlying, established shrines . . ."; and

WHEREAS, pursuant to Resolution H-098-2011, the Hopi Tribal Council adopted the 2011 revised Hopit Pötskwaniat, the Hopi Tribal Consolidated Strategic Plan, which established Hopi Tribal goals "Towards Preservation & Protection of Cultural Resources", "to fulfill the constitutional responsibilities in the protection and preservation . . ." and to "continue the preservation and protection of cultural resources including archeological sites, traditional cultural properties and other historical properties."; and

HOPI TRIBAL COUNCIL
RESOLUTION
H-035-2016

WHEREAS, Hopi migration is intimately associated with a sacred Covenant between the Hopi people and the Earth Guardian, in which the Hopi people made a solemn promise to protect the land by serving as stewards of the Earth, and in accordance with this Covenant, ancestral Hopi clans traveled through and settled on the lands in and around southeastern Utah during their long migration to *Tuuwanasavi*, the Earth Center on the Hopi Mesas; and

WHEREAS, the land is a testament of Hopi stewardship through thousands of years, manifested by the "footprints" of ancient villages, sacred springs, migration routes, pilgrimage trails, artifacts, petroglyphs, and the physical remains of buried *Hisatsinom*, the "People of Long Ago," all of which were intentionally left to mark the land as proof that the Hopi people have fulfilled their Covenant, and the Hopi ancestors buried in the area continue to inhabit the land, and they are intimately associated with the clouds that travel out across the countryside to release the moisture that sustains all life; and

WHEREAS, the Hopi footprints and clouds are part of a living, sacred landscape that nourishes and sustains Hopi identity, and this landscape is steeped in cultural values and maintained through oral traditions, songs, ceremonial dances, pilgrimages, and stewardship, and as a cultural landscape, the archaeological sites and physical terrain situates the Hopi people in time and space, providing a geographical conception of history and religion that connects the past, present and future; and

HOPI TRIBAL COUNCIL
RESOLUTION
H-035-2016

WHEREAS, these lands are part of our ancestral lands and Hopi history and cultural values associated with ancestral sites and landscapes are deep and abiding, and pursuant to Hopi Tribal Council Resolution H-70-94, the Hopi Tribe claims cultural affiliation to Ancestral Puebloan cultural groups in the greater Cedar Mesa area, and the Hopi Tribe supports the identification and avoidance of prehistoric archaeological sites and Traditional Cultural Properties, and we consider the prehistoric archaeological sites of our ancestors to be "footprints" and Traditional Cultural Properties; and

WHEREAS, in the attached letter from Chairman Herman Honanie dated September 30, 2014 to President Barack Obama, Senator Orin Hatch, Senator Mike Lee, Congressman Rob Bishop, Congressman Jason Chaffetz, Congressman Jim Matheson, and Congressman Chris Stewart, the Hopi Tribe supported the designation of the greater Cedar Mesa area in southeastern Utah as a National Conservation Area or National Monument; and

WHEREAS, the Hopi Tribe is fully aware that over the last few decades the archaeological, natural and geographic resources in the region have been severely impacted by looting, federal management inadequacies, industrial development, and rampant visitation including increased motorized and recreational access and inappropriate all-terrain vehicle use, and the Tribe has encouraged the Bureau of Land Management to enforce the laws protecting cultural and natural resources on public land in San Juan County and not to acquiesce to local political and illegal

HOPI TRIBAL COUNCIL
RESOLUTION
H-035-2016

actions by proposing to make illegal motorized trails into legal motorized roads on public lands that contain irreplaceable cultural resources that have been looted for over a century and continue to be looted today; and

WHEREAS, the Hopi, Zuni, Ute, Ute Mountain Ute, and Navajo Tribes, composing the Bears Ears Inter-Tribal Coalition, have developed a proposal for a Presidential Proclamation designating BEARS EARS NATIONAL MONUMENT that will enhance the protection of cultural landscapes and the sites within them.

NOW THEREFORE BE IT RESOLVED that the Hopi Tribe hereby supports the permanent long term protection of cultural and natural resources and sacred sites on these public lands through a proposal for a Presidential Proclamation designating BEARS EARS NATIONAL MONUMENT.

BE IT FURTHER RESOLVED that the Hopi Tribal Council supports the proposal that BEARS EARS NATIONAL MONUMENT will be co-managed with stakeholder decision making by the Hopi, Zuni, Ute, Ute Mountain Ute, and Navajo Tribes, composing the Bears Ears Inter-Tribal Coalition, since such a designation and co-management could accomplish the goal of prioritizing protection of cultural resources while also allowing flexibility in management of traditional Native American uses including wood, plants, medicine, ancestral sites, shrines, and hunting.

BE IT FURTHER RESOLVED that based on over century of looting and grave robbing in San Juan County, Utah, the Hopi Tribe hereby supports a provision in the proposal for

HOPI TRIBAL COUNCIL
RESOLUTION
H-035-2016

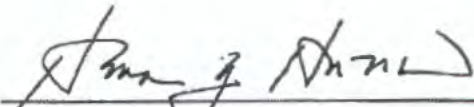
the BEARS EARS NATIONAL MONUMENT that provides for protection, preservation, and avoidance of our ancestor's human remains and associated funerary objects.

BE IT FINALLY RESOLVED that the Offices of the Chairman and Vice Chairman and the Hopi Cultural Preservation Office are hereby authorized to continue consultations with the Bears Ears Inter-Tribal Coalition for the purpose of developing and supporting a proposal for a Presidential Proclamation designating BEARS EARS NATIONAL MONUMENT, which recognizes these lands as Hopi ancestral lands and requires Bears Ears Inter-Tribal Coalition co-management in policy formulation, management, and evaluation of results.

HOPI TRIBAL COUNCIL
RESOLUTION
H-035-2016

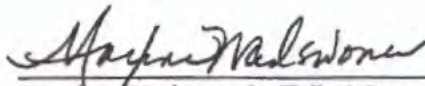
CERTIFICATION

The Hopi Tribal Council duly adopted the foregoing Resolution on March 22, 2016 at a meeting at which a quorum was present with a vote of 13 in favor, 3 opposed, 1 abstaining (Chairman presiding and not voting) pursuant to the authority vested in the Hopi Tribal Council by ARTICLE VI-POWERS OF THE TRIBAL COUNCIL, SECTION 1 (a), (d), and (k) of the Hopi Tribal Constitution and By-Laws of the Hopi Tribe of Arizona, as ratified by the Tribe on October 24, 1936, and approved by the Secretary of Interior on December 19, 1936, pursuant to Section 16 of the Act of June 18, 1934. Said Resolution is effective as of the date of adoption and does not require Secretarial approval.



Herman G. Honanie, Chairman
Hopi Tribal Council

ATTEST:



Maxine Wadsworth, Tribal Secretary
Hopi Tribal Council

THE HOPI TRIBE



Herman G. Honanie
CHAIRMAN

Alfred Lomahquahu Jr.
VICE-CHAIRMAN

September 30, 2014

President Barack Obama
The White House
1600 Pennsylvania Ave., NW
Washington, D.C.

Senator Orin Hatch
104 Hart Senate Office Building
Washington, D.C. 20510

Congressman Rob Bishop
123 Cannon Building
Washington, D.C. 20515

Congressman Jim Matheson
2211 Rayburn House Office Building
Washington, D.C. 20515

Senator Mike Lee
316 Hart Senate Office Building
Washington, D.C. 20510

Congressman Jason Chaffetz
2464 Rayburn House Office Building
Washington, D.C. 20515

Congressman Chris Stewart
323 Cannon House Office Building
Washington, D.C. 20515

Dear Mr. President, Senators and Congressmen,

On behalf of Hopi people, Hopisenom, I have the honor of providing the Hopi Tribe's support for the designation of the greater Cedar Mesa area including Alkali Ridge and Montezuma Canyon in southeastern Utah as a National Conservation Area or National Monument.

Pursuant to the enclosed Hopi Tribal Council Resolution H-70-94, the Hopi Tribe claims cultural affiliation to ancestral puebloan cultural groups in the greater Cedar Mesa area. The Hopi Cultural Preservation Office supports the identification and avoidance of prehistoric archaeological sites and Traditional Cultural Properties, and we consider the prehistoric archaeological sites of our ancestors to be "footprints" and Traditional Cultural Properties. Therefore, we appreciate your solicitation of our input and your efforts to address our concerns.

Hopi migration is intimately associated with a sacred Covenant between the Hopi people and *M̄asaw*, the Earth Guardian, in which the Hopi people made a solemn promise to protect the land by serving as stewards of the Earth. In accordance with this Covenant, ancestral Hopi clans

traveled through and settled on the lands in and around southeastern Utah during their long migration to *Tuuwanasavi*, the Earth Center on the Hopi Mesas.

The land is a testament of Hopi stewardship through thousands of years, manifested by the "footprints" of ancient villages, sacred springs, migration routes, pilgrimage trails, artifacts, petroglyphs, and the physical remains of buried *Hisatsinom*, the "People of Long Ago," all of which were intentionally left to mark the land as proof that the Hopi people have fulfilled their Covenant. The Hopi ancestors buried in the area continue to inhabit the land, and they are intimately associated with the clouds that travel out across the countryside to release the moisture that sustains all life.

The Hopi footprints and clouds are part of a living, sacred landscape that nourishes and sustains Hopi identity. This landscape is steeped in cultural values and maintained through oral traditions, songs, ceremonial dances, pilgrimages, and stewardship. As a cultural landscape, the archaeological sites and physical terrain situates the Hopi people in time and space, providing a geographical conception of history and religion that connects the past, present and future. These lands are part of our ancestral lands. Hopi history and cultural values associated with ancestral sites and landscapes are deep and abiding.

We are fully aware that over the last few decades the archaeological, natural and geographic resources in the region have been severely impacted by looting, federal management inadequacies, industrial development, and rampant visitation including increased motorized and recreational access and inappropriate all terrain vehicle use. We have encouraged the BLM to enforce the laws protecting cultural and natural resources on public land in San Juan County and not to acquiesce to local political and illegal actions by proposing to make illegal motorized trails into legal motorized roads on public lands that contain irreplaceable cultural resources that have been looted for over a Century and continue to be looted today.

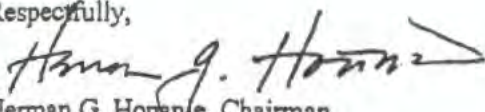
We appreciate the Friends of Cedar Mesa and National Trust for Historic Preservation for working with the Hopi Tribe and other tribes culturally associated to the area to develop proposals that will enhance the protection of cultural landscapes and the sites within them in San Juan County.

And therefore, the Hopi Tribe and Hopi Cultural Preservation Office supports Congressional action to designate the greater Cedar Mesa area as a National Conservation Area. Based on over century of looting and grave robbing, we also support a provision in the designation that provides for protection and preservation and avoidance of our ancestor's human remains. Such a designation could accomplish the goal of prioritizing protection of cultural resources while also allowing flexibility in management of traditional Native American uses.

However, if Congress fails to act quickly to protect this landscape, we urge the President to be ready to preserve this imperiled resource as a National Monument before the end of this term.

Should you have any questions or need additional information, please contact Leigh Kuwanwisiwma, Director, Hopi Cultural Preservation Office at ikuwanwisiwma@hopi.nsn.us or 928-734-3611. Thank again you for your consideration.

Respectfully,


Herman G. Homan, Chairman
THE HOPI TRIBE

San Juan Southern Paiute

“Navajos hunted and lived in Bears Ears and built hogans and other structures until they were removed against their will to the reservation in the 19th Century. Many other Tribes, (virtually all of whom have formally supported this proposal) also have significant historical contacts with Bears Ears, including the Southern Ute; White Mountain and Jicarilla Apache; San Juan, Kaibab, and Utah Paiute; Hualapai; Havasupai; and the twenty Pueblos of the All Pueblo Council of Governors.”

Havasupai

“Navajos hunted and lived in Bears Ears and built hogans and other structures until they were removed against their will to the reservation in the 19th Century. Many other Tribes, (virtually all of whom have formally supported this proposal) also have significant historical contacts with Bears Ears, including the Southern Ute; White Mountain and Jicarilla Apache; San Juan, Kaibab, and Utah Paiute; Hualapai; Havasupai; and the twenty Pueblos of the All Pueblo Council of Governors.”

White Mountain Apache

“Navajos hunted and lived in Bears Ears and built hogans and other structures until they were removed against their will to the reservation in the 19th Century. Many other Tribes, (virtually all of whom have formally supported this proposal) also have significant historical contacts with Bears Ears, including the Southern Ute; White Mountain and Jicarilla Apache; San Juan, Kaibab, and Utah Paiute; Hualapai; Havasupai; and the twenty Pueblos of the All Pueblo Council of Governors.”

Kaibab-Paiute

“Navajos hunted and lived in Bears Ears and built hogans and other structures until they were removed against their will to the reservation in the 19th Century. Many other Tribes, (virtually all of whom have formally supported this proposal) also have significant historical contacts with Bears Ears, including the Southern Ute; White Mountain and Jicarilla Apache; San Juan, Kaibab, and Utah Paiute; Hualapai; Havasupai; and the twenty Pueblos of the All Pueblo Council of Governors.”

OTHERS

5/17/16	Latino Conservation Alliance	Letter of support for Bears Ears to the President
3/14/16	National Congress of American Indians	Letter of support for Bears Ears
9/20/15	National Congress of American Indians	Resolution of support for Bears Ears
4/15/15	Associated Students of Fort Lewis (ASFLC)	Resolution of support for Bears Ears
8/??/14	Pecos Conference Archaeologists	Letter of Support for National Conservation Area/Monument
11/5/13	Ysleta del Sur Pueblo, TX	Resolution of support for Dine Bikeyah

LATINO CONSERVATION ALLIANCE



May 17, 2016

Honorable Barack Obama
President of the United States
1600 Pennsylvania Avenue
Washington, D.C. 20050

Dear President Obama,

Our undersigned organizations are members of the Latino Conservation Alliance, a unique coalition that works collaboratively to advocate for our public lands and waters, and the opportunity for all Latino families to access and enjoy them. We write today to express our support for your protection of the Bears Ears area of public lands in Southern Utah as a national monument.

Our organizations believe strongly that it is important for the full diversity of America's history and heritage be protected in our national public lands. The public lands that would be protected by the Bears Ears National Monument contain 100,000 Native American cultural sites including sacred burial grounds, artifacts and petroglyphs – all of which is tragically vulnerable to vandals, looters and grave-robbers. These lands continue to be used by tribes for traditional purposes, and by all families for reconnecting to nature and each other.

We appreciate your designation of the Cesar Chavez National Monument, as well as the California Desert, Organ Mountains Desert Peaks and the Rio Grande Del Norte National Monuments – public lands where Hispanic and Native American history is now protected for the benefit of our children and grandchildren and our local economies. We are also grateful for your investment in the Land and Water Conservation Fund, so that all families can enjoy close-to-home recreation as well as clean water, clean air, and open space. Please continue to ensure that all Americans can benefit from our system of public lands by protecting the Bears Ears National Monument.

Sincerely,

Camilla Simon
Executive Director
HECHO

Mark Magaña
President
GreenLatinos

José G. González
Founder
Latino Outdoors

Maite Arce
President/CEO
Hispanic Access Foundation

José Calderón
President
Hispanic Federation

Cc: Honorable Sally Jewell, Secretary, Department of the Interior
Honorable Tom Vilsack, Secretary, Department of Agriculture
Cecelia Munoz, Director, White House Domestic Policy Council
Christy Goldfuss, Managing Director, White House Council on Environmental Quality

NATIONAL CONGRESS OF AMERICAN INDIANS

March 14, 2016

The Honorable Mitch McConnell
Majority Leader, U.S. Senate
U.S. Capitol Building, S-230
Washington, DC 20510

The Honorable Harry Reid
Minority Leader, U.S. Senate
U.S. Capitol Building, S-221
Washington, DC 20510

EXECUTIVE COMMITTEE

PRESIDENT
Brian Cladoosby
Swinomish Tribe

FIRST VICE-PRESIDENT
Pawn Sharp
Quinault Indian Nation

RECORDING SECRETARY
Aaron Frydner
Sault Ste. Marie Tribe of Chippewa
Indians of Michigan

TREASURER
W. Ron Allen
Jamestown S'Klallam Tribe

REGIONAL VICE-PRESIDENTS

ALASKA
Jerry Isaac
Naive Village of Tanacross

EASTERN OKLAHOMA
Joe Byrd
Cherokee Nation

GREAT PLAINS
Leander McDonald
Spiral Lake Nation

MIDWEST
Roger Rader
Pohoyan Band of Potawatomi

NORTHEAST
Lance Gamba
Shinnecock Indian Nation

NORTHWEST
Mel Sheldon, Jr.
Twilisp Tribes

PACIFIC
Jack Potter, Jr.
Redding Rancheria

ROCKY MOUNTAIN
Darrin Old Coyote
Crow Nation

SOUTHEAST
Larry Townsend
Lumbee Tribe

SOUTHERN PLAINS
Lissa Owen
Prairie Band of Potawatomi Nation

SOUTHWEST
Joe Garcia
Ojibay Owingeh Pueblo

WESTERN
Bruce Ignacio
Ute Indian Tribe

EXECUTIVE DIRECTOR
Jacqueline Pata
Tlingit

NCAI HEADQUARTERS
1516 P Street, N.W.
Washington, DC 20005
202.466.7767
2.466.7797 fax
www.ncai.org

RE: NCAI OPPOSITION TO SENATE AMENDMENT 3447 TO S. 2012, THE *ENERGY POLICY MODERNIZATION ACT OF 2015*

Dear Senator McConnell and Senator Reid:

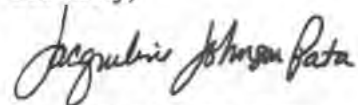
On behalf of the National Congress of American Indians (NCAI), the oldest, largest, and most representative organization of American Indian and Alaska Native tribal governments, I write to express our strong opposition to Senate Amendment 3447 to S. 2012, the *Energy Policy Modernization Act of 2015*. Senate Amendment 3447, filed on March 7, 2016, would undermine efforts to designate the Bears Ears area in southeastern Utah as a National Monument.

Aside from the conservation benefits the area would receive as a National Monument, the Bears Ears area contains over 100,000 archaeological sites and holds sacred significance to the region's tribal identities, history, and traditions. Throughout history many tribes across the country were relocated off their traditional homelands to reservations, and many of these relocations resulted in loss of access to sacred and ceremonial areas. Due to these actions, many tribal sacred places across the country are located in or around other federal lands such as National Forests or parks.

The Bears Ears area holds immense sacred, cultural, and ceremonial significance to tribes in the region including the Hopi, Navajo, Ute Mountain Ute, Zuni, and Uintah and Ouray Ute tribes who have formed the Bears Ears Inter-Tribal Coalition to protect and preserve this location. NCAI's membership has lent its support to the Coalition and its allies through adoption of Resolution #EC-15-002, "Support the Presidential Proclamation of the Bears Ears National Monument, Including Collaborative Management Between Tribal Nations and the Federal Agencies" (attached).

The Antiquities Act is one of the few legal instruments that can be used to protect areas of historical and cultural significance to tribes, and the Administration has used this law to protect tribal sacred places in the past. An earlier attempt to limit the President's authority to designate National Monuments failed during prior consideration of S. 2012 in February of this year. We ask you to stand with Indian country and NCAI and oppose Senate Amendment 3447 filed to S. 2012.

Sincerely,



Jacqueline Johnson Pata
Executive Director
National Congress of American Indians

NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #EC-15-002

TITLE: Supporting the Presidential Proclamation of the Bears Ears National Monument, Including Collaborative Management Between Tribal Nations and the Federal Agencies

WHEREAS, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

WHEREAS, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

WHEREAS, since time immemorial, the Bears Ears and surrounding land in Southeastern Utah have been a homeland and place of spiritual and cultural significance to tribal people. This living landscape continues to nurture, strengthen, and sustain tribal people, and tribal people remain dependent on these public lands to maintain our traditional livelihoods and cultural practices, such as hunting, gathering, and ceremonial uses.

WHEREAS, for the last century, tribal nations and tribal members have experienced removal from these ancestral homelands, and afterward, limited access to the land. Tribal nations and tribal members have also witnessed the looting of graves and sacred sites, and threats from more modern land uses such as off-road vehicle use and energy development.

WHEREAS, tribal leaders from Hopi, Navajo, Ute Mountain Ute, Zuni and Uintah & Ouray Ute formed the Bears Ears Inter-Tribal Coalition with the goal of protecting and preserving the homeland area of the Bears Ears region.

WHEREAS, the Bears Ears Inter-Tribal Coalition's chosen outcome is for President Obama to use his powers under the Antiquities Act to declare the Bears Ears National Monument, and secure permanent protection for these lands.

WHEREAS, the Bears Ears Inter-Tribal Coalition requests that President Obama proclaim the 1.9 million Bears Ears National Monument to honor the worldviews of our ancestors and Tribes today.



EXECUTIVE COMMITTEE

PRESIDENT

Brian Cladoosby
Swinomish Tribe

FIRST VICE-PRESIDENT

Randy Noka
Nemeganitt Tribe

RECORDING SECRETARY

Aaron Payment
*Sault Ste. Marie Tribe of Chippewa
Indians of Michigan*

TREASURER

Arlan Melendez
Nava Sparks Indian Colony

REGIONAL VICE- PRESIDENTS

ALASKA

Jerry Isaac
Native Village of Tanacross

EASTERN OKLAHOMA

S. Joe Crittenden
Cherokee Nation

GREAT PLAINS

Wendy McDonald
St. Lake Nation

MIDWEST

Roger Rader
Pokagon Band of Potawatomi

NORTHEAST

Lance Gumbs
Shinnecock Indian Nation

NORTHWEST

Fawn Sharp
Quinault Indian Nation

PACIFIC

Rosemary Morillo
Soboba Band of Luiseno Indians

ROCKY MOUNTAIN

Ivan Posey
Shoshone Tribe

SOUTHEAST

Ron Richardson
Haliwa-Saponi Indian Tribe

SOUTHERN PLAINS

Stephen Smith
Kiowa Tribe

SOUTHWEST

Manuel Heast
Ute Mountain Ute Tribe

WESTERN

Lan George
Fallon Paiute Shoshone Tribe

EXECUTIVE DIRECTOR

Jacqueline Johnson Pata
Tlingit

NCAI HEADQUARTERS

1516 P Street, N.W.
Washington, DC 20005
202.466.7767
202.466.7797 fax
www.ncai.org

WHEREAS, the Bears Ears Inter-Tribal Coalition proposal asks that the new monument be managed under a path-breaking, comprehensive, and entirely workable regime of true Federal-Tribal Collaborative Management.

WHEREAS, the Bears Ears National Monument has every opportunity to serve as the shining example of the trust, the government-to-government relationship, and innovative, cutting-edge land management.

NOW THEREFORE BE IT RESOLVED, that NCAI does hereby urge President Obama to use his powers under the Antiquities Act to declare the Bears Ears National Monument and, by doing so, provide permanent protection for these lands.

BE IT FURTHER RESOLVED, that NCAI does hereby support the Navajo, Hopi, Zuni, Uintah & Ouray Ute, and Ute Mountain Tribes that comprise the Bears Ears Inter-Tribal Coalition and their shared goal of permanently protecting the Bears Ears region.

BE IT FURTHER RESOLVED, that NCAI does hereby support the Bears Ears National Monument being meaningfully co-managed between the Bears Ears Inter-Tribal Coalition Tribes and federal management agencies for the purpose of honoring the trust relationship, protecting tribal sacred homelands, and preserving traditional and cultural ways of life.

BE IT FINALLY RESOLVED, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

CERTIFICATION

The foregoing resolution was adopted by the Executive Committee of the National Congress of American Indians, held via a poll of Board Members, September 20, 2015 in Washington, D.C. with a quorum present.


Brian Cladoosby, President

ATTEST:


Aaron Payment, Recording Secretary

RESOLUTION 15-043

April 15th, 2015

Whereas there is an effort to designate 1.9 million acres in San Juan County Utah, as Bears Ears National Conservation Area/National Monument

Noting on March 12, the Navajo Nation Council's Naabik'iyáti' Committee passed a resolution supporting the designation of Bears Ears National Conservation Area/National Monument

Further Noting that the area is the birthplace of Navajo Headman Manuelito, and that the land in the proposed Bear's Ears National Conservation Area/National Monument is critical to the continued survival of traditional livelihoods and cultural practices for the Navajo, Ute, Zuni, Hopi, and other Native American people

Further Noting the initiative shares collective interest of tribes in the region including Ute, Hopi, Hualapai, and Zuni

Further Noting that the Fort Lewis College has had 10,589 Navajo students since 2000

Further Noting that the Fort Lewis has served a diversity of tribes, listed in Appendix A

Be it hereby resolved that ASFLC endorses the proposal for the Bears Ears National Conservation Area/National Monument by a simple (1/2) majority vote.

Respectfully Submitted,

Alex Thompson, *ASFLC Senator*

Date 4/15/15

YEA 15

NAY 0

ABSTAIN _____

Scott Greenler

4/22/15

Scott Greenler, *ASFLC President*

Date

APPROVED

VETO



APPENDIX A.

All federally recognized tribes have been represented among the student body at Fort Lewis College since 2000

Cherokee	Tuluksak Native Community	Keweenaw Bay Chippewa, MI
Navajo	Swinomish Indian Tribe, WA	Kaw Nation of Oklahoma
Village of Tazlina, AK	Poarch Band/Creek Indians, AL	Crow Creek Sioux
Village of Salamatoff, AK	Nulato Village, AK	Conf Salish & Kootenai Tribes
Village of Ekuak, AK	Mohawks Akwesansne(Other)	Bay Mills Indian Community, MI
Twin Hills Village, AK	Village of Red Devil, AK	Allakaket Village, AK
Tule River Indian Tribe, CA	Tuscaroran	Village of Venetie
Torres-Martinez Band, CA	Tohono O'odham Nation of AZ	Village of Solomon
Suquamish of Port Madison, WA	Tanana	Pauma Band of Mission Indians
Spokane Tribe, WA	Sisseton-Wahpeton Sioux, SD	Kickapoo Tribe of OK
Santa Ysabel of Dieguendo, CA	Shawnee	Hydaburg Cooperative Assoc, AK
Ponca Tribe of Nebraska	Seldovia Village Tribe, AK	Conf Tribes Warm Spgs Res, OR
Org Vill of Kake/Sealaska Reg	Petersburg Indian Assoc, AK	Cheyenne(Other)
Onondaga Nation of NY	Nez Perce Tribe, ID	Washoe Tribe of NV and CA
Native Village of Mekoryuk, AK	Nenana Native Association, AK	Village of Chefornak, AK
Moapa Band of Paiute, NV	Native Village-Napakiak	Paiute-Shoshone Tribe, NV
Lummi Tribe, WA	Native Village of Ouzinkie, AK	Ohkay Owingeh, NM
Karuk Tribe, CA	Native Village of McGrath, AK	Noorvik Native Community, AK
Gwichyaa Zhee Gwich'in, AK	Native Village of Atka, AK	Lower Brule Sioux Tribe, SD
Flandreau Santee Sioux, SD	Native Village of Afognak, AK	Klamath Indians of Oregon
Chevak Native Village, AK	Native Village Larsen Bay, AK	Holy Cross Village
Village of Old Harbor	Duckwater Shoshone Tribe, NV	Doyon Region (Not Recognized)
Stockbridge-Munsee Mohican, WI	Delaware Nation, OK	Conf Tribes Umatilla Res, OR
New Stuyahok Village	Coquille Tribe, OR	Shoshone(Other)
Hoonah Indian Association, AK	Conf Tribes of Siletz Res, OR	Shoshone-Bannock Tribes, ID
Cook Inlet Region(other)	Arapahoe(Other)	Pyramid Lake Paiute Trbe, NV
Colorado River Tribe	Traditional Village of Togiak	Pit River Tribe, CA
Catawba Indian Nation, SC	Sac & Fox of Mississippi, IA	Native Village of Kiana, AK
Yupit of Andreadfsky	Native Village of Stevens, AK	Native Village of Eyak, AK
Village of Lower Kalskag	Native Village of Fort Yukon	Kenaitze Indian Tribe
Stebbins Community Association	Narragansett Indian Tribe, RI	Egegik Village-Bristol Bay, AK
Sisseton-Wahpeton Oyate, SD	Levelock Village, AK	Tonawanda Band of Seneca, NY
Qagan Tayagungin Tribe, AK	Chippewa(Other)	Seneca Nation of New York
Native Village of Teller, AK	Ysleta Del Sur Pueblo, TX	Sandia, Pueblo of, NM
Native Village of Ambler	Yankton Sioux Tribe, SD	Quechan Tribe, Ft Yuma, CA
Native Vill of Pilot Point, AK	Scotts Valley Pomo Indians, CA	Quapaw Tribe, OK
Lesnoi Village (aka Woody Ild)	Pribilof Aleut St Paul Isl, AK	La Jolla Luiseno Mission, CA
King Island Native Comm, AK	Pilot Station Trad Village, AK	Hualapai Tribe, AZ
Ho-Chunk Nation, WI/Winnebago	Native Village of Tununak, AK	Santa Ana, Pueblo of, NM
Haida(Other)	Native Village of Karluk, AK	Native Village of Aleknagik
Fort Independence Paiute Tribe	Match-E-Be-Nash-She-Wish, MI	Native Vill of Barrow Inupiat
Dry Creek Rancheria Pomo, CA	Little Traverse Bay Bands	Beaver Village, AK
Village of Sleetmute, AK	Kokhanok Village, AK	Pueblo of Nambe, NM

Native Village of Tyonek, AK
Native Vill of Shishmaref, AK
Kickapoo Tribe of KS
Fort Sill Apache Tribe of OK
Assiniboine & Sioux Tribes, MT
Native Village of Chignik, AK
Te-Moak Trbs/West Shoshone, NV
St Regis Band of Mohawk, NY
Red Cliff Band, Lake Superior
Pueblo of San Ildefonso, NM
Ponca Tribe of OK
Pascua Yaqui Tribe of AZ
Paiute-Shoshone Bishop, CA
Ninilchik Village
Knik Tribe
Chemehuevi Indian Tribe, CA
Yavapai-Apache, Camp Verde, AZ
Shoshone-Paiute, Duck Valley
Peoria Tribe of Indians, OK
Iowa Tribe of KS and NB
Prairie Band of Potawatomi Ind
Gila River Indian Comm, AZ
Wyandotte Tribe of OK
Village of Aniak, AK
Emmonak Village
Eastern Shawnee Tribe, OK
Bad River Band Chippewa, WI
Sac and Fox Nation, Oklahoma
Pueblo of Pojoaque
Prairie Band of Potawatomi, KS
Big Pine Band/Owens Vly Paiute
Native Village of Unalakleet
Apache(Other)
13th Regional Corporation
Yurok Tribe/Yurok Reserv, CA
Standing Rock Sioux of ND/SD
Chippewa-Cree Ind Rocky Boy MT
Cahuilla Band of Indians, CA
Zia Pueblo
ANSCA(Other)
Tesuque, Pueblo of, NM
Otoe-Missouria Tribe, OK
Apache Tribe of OK
Round Vly Ind Tribes/Covelo/CA
Ft Belknap Ind Community, MT
Santa Clara, Pueblo of, NM
Inupiat Comm, Arctic Slope, AK
Eastern Band of Cherokee, NC

Caddo Indian Tribe of OK
Salt River Pima-Maricopa, AZ
Miami Tribe of OK
Eskimo Vill At Lrg(Other)
Arapahoe Tribe/Wind River, WY
Aleut(Other)
Ute(Other)
Menominee Indian Tribe of WI
Omaha Tribe of NE
Galena Village (aka Louden)
Seneca-Cayuga Tribe, OK
Paiute Indian Tribe of UT
Crow
Absentee-Shawnee Tribe, OK
Shoshone Tribe/Wind River, WY
Orutsaramuit Nat Vill-Bethel
Ute Indian/Uintah/Ouray, UT
Tlingit(Other)
Sioux(Other)
Pueblo of San Felipe, NM
Oneida Tribe of Wisconsin
Pawnee
Acoma Pueblo
Turtle Mtn Band Chippewa, ND
Cochiti, Pueblo of, NM
Metlakatla Indian Community
Cheyenne-Arapaho Tribes, OK
Walker River Paiute, NV
Isleta, Pueblo of, NM
Conf Tribes/Bands of Yakama
San Juan Pueblo
Native Village of Kotzebue
Santo Domingo, Pueblo of, NM
Naknek Native Village
Comanche
Minnesota Chippewa Tribe
Northern Cheyenne Tribe, MT
Taos Pueblo
Seminole Nation of OK
Conf Tribes Colville Res, WA
Creek(Other)
Sault Ste Marie Chippewa, MI
Citizen Potawatomi Nation, OK
Other Tribe
Kiowa
Ketchikan Indian Corporation
Blackfeet Tribe, MT
Zuni Pueblo

Jemez, Pueblo of, NM
3 Affil Tribes/Ft Berthoud, ND
Mescalero Apache Tribe, NM
Alaska Native(Other)
Citizens Band Potawatomi Ind
Sitka Tribe of Alaska
Nome Eskimo Community
Laguna
San Carlos Apache Tribe, AZ
Curyung Tribal Coun-Dillingham
Cheyenne River Sioux Tribe, SD
Rosebud Sioux Tribe, SD
Hopi
Osage
Ute Mountain Tribe, CO, NM, UT
White Mountain Apache, AZ
Jicarilla Apache Tribe, NM
Muscogee (Creek) Nation, OK
Chickasaw Nation, OK
Oglala Sioux/Pine Ridge, SD
Southern Ute Ind Tribe, CO
Cent Coun Tlingit/Haida Tribes
Choctaw

**OPEN LETTER FROM THE UNDERSIGNED
PROFESSIONAL & AVOCATIONAL ARCHAEOLOGISTS**

TO

**REPRESENTATIVES ROB BISHOP, JASON CHAFFETZ & JIM MATHESON
SENATORS ORRIN HATCH & MIKE LEE
PRESIDENT BARACK OBAMA**

The greater Cedar Mesa area contains one of America's best-preserved collections of prehistoric dwellings, rock art, artifacts, and sacred Native American ceremonial sites. As archaeologists, we have a particular appreciation for the cultural, scientific, and human importance of this area. We urge you to do everything in your power to protect the exceptional cultural landscape of the greater Cedar Mesa area.

This region would be a treasure worth preserving for future generations, if only for its scenery, wild canyons, immense vistas, and colorful red rock. However, the value of this place goes far beyond its natural beauty. Evidence of twelve thousand years of human occupation in the greater Cedar Mesa area gives us all an **irreplaceable connection with ancient American history**. There's perhaps no better place to experience well preserved Ancestral Puebloan habitation sites in a backcountry setting.

For well over 100 years, **archaeological research in the Cedar Mesa area has contributed greatly** to knowledge of the prehistoric cultures of the American Southwest. It is a revered part of the cultural heritage of present-day Pueblo, Navajo, and Ute people. The Hole-in-the-Rock Trail, over which the Mormon settlers of southeastern Utah made their way in the winter of 1879-80, traverses the area. Ever-increasing numbers of visitors are coming from across the US and even internationally to experience the cultural and scenic treasures of the greater Cedar Mesa area.

The region proposed by Friends of Cedar Mesa for a National Conservation Area or National Monument contains more than **56,000 archaeological sites**. And this is just a part of the vast region of southeast Utah that needs greater protection.

This landscape is filled with exactly the kind of "objects" the 1906 Antiquities Act was created to protect. Yet, unfortunately the mere fact that these archaeological sites are protected by law has done little to stop more than **100 years of looting, grave robbing, and vandalism**. Contrary to public opinion, this looting has not stopped. In just the last year, several serious looting cases have been reported to law enforcement. Increasing visitation combined with a severe lack of resources for effective management creates a newer yet no less menacing challenge to archaeology in the region.

We strongly support Congressional action to designate the greater Cedar Mesa area as a **National Conservation Area**. Such a designation could accomplish the goal of prioritizing protection of cultural resources, while also allowing flexibility in management of other uses of these public lands. This locally driven process could also resolve long-standing wilderness issues, which have been festering for many decades. However, if Congress fails to act quickly to protect this landscape, we urge the President to be ready to preserve this imperiled resource as a **National Monument** before the end of his term. Congressional deadlock or politics should not allow another decade of continued loss of American history.

Sincerely,

Archaeologists meeting at the
Pecos Conference, Blanding Utah, August 2014.

(The Pecos Conference, initiated in 1927, is the longest running meeting of professional archaeologists in the American Southwest.)

James Allison - Provo, UT
 Matthew Aspros - Durango, CO
 David Ayers - Farmington, NM
 Pam & Quentin Baker - Moab, UT
 Erin Baxter - Boulder, CO
 Jeffrey Begay - Farmington, NM
 Ben Bellorado - Tucson, AZ
 Jean Berkebile - Cortez, CO
 Bob Bernhart - Cortez, CO
 Mark Bond - Bluff, UT
 Richard Boston - Berthoud, CO
 Stephen Bowers - Durango, CO
 David Boyle - Aztec, NM
 Michael Braitberg - Boulder, CO
 Robert Breunig - Flagstaff, AZ
 Barbara Brown - Palisade, CO
 Evelyn Christian - Pine, AZ
 Jason Chuipka - Mancos, CO
 Helen Crotty - Sandia Park, NM
 Natalie Cunningham - Delaware, OH
 Dale Davidson - Cortez, CO
 William Davis - Bluff, UT
 Lydia De Haven - Dolores, CO
 Steven Dominguez - Bryce, UT
 Sharon Dubose - Fountain Hills, AZ
 Marietta Eaton - Dolores, CO
 Al Enouen - New River, AZ
 Nancy Evans - Cortez, CO
 Helen Fairley - Flagstaff, AZ
 Richard Feit - Cortez, CO
 T. J. Ferguson - Tucson, AZ
 Jerry Fetterman - Yellow Jacket, CO
 Victor Fisher - Towson, MD
 Lisa Frankel - Grass Valley, CA
 Noreen Fritz - Bluff, UT
 Dale Frost - El Paso, TX
 Dody Fugate - Santa Fe, NM
 Marc Gaede - La Canada, CA
 Erin Gearty - Flagstaff, AZ
 Donna Glowacki - South Bend, IN
 Andrea Gover - Poulsbo, WA
 Robert Gross - Cedar City, UT
 Charly Gullet - Prescott, AZ
 John Hall - Oro Valley, AZ
 Terry Hawks - Washington, UT
 Diana Hawks - Washington, UT
 Bradley Heap - Kanab, UT
 Bud Henderson - Cottonwood, AZ
 Rosalie Hewis - Morrison, CO
 John Hinnant - Wilson, NC
 Emy Hinnant - Wilson, NC
 Amy Holden - Overgaard, AZ
 Rose Houk - Flagstaff, AZ
 Joshua Jones - Cortez, CO
 Jonathan Knighton-Wisor - Tucson, AZ
 James Krehbiel - Delaware, OH
 Patricia Lacey - Cortez, CO
 Donna Rae Larson - Prescott, AZ
 Steven Le Blanc - Bedford, MA
 Stephen Lekson - Boulder, CO
 Bill Lipe - Pullman, WA
 Carol Lorenz - Durango, CO
 Michael Lorusso - Cortez, CO
 Lonnie Ludeman - Las Cruces, NM
 Robin Lyle - Cortez, CO
 Robert Mark - Flagstaff, AZ
 Ellen Martin - Tempe, AZ
 Joan Mathien - Albuquerque, NM
 R. G. Matson - Vancouver, BC
 Diane McBride - Cortez, CO
 Robert McBride - Cortez, CO
 Randall McGuire - Vestal, NY
 Leley McPeck - Ivins, UT
 Raymond McPeck - Ivins, UT
 Robert McPherson - Blanding, UT
 Janet McVickar - Santa Fe, NM
 Julie Michler - Pahrump, NV
 Lance Mikkelsen - Santa Fe, NM
 Barbara Mills - Tucson, AZ
 Krystina Mucha - Camp Verde, AZ
 Helen O'Brien - Tucson, AZ
 Aaron O'Brien - Durango, CO
 Diane Orr - Salt Lake City, UT
 Teri Paul - Bluff, UT
 Dottie Peacock - Cortez, CO
 Ann Phillips - Boulder, CO
 David Phillips - Boulder, CO
 Linda Pierce - Tucson, AZ
 August Potor - Overgaard, AZ
 Sharon Richwine - Columbus, OH
 Chuck Riggs - Durango, CO
 Tim Riley - Helper, UT
 Marcie Ryan - Dolores, CO
 Jessica Savage - Meeker, CO
 Todd Scarbrough - Las Cruces, NM
 Owen Severance - Monticello, UT

Susan Seyden - Fairview, NC
Deb Silverman - Cortez, CO
Rebecca Simon - Cortez, CO
Marcia Simonis - Bluff, UT
Rachel Smith - Grand Junction, CO
Susan Smith - Monticello, UT
Ryan Spittler - Dolores, CO
Paul Stirniman - Cortez, CO
Rebecca Stoneman-Washee - Blanding, UT
Kenneth Thomas - Moab, UT
Kate Thompson - Cortez, CO
Kellam Throgmorton - Cortez, CO
Jonathan Till - Bluff, UT

Peter Trosclair - Palisade , CO
Sharon Urban - Tucson , AZ
Mark Varien - Cortez, CO
Nicholas Walendziak - Moab, UT
Charlotte Walter - Santa Monica, CA
Ryan Washam - Cedar City, UT
James William - Bluff, UT
Tom Windes - Albuquerque, NM
Michael Wolfe - Moab, UT
Tom Wright - Tempe, AZ
Brian Yaquinto - Meeker, CO
Josh Zettel - Clearfield, UT

Ysleta del Sur Pueblo

TRIBAL RESOLUTION

TC-055-13

Pertaining to National Trust for Historic Preservation Implementation

- WHEREAS, The Tribal Council (the "Council") of the Ysleta del Sur Pueblo (the "Pueblo"), is the duly constituted traditional governing body of the Ysleta del Sur Pueblo exercising all inherent governmental power, fiscal authority, and tribal sovereignty as recognized in sections 101 and 104 of the Act of August 18, 1987 (the Ysleta del Sur Pueblo Restoration Act), 101 Stat. 666, Public Law No 100-89; and,
- WHEREAS, the Pueblo has operated from time immemorial as a Native American political sovereign without organic or written constitution, charter, or by-laws; and,
- WHEREAS, the Pueblo governs itself by oral tradition; and,
- WHEREAS, the Council, has authorized the Governor or in his absence the Lieutenant Governor of the Pueblo to act for the Tribe in the signing of this resolution; and,
- WHEREAS, the civil and criminal law authority of the Pueblo is vested in the Council consisting of the Cacique, Governor, Lt. Governor, Aguacil, War Captain and four (4) Council members; and,
- WHEREAS, The Ysleta del Sur Pueblo is culturally affiliated with all known Puebloan groups including the 19 New Mexico Pueblos, the Hopi Tribe of Arizona, and all Ancestral Puebloan groups including so-called "Anasazi" peoples and sites
- WHEREAS, All Pueblos have a basis for claiming cultural affiliation from all Ancestral Pueblo sites in the San Juan region. As a Tanoan speaking group, Ysleta del Sur maintains the same oral traditions which states that Tanoan speaking groups lived in the Four Corners region centuries ago.
- WHEREAS, Ysleta del Sur Pueblo supports the National Trust for Historic Preservation's Implementation of a Cultural Resource Preservation and Land Management Plan in San Juan County, Utah.
- WHEREAS, Ysleta del Sur Pueblo supports the Utah Navajo in its proposed creation of the Dine' Bibe'yan National Conservation Area, and its efforts to protect cultural and biological resources.

NOW, THEREFORE, BE IT RESOLVED, by the Ysleta del Sur Pueblo Tribal Council as follows


1. Accepts that all Pueblos have a basis for claiming cultural affiliation from all Ancestral Pueblo Sites in the San Juan Region. They support the National Trust for Historic Preservation Implementations of a Cultural Resource Preservation and Land Management Plan in San Juan County, UTAH, and, also support the UTAH Navajo's efforts to protect cultural and biological resources

ADOPTED this the 5th day of November

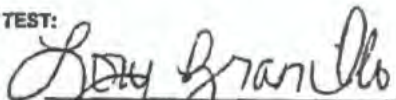
CERTIFICATION

I, the undersigned, Governor/Lt. Governor of the Ysleta del Sur Pueblo hereby Certify that the Ysleta del Sur Pueblo Tribal Council at a meeting convened and held on the 5th day of November, 2013, at the Ysleta del Sur Pueblo approved the foregoing Resolution, a quorum being presented and that 8 voted for, 0 opposed, and 0 abstained

YSLETA DEL SUR PUEBLO:


Frank Palz
Tribal Governor

ATTEST:


Ledy Grapillo
Tribal Council Secretary



Ojeda-dodds, Gisella <gisella_ojeda-dodds@ios.doi.gov>

Fwd: Prior Land Exchange Agreements - Utah/DOI

1 message

Nicole Buffa <nicole_buffa@ios.doi.gov>
To: Gisella Ojeda-dodds <gisella_ojeda-dodds@ios.doi.gov>

Thu, Sep 22, 2016 at 1:33 PM

Please print these attachments and this email and put it in a "PLI SITLA" folder on my chair. Thanks!

Begin forwarded message:

From: "Pidot, Justin" <justin.pidot@sol.doi.gov>
To: Nicole Buffa <nikki_buffa@ios.doi.gov>
Subject: Fwd: Prior Land Exchange Agreements - Utah/DOI

I think these documents that SITLA sent me respond to your request for the MOU used for Escalante (although I have not fully digestsd them yet).

Justin Pidot
Deputy Solicitor for Land Resources, Office of the Solicitor
U.S. Department of the Interior
(202) 208-4423 Main
(202) 208-5584 Fax

NOTICE: This electronic mail message (including any attachments) is intended for the use of the individual or entity to which it is addressed. It may contain information that is privileged, confidential, or otherwise protected by applicable law. If you are not the intended recipient or the employee or agent responsible for delivery of this message to the intended recipient, you are hereby notified that any dissemination, distribution, copying or use of this message or its contents is strictly prohibited. If you received this message in error, please notify the sender immediately and destroy all copies.

—— Forwarded message ——
From: John Andrews <jandrews@utah.gov>
Date: Wed, Sep 21, 2016 at 1:42 PM
Subject: Prior Land Exchange Agreements - Utah/DOI
To: Justin Pidot <justin.pidot@sol.doi.gov>
Cc: Allen Freemyer <allen@adfpc.com>, David Ure <dure@utah.gov>

Justin;

At the PLI hearing last week, Neil Komze asked Allen Freemyer to have us get in touch with you concerning how prior land exchanges between Utah/SITLA and DOI were structured.

I have attached the agreements and legislation from the 1998 Grand Staircase Exchange, and the 2000 West Desert Exchange.

You will note that the latter legislation contains some provisions regarding valuation review that were not contained in the 1998 exchange.

On another matter, I heard from Rob Bishop's office that Nikki Buffa was addressing some of the tribal claim issues we mentioned when we last met. I would be happy to provide input on that issue, as we are very familiar with some deep background on that that your team may not be aware of.

I think Allen Freemyer is going to reach out to your office about scheduling a follow-up meeting.

Thanks.

John Andrews

—

John W. Andrews
Associate Director & Chief Legal Counsel
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West Desert Exchange Agreement.pdf

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Michael O. Leavitt
Governor

AGREEMENT FOR EXCHANGE OF LANDS
WEST DESERT STATE-FEDERAL LAND CONSOLIDATION

THIS AGREEMENT FOR EXCHANGE OF LANDS is entered this 30th day of May, 2000 by and between the State of Utah and the United States of America, Department of the Interior.

PURPOSE: The purpose of this instrument is to document an agreement, subject to ratification by the Congress of the United States, to exchange federal and state lands and interests therein, of approximately equal value, located in the West Desert area of the State of Utah.

SECTION 1: DEFINITIONS

As used in this Agreement:

(A) BLM means the Bureau of Land Management of the Department of the Interior.

(B) Department means the Department of the Interior and its subsidiary agencies, including the BLM.

(C) FLPMA means the Federal Land Policy and Management Act, Act of October 21, 1976, Pub. L. 94-579, 90 Stat. 2743, as amended.

(D) Mineral Interest means all right, title and interest in the mineral estate, including but not limited to metals, ores, oil and gas, carbon dioxide, helium, coal, lignite, peat, gas contained in or taken from coal seams (coalbed methane), geothermal steam and heat, rock, stone, gravel, sand and quartz, subject to valid existing rights in third parties as of the date of this Agreement.

(E) State means the State of Utah and its subsidiary agencies, including the Utah School and Institutional Trust Lands Administration.

(F) Secretary means the Secretary of the Interior.

(G) Trust Lands means all right, title and interest of the State on the date this

Agreement is executed in lands granted by the United States pursuant to sections 6, 7, 8 and 12 of the Utah Enabling Act, ch. 138, 28 Stat. 107 (1894) to the State in trust, and in other lands owned by the State on the date of this Agreement which under State law must be managed for the benefit of the public school system or the institutions of the State which are designated by the Utah Enabling Act.

(H) Trust Lands Administration means the Utah School and Institutional Trust Lands Administration.

(I) Wilderness Act means the Wilderness Act of 1964, 16 U.S.C. § 1131 *et seq.*

SECTION 2: STATE LANDS AND MINERAL INTERESTS TO BE CONVEYED TO THE UNITED STATES

Subject to the terms and conditions of this Agreement, the State shall convey to the United States all right, title and interest of the State in the Trust Lands and Mineral Interests generally depicted on the map entitled "West Desert Exchange – Utah Trust Lands" dated May 19, 2000, and more specifically described in Exhibit "A" to this Agreement, which lands include the following Trust Lands and Mineral Interests:

(A) Approximately 5760.84 acres of Trust Lands in the Silver Island Mountains area in Box Elder and Tooele Counties, Utah.

(B) Approximately 7827.60 acres of Mineral Interests in the Cedar Mountains area in Tooele County, Utah.

(C) Approximately 12,325.46 acres of Trust Lands and 2560 acres of additional Mineral Interests in the Deep Creek Mountains in Tooele and Juab Counties, Utah.

(D) Approximately 7680.80 acres of Trust Lands in the Fish Springs Mountains in Juab County, Utah.

(E) Approximately 3879.92 acres of Trust Lands in the Pilot Peak Range in Box Elder County, Utah.

(F) Approximately 11,612.74 acres of Trust Lands in the Swasey Mountain area in Juab and Millard Counties, Utah.

(G) Approximately 8241.07 acres of Trust Lands in the Notch Peak area in Millard County, Utah.

(H) Approximately 3839.28 acres of Trust Lands in the Howell Peak area in Millard County, Utah.

(I) Approximately 9906.64 acres of Trust Lands in the King Top area in Millard County, Utah.

(J) Approximately 7959.04 acres of Trust Lands in the North Wah Wah Mountains in Millard and Beaver Counties, Utah.

(K) Approximately 6910.61 acres of Trust Lands in the Central Wah Wah Mountains in Beaver County, Utah.

(L) Approximately acres of 3933.16 Trust Lands in the Granite Peak area in Beaver County, Utah.

(M) Approximately 2162.64 acres of Trust Lands in the Red Mountain area in Washington County, Utah.

(N) Approximately 80 acres of Trust Lands and an additional 240 acres of Mineral Interests in the Deep Creek area in Washington County, Utah.

(O) Approximately 1920 acres of Trust Lands in the Black Ridge area in Washington County, Utah.

(P) Approximately 5608.50 acres of Trust Lands and an additional 560 acres of Mineral Interests in the Canaan Mountain area in Kane and Washington Counties, Utah.

(Q) Approximately 960 acres of Trust Lands in the Cottonwood Canyon area in Washington County, Utah.

(R) Approximately 640 acres of Trust Lands in the Red Butte area in Washington County, Utah.

(S) Approximately 483.28 acres of Trust Lands within the Red Cliffs Desert Reserve in Washington County, Utah.

(T) Approximately 1191.21 acres of Trust Lands wholly or partially within the exterior boundary of the Beaver Dam Wash Wilderness, in Washington County, Utah.

SECTION 3. FEDERAL LANDS AND MINERAL INTERESTS TO BE CONVEYED TO THE STATE

Subject to the terms and conditions of this Agreement, the Department shall convey to the State or its nominee all right, title and interest of the United States in the BLM lands and Mineral Interests generally depicted on the map entitled "West Desert Exchange - BLM Lands" dated May 19, 2000, and more specifically described in Exhibit "B" to this Agreement, which lands include the following BLM lands and Mineral Interests:

(A) I-80 Corridor tracts, comprising approximately 11,854.53 Acres of BLM land in Tooele County, Utah.

(B) St. John tract, comprising approximately 8678.14 acres of BLM land in Tooele County, Utah.

(C) Tooele Army Depot No. 1 tract, comprising approximately 6880.63 acres of BLM land in Tooele County, Utah.

(D) Tintic Valley tract, comprising approximately 14,253.51 acres of BLM land in Juab County, Utah.

(E) Brush Wellman tracts, comprising approximately 6173.70 acres of BLM land in Juab County, Utah.

(F) Intermountain Power Plant tract, comprising approximately 17,625.97 acres of BLM land and an additional 940.61 acres of BLM Mineral Interests in Millard County, Utah.

(G) Continental Lime tract, comprising approximately 1849.21 acres of BLM land in Millard County, Utah.

(H) Oak City tracts, comprising approximately 13,625.36 acres of BLM land in Millard County, Utah.

(I) Milford tract, comprising approximately 22,123.32 acres of BLM land in Beaver County, Utah.

(J) Beaver tract, comprising approximately 720 acres of BLM land in Beaver

County, Utah.

(K) Cedar City GC tract, comprising approximately 137.12 acres of BLM land in Iron County, Utah.

(L) Cross Hollow Hills tract, comprising approximately 357.50 acres of BLM land in Iron County, Utah.

(M) Quichapa Creek tract, comprising approximately 743.76 acres of BLM land in Iron County, Utah.

(N) La Verkin tract, comprising approximately 315 acres of BLM land in Washington County, Utah.

(O) Warner Valley tract, comprising approximately 600 acres of BLM land in Washington County, Utah.

(P) Anderson Junction tract, comprising approximately 80 acres of BLM land in Washington County, Utah.

(Q) Ivins tract, comprising approximately 40 acres of BLM land in Washington County, Utah.

SECTION 4: LEGISLATION

This agreement shall not be terminated before January 1, 2001. Beginning on January 1, 2001, either party may, but is not obligated to, terminate this Agreement unless legislation shall have been enacted by the United States authorizing and ratifying this Agreement.

SECTION 5: CLOSING AND TRANSFER OF TITLE

The following provisions shall govern conveyances of lands to be exchanged pursuant to this Agreement:

(A) All conveyances by the United States and the State shall be subject to valid existing rights and interests outstanding in third parties; provided, however, that all conveyances by the State to the United States shall be subject only to those valid existing surface and mineral leases, grazing permits and leases, easements, rights of way, and other interests outstanding in third parties found acceptable under the Attorney General's title regulations.

(B) All conveyances by the State shall be in a form acceptable to the Secretary and in conformity with applicable title standards of the Attorney General of the United States.

SECTION 6: MANAGEMENT OF LANDS ACQUIRED BY THE UNITED STATES

All lands or interests therein acquired by the United States pursuant to section 2 of this Agreement shall be administered by the BLM and shall be subject to all applicable laws and regulations, subject to valid existing rights. Notwithstanding the foregoing, if any portion of the transferred lands are wholly or partially encompassed within a wilderness study area created pursuant to Section 603 of FLPMA or other authority if applicable, or within a wilderness area created by Congress under authority of the Wilderness Act, then those lands shall be administered, subject to valid existing rights, pursuant to applicable statutes and regulations governing wilderness study areas or wilderness areas, respectively.

SECTION 7: MANAGEMENT OF LANDS ACQUIRED BY THE STATE

All lands or interests therein acquired by the State pursuant to section 3 of this Agreement shall be managed by the Trust Lands Administration as Trust Lands pursuant to Title 53C of the Utah Code.

SECTION 8: WATER RIGHTS

All water rights, if any, held by the transferor that are appurtenant to the lands exchanged pursuant to this Agreement shall be conveyed with the land. Nothing contained in this Agreement shall impair valid existing water rights owned by private parties. Nothing in this Agreement shall expand or diminish Federal or State jurisdiction, responsibilities, interests, or rights, in water resource adjudication, allocation, development, or control.

SECTION 9: GRAZING PERMITS

(A) On all lands acquired by the United States under section 2, the Secretary shall honor, for the remainder of the applicable term, all leases, permits and contracts for the grazing of domestic livestock, and the related terms and conditions of user agreements on Trust Lands, including permitted stocking rates, grazing fee levels, access rights, and ownership and use of range improvements. Upon expiration of any lease or permit, the holder shall be entitled to a preference right to renew such lease or permit to the extent provided by Federal law.

(B) In any instance where lands conveyed by the State under section 2 are used by a grazing permittee or lessee to meet the base property requirements for a federal grazing permit or lease, such lands shall continue to qualify as base properties for the remaining term of the lease or permit and any renewal or extensions thereof.

(C) Title to, or any interest in, any range improvement held by the United States or the State on any lands exchanges under this Agreement shall be transferred with such lands. Nothing in this Agreement shall operate to divest title to, or any interest in, any range improvement held by any person on such lands.

(D) On all lands acquired by the State under section 3, the State shall continue, for the remainder of the applicable term, all leases, permits and contracts for the grazing of domestic livestock, and the related terms and conditions of user agreements on Federal lands, including permitted stocking rates, grazing fee levels, access rights, and ownership and use of range improvements. Such leases, permits and contracts shall be subject to compliance with terms and conditions of the leases, permits or contracts, together with such reasonable regulations as the State may prescribe concerning range conditions. Upon expiration of any lease or permit, the holder shall be entitled to a right of first refusal for the renewal of such lease or permit under state law. Nothing in this Agreement shall prevent the State from canceling any grazing permit when the underlying land is sold or leased for non-grazing purposes by the State.

SECTION 10: SURFACE AGREEMENTS AND PERMITS

(A) The United States shall assume all rights and duties of the State under all State rights-of-way and special use agreements on lands conveyed to the United States pursuant to this Agreement. All such rights-of-way and agreements shall remain in effect for the remainder of the applicable term after conveyance, except that such rights-of-way and agreements shall be managed and enforced by the United States. The rents, fees and other payments formerly due to the State under the terms of such rights-of-way and agreements shall be payable by the holder to the United States.

(B) The State shall assume all rights and duties of the United States under all Federal rights-of-way, surface use permits and agreements on lands conveyed to the State pursuant to this Agreement. All such rights-of-way and agreements shall remain in effect for the remainder of the applicable term after conveyance, except that such rights-of-way,

permits and agreements shall be managed and enforced by the State. The rents, fees, and other payments formerly due to the United States under the terms of such rights-of-way, permits and agreements shall be payable by the holder to the State.

(C) Nothing in this Act shall expand or diminish the rights of any person or entity in any pre-existing rights-of-way established under State or Federal law, and the conveyances to be made under this Agreement shall be subject to such pre-existing rights-of-way, if any, as valid existing rights.

SECTION 11: MINERAL LEASES AND LANDS

In connection with mineral lands and interests conveyed pursuant to this Agreement:

(A) The State shall succeed the United States as lessor of all federal mineral leases on lands conveyed to the State pursuant to this Agreement. All rights, terms, and agreements under such leases (including authorizations for easements, facilities, operations, or other appurtenances on such lands) shall remain in effect after such conveyance except that such rights, terms, and agreements shall be managed and enforced by the State. The rents, royalties, fees and other payments formerly due the United States under such terms shall be payable by the Lessee to the State. The Leaseholder shall be entitled to Lease extension and renewal to the extent provided under Federal law, regulations, and the Lease Agreement.

(B) The Secretary shall succeed the State as lessor of all State mineral leases on lands conveyed to the Secretary pursuant to this Agreement. All rights, terms and agreements under such Lease (including authorizations for easements, facilities, operations, or other appurtenances on such lands) shall remain in effect after such conveyance, except that such rights, terms and agreements shall be managed and enforced by the Secretary. The rents, royalties, fees, and other payments formerly due to the State under such terms shall be payable by the Lessee to the United States.

(C) If any of the lands conveyed to the State under this Agreement are encumbered by mining claims, mill sites or tunnel sites located under the Mining Law of 1872, 30 U.S.C. § 22 *et seq.*, the State will recognize the mining claimants' and site holders' interests in all valid mining claims and site locations and allow them to develop those minerals or use the sites so long as they comply with applicable laws and regulations, including without limitation applicable state filing and claim maintenance requirements; provided, however, that nothing herein shall preclude the State and any claimant or siteholder from agreeing to the relinquishment of any claim or site on mutually acceptable terms. The State shall further adjudicate any mining claim or site validity issues in the appropriate state or Federal court according to the Mining Law of 1872, as amended, and case law and administrative guidance interpreting that law. The BLM will provide notice to each mining claimant and site holder that its mining claims or site locations: (1) will be administered by the Trust Lands Administration and that compliance with state filing and claim maintenance requirements contained in Utah Code Ann. §53C-2-104 will be required to avoid abandonment of such claim under state law; (2) will no longer be administered by the United States; (3) will no longer be subject to Federal filing or fee requirements or BLM surface management requirements; and (4) that the Secretary no longer has jurisdiction to adjudicate the validity of any mining claim or site.

SECTION 12: HAZARDOUS WASTE

(A) Notwithstanding the transfer to the United States of the lands and interests therein described in section 2, the State shall continue to be responsible to the extent it is responsible on the date of transfer of title for all environmental remediation, waste management and environmental compliance activities arising from ownership and control of lands and interests therein pursuant to applicable Federal and State laws with respect to conditions existing on the lands at the time of the transfer.

(B) Notwithstanding the transfer to the State of the lands and interests therein described in section 3, the United States shall continue to be responsible to the extent it is responsible on the date of transfer of title for all environmental remediation, waste management and environmental compliance activities arising from the ownership and control of lands and interests therein pursuant to applicable Federal and State laws with respect to conditions existing on the lands at the time of the transfer.

SECTION 13: GENERAL PROVISIONS

In addition to the foregoing, the Department and the State agree as follows:

(A) Nothing in this Agreement shall prevent the parties from mutually agreeing to the correction of technical errors and omissions in maps and legal descriptions contained or incorporated herein.

(B) The parties agree to use reasonable diligence and efforts to fulfill their respective obligations under this Agreement, at all times that this Agreement is in effect.

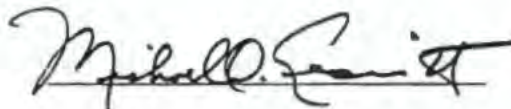
IN TESTIMONY WHEREOF, we have hereunto set our hands and caused to be affixed the Great Seal of the State of Utah on the date first above written.

UNITED STATES DEPARTMENT
OF THE INTERIOR



Bruce Babbitt
Secretary of the Interior

STATE OF UTAH



Michael O. Leavitt
Governor



Public Law 106-301
106th Congress

An Act

To provide for the exchange of certain lands within the State of Utah.

Oct. 13, 2000

[H.R. 4579]

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

Utah West
Desert Land
Exchange Act of
2000.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Utah West Desert Land Exchange Act of 2000".

SEC. 2. FINDINGS AND PURPOSE.

(a) **FINDINGS.**—The Congress finds the following:

(1) The State of Utah owns approximately 95,095.19 acres of land, as well as approximately 11,187.60 acres of mineral interests, located in the West Desert region of Utah and contained wholly or partially within certain wilderness study areas created pursuant to section 603 of the Federal Lands Policy and Management Act of 1976, or proposed by the Bureau of Land Management for wilderness study area status pursuant to section 202 of that Act. These lands were granted by the Congress to the State of Utah pursuant to the Utah Enabling Act of 1894 (chapter 138; 23 Stat. 107), to be held in trust for the benefit of the State's public school system and other public institutions. The lands are largely scattered in checkerboard fashion amidst the Federal lands comprising the remainder of such existing and proposed wilderness study areas.

(2) Development of surface and mineral resources on State trust lands within existing or proposed wilderness study areas, or the sale of such lands into private ownership, could be incompatible with management of such lands for nonimpairment of their wilderness characteristics pursuant to section 603(c) of the Federal Land Policy and Management Act of 1976 or with future congressional designation of the lands as wilderness.

(3) The United States owns lands and interests in lands outside of existing and proposed wilderness study areas that can be transferred to the State of Utah in exchange for the West Desert wilderness inholdings without jeopardizing Federal management objectives or needs.

(4) The large presence of State trust land inholdings in existing and proposed wilderness study areas in the West Desert region makes land and resource management in these areas difficult, costly, and controversial for both the State of Utah and the United States.

(5) It is in the public interest to reach agreement on exchange of such inholdings, on terms fair to both the State of Utah and the United States. Such an agreement, subject to ratification by the Congress, would save much time and delay in meeting the legitimate expectations of the State school and institutional trusts, in simplifying management of Federal lands, and in avoiding the significant time and expense associated with administrative land exchanges.

(6) The State of Utah and the United States have reached an agreement under which the State would exchange certain State trust lands within specified wilderness study areas and areas identified as having wilderness characteristics in the West Desert region for various Federal lands and interests in lands outside of those areas but in the same region of Utah. The agreement also provides for the State to convey to the United States approximately 483 acres of land in Washington County, Utah, that has been designated as critical habitat for the Desert Tortoise, a threatened species, for inclusion in the Red Cliffs Desert Reserve.

(7) Because the inholdings to be acquired by the Federal Government include properties within some of the most spectacular wild areas in the western United States, and because a mission of the Utah School and Institutional Trust Lands Administration is to produce economic benefits for Utah's public schools and other beneficiary institutions, the exchange of lands called for in this agreement will resolve longstanding environmental conflicts with respect to the existing and proposed wilderness study areas, place important natural lands into public ownership, and further the interests of the State trust lands, the school children of Utah, and these conservation resources.

(8) Under this agreement taken as a whole, the State interests to be conveyed to the United States by the State of Utah, and the Federal interests to be conveyed to the State of Utah by the United States, will be approximately equal in value.

(b) PURPOSE.—The purpose of this Act is to enact into law and direct prompt implementation of this agreement, and thereby to further the public interest by consolidating State and Federal lands into manageable units while facilitating the protection of lands with significant scientific, cultural, and natural resources.

SEC. 3. RATIFICATION OF THE AGREED EXCHANGE BETWEEN THE STATE OF UTAH AND THE DEPARTMENT OF THE INTERIOR.

(a) AGREEMENT.—The State of Utah and the Department of the Interior have agreed to exchange certain Federal lands and mineral interests in the State of Utah for lands and mineral interests of approximately equal value managed by the Utah School and Institutional Trust Lands Administration wholly or partially within certain existing and proposed wilderness study areas in the West Desert region of Utah.

(b) RATIFICATION.—All terms, conditions, procedures, covenants, reservations, and other provisions set forth in the document entitled "Agreement for Exchange of Lands—West Desert State-Federal Land Consolidation", dated May 30, 2000 (in this Act referred to as "the Agreement"), are hereby incorporated in this Act, are

ratified and confirmed, and set forth the obligations of the United States, the State of Utah, and the Utah School and Institutional Trust Lands Administration, as a matter of Federal law.

(c) **CONDITION.**—Before exchanging any lands under this Act, the Secretary of the Interior and the State of Utah shall each document in a statement of value how the determination of approximately equal value was made in accordance with section 206(h) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(h)), provided that the provisions of paragraph (1)(A) of section 206(h) of such Act shall not apply. In addition, the Secretary and the State shall select an independent qualified appraiser who shall review the statements of value as prepared by the Secretary and the State of Utah and all documentation and determine if the lands are of approximately equal value. If there is a finding of a difference in value, then the Secretary and the State shall adjust the exchange to achieve approximately equal value.

SEC. 4. CONVEYANCES.

(a) **CONVEYANCES.**—All conveyances under sections 2 and 3 of the Agreement shall be completed within 70 days after the date on which the condition set forth in section 3(c) is met. Deadline.

(b) MAPS AND LEGAL DESCRIPTIONS.—

(1) **IN GENERAL.**—The maps and legal descriptions referred to in the Agreement depict the lands subject to the conveyances under the Agreement.

(2) **PUBLIC AVAILABILITY.**—The maps and descriptions referred to in the Agreement shall be on file and available for public inspection in the offices of the Secretary of the Interior and the Utah State Director of the Bureau of Land Management.

(3) **CONFLICT.**—In case of any conflict between the maps and the legal descriptions in the Agreement, the legal descriptions shall control.

SEC. 5. COSTS.

The United States and the State of Utah shall each bear its own respective costs incurred in the implementation of this Act.

Approved October 13, 2000.

LEGISLATIVE HISTORY—H.R. 4579:

SENATE REPORTS: No. 106-463 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 146 (2000):

July 11, considered and passed House.

Oct. 3, considered and passed Senate.





Michael Q. Leavitt

Attorney General

**AGREEMENT TO EXCHANGE UTAH SCHOOL TRUST LANDS
BETWEEN
THE STATE OF UTAH AND THE UNITED STATES OF AMERICA**

PURPOSE: The Purpose is to document an agreement, subject to ratification by Congress, to exchange federal and state lands and interests therein of approximately equal value in the State of Utah.

SECTION 1. DEFINITIONS.

As used in this Agreement:

(A) **MONUMENT.** The term "Monument" means the Grand Staircase-Escalante National Monument, established by Presidential proclamation on September 18, 1996 pursuant to section 2 of the Antiquities Act of 1906 (16 U.S.C. § 431).

(B) **SCHOOL AND INSTITUTIONAL TRUST LANDS.** The term "School and Institutional Trust Lands" means all right, title and interest of the State of Utah on the date this agreement is executed in lands granted by the United States pursuant to section 6 of the Utah Enabling Act, ch. 138, 28 Stat. 107 (1894) to the State of Utah in trust, and in other lands owned by the State of Utah on the date of this agreement which under State law must be managed for the benefit of the public school system or the institutions of the State which are designated by the Utah Enabling Act, provided that to the extent the estate in said lands is less than fee simple absolute, it is found acceptable to the United States under the title regulations of the Attorney General of the United States.

(C) **MINERAL INTEREST.** The term "mineral interest" means all right, title and interest in the mineral estate, as of the date of this agreement, in metals, ores, oil and gas, carbon dioxide, helium, coal, lignite, peat, gas contained in or taken from coal seams (coalbed methane), geothermal steam and heat, rock, stone, gravel, sand and quartz, subject to valid existing rights in third parties as of the date of this Agreement.

(D) **SECRETARY.** The term "Secretary" means the Secretary of the Interior.

SECTION 2. LANDS AND INTERESTS TO BE CONVEYED TO THE UNITED STATES

The State of Utah shall convey to the United States the School and Institutional Trust Lands and mineral interests therein in the following properties, described generally as:

(A) Lands within the Navajo Indian Reservation in the State of Utah, comprising approximately 38,500 acres and the mineral interest in approximately an additional 9,500 acres, designated as tracts 322 through 358, 363 through 392, and 394 through 407, and generally depicted on the map entitled "Utah-Navajo Land Exchange," dated May 7, 1998. Parcel 339 is subject to deletion after consultation with the Navajo Nation. The legal description for tracts 322 through 337,

22339 through 340, 342, 344 through 358, 362 through 392, 394 through 407 is contained in the document entitled "Public Law 103-93 Utah Schools and Lands Improvement Act of 1993" (1995). The legal description of tract 338 is T40S, R24E, SLB&M, Section 16: all [mineral]. The legal description of tract 341 is T40S, R25E, SLB&M, Section 32: SE1/4NW1/4SW1/4SE1/4. The legal description of tract 343 is T40S, R26E, SLB&M, Section 16: all [mineral].

(B) Lands within the Goshute Indian Reservation in the State of Utah, comprising approximately 8,980 acres and the mineral interest in approximately an additional 480 acres, designated as tracts 408 through 410 and 800-818, and, generally depicted on the map entitled "Utah- Goshute Land Exchange," dated May 7, 1998.

(C) Four tracts, consisting of approximately 2,560 acres, as generally depicted on the map entitled "Alton Tracts," dated May 7, 1998.

(D) Lands within the exterior boundaries of the National Forest System comprising approximately 70,000 acres, designated as tracts 145 through 177, 184, 194 through 196, 198, 200 through 241, 247 through 321, 413 through 451, 453 through 497, 499 through 513, 515 through 519, 521 through 572, and as generally depicted on a map entitled "Utah Forest Land Exchange," dated May 7, 1998. The legal descriptions for these tracts are contained in the document entitled "Public Law 103-93 Utah Schools and Lands Improvement Act of 1993" (1995).

(E) All lands within the exterior boundaries of the Monument, comprising approximately 176,698.63 acres of land and the mineral interest in approximately an additional 24,000 acres.

(F) All lands within the exterior boundaries of all units of the National Park System, comprising approximately 80,000 acres.

SECTION 3. LANDS AND INTERESTS OF THE UNITED STATES TO BE CONVEYED TO THE STATE OF UTAH

The United States shall convey to the State of Utah all right, title and interest of the United States to the following properties described generally as:

(A) Blue Mountain Telecommunications Site, comprising approximately 640 acres, as generally depicted on the map entitled "Blue Mountain Telecommunications Site" dated May 7, 1998.

(B) Beaver Mountain Ski Resort site, comprising approximately 3,000 acres, as generally depicted on the map entitled "Beaver Mountain Ski Resort," dated May 7, 1998.

(C) Warner Valley Tract, comprising approximately 1,920 acres, as generally depicted on the map entitled "Warner Valley Tract," dated May 7, 1998.

(D) Hatch Tract, comprising approximately 12,677.5 acres, as generally depicted on the map entitled "Hatch Tract," dated May 7, 1998.

(E) Big Water Tract, comprising approximately 33,208 acres, as generally depicted on the map entitled "Big Water Tract," dated May 7, 1998.

(F) The United States' mineral interest in the coal located in the Cottonwood Tract, as generally depicted on the map entitled "Cottonwood Tract," dated May 7, 1998, subject to reversion as provided in this paragraph. If the State disposes of all or part of the coal mineral interest conveyed as provided by subparagraph (P) (i) hereof, the entire coal mineral interest conveyed to the State under this paragraph shall revert to the United States when the State has received the sum of \$13,006,105 in royalty and rental income. Valuation of royalty and rental income and interest to the extent applicable shall be calculated pursuant to the language contained in Public Law 103-93, section 8 (c) and (d).

(G) Approximately 881 acres of the Westridge Coal Tract, as generally depicted on the map entitled "Westridge Coal Tract" dated May 7, 1998.

(H) Approximately 2,600 acres of the Uintah County Tract, as generally depicted on the maps entitled "Uintah County Tract No. 1" and "Uintah County Tract No. 2" dated May 7, 1998.

(I) Approximately 2,000 acres of the Millard County Tract, as generally depicted on the map entitled "Millard County Tract" dated May 7, 1998.

(J) Approximately 58,000 acres of the Ferron Field, as generally depicted on the map entitled "Ferron Field" dated May 7, 1998.

(K) The United States' mineral interest in the coal located in the Mill Fork Tract, as generally depicted on the map entitled "Mill Fork Tract," dated May 7, 1998, subject to reversion as provided in this paragraph. If the State disposes of all or part of the coal mineral interest conveyed as provided by subparagraph (P)(i) hereof, the entire coal mineral interest shall revert to the United States when 22.3 million tons of coal have been produced from the Tract.

(L) Approximately 2,560 acres of the Dugout Canyon Tract, as generally depicted on the map entitled "Dugout Canyon Tract" dated May 7, 1998, and the United States' mineral interest in the coal in approximately 2,560 acres located in the Muddy Tract, as generally depicted on the map entitled "Muddy Tract" dated May 7, 1998, subject to reversion as provided in this paragraph. If the State disposes of all or part of the coal mineral interest in either or both Tracts as provided by subparagraph (P)(i) hereof, the entire coal mineral interest in both Tracts shall revert to the United States when a total of 34 million tons of coal have been produced from either or both Tracts.

(M) The United States' mineral interest in the coal underlying approximately 9,600 acres located in the North Horn Coal Tract, as generally depicted on the map entitled "North Horn Coal Tract" dated May 7, 1998, subject to reversion as provided in this paragraph. If the State disposes of all or part of the coal mineral interest conveyed as provided by subparagraph (P)(i) hereof, the entire coal mineral interest shall revert to the United States when 100 million tons of coal have been produced from the Tract.

(N) Duchesne County Tract comprising approximately 4,000 acres, as generally depicted on the map entitled "Duchesne County Tract," dated May 7, 1998.

(O) \$50,000,000 in cash.

(P) GENERAL PROVISIONS

(i) If the State disposes of all or any part of the mineral interest in coal, oil and gas, or coalbed methane, including interests subsumed within fee interests, conveyed under paragraphs (F), (G), (J), (K), (L), or (M) of this section, the State agrees to do so only by offering the mineral interest for lease on a competitive basis (or a substantially equivalent non-competitive basis) for a bonus bid and a reserved royalty of not more than 8 percent (for coal) or 12 ½ percent (for oil and gas and coalbed methane) (or the prevailing Federal royalty rates at the time the lease is issued) of the value of the production removed or sold from the lease.

(ii) The State agrees to pay to the United States 50 percent of the bonus bid it receives when it issues each lease under subparagraph (i), reduced by 50 percent of those administrative costs the State incurs in issuing the lease that are of the same type that the United States includes in calculating the administrative cost deduction under 30 U.S.C. 191(b). The amount paid to the United States shall be deposited 80 percent to the Reclamation Fund and 20 percent to miscellaneous receipts.

(iii) All mineral interests that revert to the United States under this section shall be restored to the public domain and the United States shall succeed the State as lessor for any lease issued by the State. Upon reversion, all revenues which the United States receives from any lease issued by the State to which the reversion is subject shall be distributed in the same manner as other revenues derived from mineral leases on the public domain under section 35 of the Mineral Leasing Act, as amended, 30 U.S.C. 191.

SECTION 4. TRANSFER OF TITLE

(A) All conveyances described herein by the United States to the State of Utah shall be subject to valid existing rights and interests outstanding in third parties. Where the United States is conveying only the mineral interest or other interest less than fee simple, the Secretary shall reserve to the United States all remaining right, title and interest.

(B) All conveyances herein by the State of Utah to the United States shall be subject only to those valid existing surface and mineral leases, grazing permits and leases, easements, rights of way, and other interests outstanding in third parties found acceptable under the Attorney General's title regulations.

(C) Conveyance of all lands and interests in lands described shall take place within 90 days following enactment of the legislation authorizing and ratifying this Agreement.

(D) DEED. — The conveyance of the lands and interests therein by the State of Utah to the United States under this section shall be in the form of a conveyance acceptable to the Secretary and in conformity with applicable title standards of the Attorney General of the United States.

(E) ACCEPTABILITY OF TITLE. — The United States shall not carry out the exchange described in sections 2 and 3 unless the title to the lands and interests described in section 2 to be conveyed to the United States, and the form and procedures of conveyance are acceptable under the Attorney General's title regulations.

(F) Upon completion of all conveyances described in sections 2 and 3(A)-(N), the \$50,000,000 identified in section 3(O) is immediately available for expenditure and payment from the General Fund of the Treasury to the State of Utah without fiscal year limitations.

SECTION 5. MANAGEMENT OF FEDERALLY ACQUIRED LANDS.

(A) GRAND STAIRCASE-ESCALANTE NATIONAL MONUMENT. — Any lands and interests therein acquired by the United States within the exterior boundaries of the Monument pursuant to section 2(E) shall become a part of the Grand Staircase- Escalante National Monument, and shall be subject to all the laws and regulations applicable to the Monument.

(B) NATIONAL FOREST SYSTEM. — Any lands and interests therein acquired by the United States within the exterior boundaries of the National Forest System pursuant to section 2(D) shall become a part of the national forest within which such lands are located and shall be subject to all the laws and regulations applicable to the National Forest System.

(C) NATIONAL PARK SYSTEM. — Any lands and interests therein acquired by the United States within the exterior boundaries of the National Park System pursuant to section 2(F) shall become a part of the appropriate unit of the National Park System within which such lands are located, and shall be subject to all laws and regulations applicable to that unit of the National Park System.

(D) NAVAJO INDIAN RESERVATION. — Any lands and interests acquired by the United States within the exterior boundaries of the Navajo Indian Reservation pursuant to section 2(A) are taken into trust and held for the benefit of the Navajo Nation, and are hereby declared to be part of the Navajo Indian Reservation in the State of Utah.

(E) GOSHUTE INDIAN RESERVATION. — Any lands and interests acquired by the United States within the exterior boundaries of the Goshute Indian Reservation pursuant to section 2(B) are taken into trust and held for the benefit of the Goshute Indian Tribe and are hereby declared to be part of the Goshute Indian Reservation in the State of Utah.

(F) ALL OTHER LANDS. — Any other lands or interests therein acquired by the United States pursuant to section 2 and not otherwise described in this section shall be administered by the Bureau of Land Management and subject to all applicable laws and regulations.

SECTION 6. WATER RIGHTS

In connection with water rights appurtenant to the lands to be exchanged under this agreement:

(A) All water rights, if any, held by the transferor that are appurtenant to the lands exchanged pursuant to this agreement shall be conveyed with the land. Nothing contained in this agreement shall impair valid existing water rights owned by private parties.

(B) Nothing in this agreement shall expand or diminish Federal or State jurisdiction, responsibilities, interests, or rights, in water resource adjudication, allocation, development, or control.

SECTION 7. GRAZING PERMITS.

(A) On all lands acquired by the United States under section 2, the Secretary shall honor, for the remainder of the applicable term, all leases, permits and contracts for the grazing of domestic livestock, and the related terms and conditions of user agreements on School and Institutional Trust Lands, including permitted stocking rates, grazing fee levels, access rights, and ownership and use of range improvements. Upon expiration of any lease or permit, the holder shall be entitled to a preference right to renew such lease or permit to the extent provided by Federal law.

(B) In any instance where lands conveyed by the State of Utah under section 2 are used by a grazing permittee or lessee to meet the base property requirements for a federal grazing permit or lease, such lands shall continue to qualify as base properties for the remaining term of the lease or permit and any renewal or extensions thereof.

(C) Title to, or any interest in, any range improvement held by the United States or the State on any lands exchanged under this agreement shall be transferred with such lands. Nothing in this Act shall operate to divest title to, or any interest in, any range improvement held by any person on such lands.

(D) On all lands to be acquired by the State of Utah under section 3, the State shall continue, for a period of time equal to the lifetime of the permittee as of the date of this agreement and any direct descendants of the permittee born before that date, all leases, permits and contracts for the grazing of domestic livestock, and the related terms and conditions of user agreements on Federal lands, including permitted stocking rates, grazing fee levels, access rights, and ownership and use of range improvements. Such leases, permits and contracts shall be subject to periodic renewal and to compliance with the terms and conditions of the leases, permits or contracts, together with such reasonable regulations as the State may prescribe concerning range conditions. This provision shall not prevent the state from canceling any grazing permit when the underlying land is sold or leased for non-grazing purposes by the state.

SECTION 8. HAZARDOUS WASTE.

(A) Notwithstanding the transfer to the United States of the lands and interests therein described in section 2, the State of Utah shall continue to be responsible to the extent it is responsible on the date of transfer of title for all environmental remediation, waste management and environmental compliance activities arising from ownership and control of lands and interests therein pursuant to applicable Federal and State laws with respect to conditions existing on the lands at the time of the transfer.

(B) Notwithstanding the transfer to the State of Utah of the lands and interests therein described in section 3, the United States shall continue to be responsible to the extent it is responsible on the date of transfer of title for all environmental remediation, waste management and environmental compliance activities arising from the ownership and control of lands and interests therein pursuant to applicable Federal and State laws with respect to conditions existing on the lands at the time of the transfer.

SECTION 9. SURFACE USE AND RIGHTS OF WAY

(A) The State shall assume all rights and duties of the United States under all Federal rights-of-way, surface use permits and agreements on lands conveyed to the State pursuant to this Agreement. All such rights-of-way and agreements shall remain in effect for the remainder of the applicable term after conveyance, except that such rights-of-way, permits and agreements shall be managed and enforced by the State. The rents, fees, and other payments formerly due to the United States under the terms of such rights-of-way, permits and agreements shall be payable by the holder to the State.

(B) The United States shall assume all rights and duties of the State under all State rights-of-way and special use agreements on lands conveyed to the United States pursuant to this Agreement. All such rights-of-way and agreements shall remain in effect for the remainder of the applicable term after conveyance, except such rights-of-way and agreements shall be managed and enforced by the United States. The rents, fees, and other payments formerly due to the State under the terms of such rights-of-way and agreements shall be payable by the holder to the United States.

(C) Nothing in this Act shall expand or diminish the rights of any person or entity in any pre-existing rights-of-way established under State or Federal law, and the conveyances to be made under this Agreement shall be subject to such pre-existing rights-of-way, if any, as valid existing rights.

SECTION 10. SPECIAL PROVISIONS

(A) MINERAL DEVELOPMENT IN GENERAL.

(i) Development of any mineral interests transferred to the State of Utah pursuant to this agreement where the United States retains ownership interests in the land shall be subject to all laws, rules, and regulations applicable to development of non-Federal mineral interests underlying Federally-owned surface, including, where appropriate, laws, rules and regulations applicable to such development within the National Forest System.

(ii) Extraction of any coal resources transferred to the State of Utah pursuant to this Agreement shall occur only through underground coal mining operations.

(B) PRICE COALBED METHANE.--The Bureau of Land Management has prepared an Environmental Impact Statement for the River Gas portion of the Price Coalbed Methane area and a Record of Decision has been issued with respect to certain actions considered in the Environmental Impact Statement. The State of Utah shall adopt all conditions, mitigation measures and restrictions imposed on lessees by the Record of Decision in the State's administration of Federal Mineral Leases acquired in Townships 14, 15, and 16 South and Ranges 8 and 9 East, SLBM.

(C) MILL FORK. -- The Bureau of Land Management and the Manti-La Sal National Forest have prepared an Environmental Assessment for the proposed leasing of coal within the Mill Fork tract. The State of Utah shall adopt the mitigation measures imposed on lessees by the Record of Decision in the State's administration of the Mill Fork tract.

(D) MINERAL LEASES IN LAND CONVEYED TO THE UNITED STATES. — Notwithstanding any other provision of law, including 30 U.S.C. 355, any rentals and royalties or bonus bids derived from existing or future mineral leases on lands and interests therein conveyed by the State of Utah to the United States shall be deposited in the Treasury as miscellaneous receipts, except that any rentals and royalties or bonus bids from existing or future mineral leases on lands and interests acquired under sections 2(A) and 2(B) in trust for the Navajo Nation and the Goshute Indian Tribe shall be distributed in accordance with the terms of any federal law specifically directing distribution of such moneys.

(E) RENTS AND ROYALTIES ON LAND CONVEYED TO THE STATE OF UTAH. Any rentals and royalties derived from existing or future mineral leases on lands and interests conveyed by the United States to the State of Utah under section 3 shall be shared equally by the State and the School and Institutional Trust Lands Administration.

SECTION 11. MAPS AND LEGAL DESCRIPTIONS

The State of Utah and the Secretary shall each provide to the other the legal descriptions and maps of the lands under their respective jurisdictions which are to be exchanged under this agreement.

SECTION 12. LITIGATION

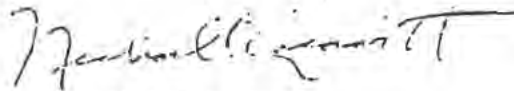
(A) Upon execution of this agreement, the parties to the civil action captioned *State of Utah v. United States*, Civil No. 2:97-CV-0589C (D. Utah), will immediately jointly seek a stay, without prejudice to either party, of all proceedings in that action. Upon enactment of legislation authorizing and ratifying this agreement, the parties will jointly seek dismissal of that action with prejudice. If Congress fails to enact legislation authorizing and ratifying this agreement before adjournment of the 105th Congress *sine die*, the parties agree to jointly move to lift the stay of proceedings in that action within 60 days after adjournment and to seek rescheduling of the previously established trial schedule as necessary.

(B) The State of Utah shall voluntarily dismiss with prejudice the civil action captioned *Utah School and Institutional Trust Lands Administration v. Clinton, et al.*, Civil No. 2:97-CV-492C (D. Utah), within 20 days after all conveyances under this agreement have been completed.

SECTION 13. TECHNICAL CORRECTIONS

Nothing in this Agreement shall prevent the parties from mutually agreeing to the correction of technical errors and omissions in maps and legal descriptions contained herein.

IN TESTIMONY, WHEREOF, we have hereunto set our hands and caused to be affixed the Great Seal of the State of Utah this 8th day of May 1998.



Michael O. Leavitt
Governor
State of Utah



Bruce Babbitt
Secretary of the Interior
United States of America

ATTEST:



Olene S. Walker
Lt. Governor
State of Utah



**MEMORANDUM OF UNDERSTANDING BETWEEN THE UTAH SCHOOL AND
INSTITUTIONAL TRUST LANDS ADMINISTRATION, THE UNITED STATES
DEPARTMENT OF AGRICULTURE, AND THE UNITED STATES DEPARTMENT OF
THE INTERIOR**

Recitals

1. The Utah Schools and Land Exchange Act of 1998, Pub. L. No. 105-335, 112 Stat. 3139 ("the Act"), ratified the May 8, 1998. "Agreement to Exchange Utah School Trust Lands Between the State of Utah and the United States of America" entered into between the State of Utah and the United States of America ("the Agreement").

2. The United States Department of the Interior ("DOI"), and the Utah School and Institutional Trust Lands Administration ("SITLA") each have responsibilities to implement the terms of the Agreement. The United States Department of Agriculture, Forest Service ("USDA-Forest Service"), which has jurisdiction, custody, and control over National Forest System Lands ("NFS lands"), is also subject to the terms of the Act and the Agreement with respect to NFS lands involved in the exchange of lands and interests in lands. Therefore, USDA-Forest Service is a Party to this MOU with respect to the NFS lands subject to the terms of the Act and the Agreement. The aforementioned entities will be collectively referred to hereinafter as "the Parties," or separately as a "Party."

3. The Parties recognize that it is in their mutual interest to agree on how certain actions necessary to implement the Act and the Agreement will be effected, and therefore enter into this Memorandum of Understanding ("MOU").

4. Among other provisions, this MOU implements Sections 8 and 10 of the Agreement which defines the Parties' respective responsibilities for environmental remediation, waste management and environmental compliance activities associated with the lands which each Party has transferred, or will transfer, to the other pursuant to the Act. Section 8 contemplates remediation of the subject lands following the date of transfer of title, and this MOU, consistent with Section 8, provides that each Party will continue to be legally responsible, to the extent such responsibility exists at the time of transfer of title, for environmental response actions, including actions specified herein, on the land that each Party respectively transfers. Except as consistent with the Agreement, nothing in this MOU is intended to relieve any party of its substantive or procedural environmental obligations under existing State or Federal law.

5. Section 10 of the Agreement calls for development of any mineral interests transferred to the State of Utah where the United States retains ownership interests in the land to be subject to all laws, rules, and regulations applicable to development of non-Federal mineral interests underlying Federally-owned surface, including laws, rules, and regulations applicable to such development within the National Forest System. The Regulations of the Secretary of Agriculture at Title 36, Code of Federal Regulations ("C.F.R."), section 251.50 will apply to the occupancy and use of the surface estate of National Forest System lands for the development of the conveyed coal estate. However, mining induced subsidence need not be permitted separately

where the State of Utah has authorized mining in accordance with 30 C.F.R. section 944.30, Article VI, B.5. To the extent provided by law, in surface occupancy permits and conditions of concurrence to mining permits, the USDA-Forest Service will abide by the standards and guidelines contained in the Land and Resource Management Plan for the Manti-La Sal National Forest which were in effect on May 8, 1998. Subject to reasonable terms and conditions for the protection of the surface estate consistent with the Forest Plan, any permit requirement may not prohibit reasonable economic development of the conveyed coal estates.

Memorandum of Understanding

I. Coal Mineral Interests

A. Pre-Leasing Issues

Before SITLA issues a lease on the Cottonwood, Westridge, Mill Fork, Dugout, Muddy, or North Horn Tracts conveyed to SITLA under paragraphs 3(F), 3(G), 3(K), 3(L), and 3(M) of the Agreement --

1. Within an agreed time frame, DOI's Bureau of Land Management ("BLM") will provide SITLA with the following for that tract:

a. The amount of the coal reserves for the tract;

b. A pre-lease estimate of fair market value ("FMV"), or comments on SITLA's consultant's assessment of FMV; and

c. Recommendations to SITLA on lease bond amounts.

2. For that tract, SITLA will --

a. Coordinate sale schedules with BLM;

b. Consider BLM's determination of, or comments on, coal reserves and FMV when it negotiates bonus bids with prospective lessees;

c. Establish the amount of the lease bond in consultation with BLM; and

d. Cooperate with the USDA- Forest Service to identify the applicable Forest Plan standards and guidelines necessary to protect National Forest Resources and to fulfill the requirements of Title 36 C.F.R. section 251.50.

B. Lease Instrument Contents

SITLA agrees that for each lease SITLA issues on lands subject to reversion to the United States under sections 3(F), 3(K), 3(L), and 3(M) of the Agreement (the Cottonwood, Mill Fork, Dugout, Muddy, and North Horn Tracts), SITLA will include the following in the lease terms:

1. The reversionary provisions of the Agreement and the Act that apply to the individual lease.

2. An express agreement by the lessee as follows:

The lessee agrees that after reversion of the lessor's interest to the United States, the Secretary of the Interior may establish the reasonable value of post-reversion production for royalty purposes in the same manner and by the same methods as the United States establishes value under Federally-issued leases.

3. An express agreement by the lessee as follows:

The lessee agrees that after reversion, the lessee will be subject to the requirements of the Mineral Leasing Act, 30 U.S.C. §§ 181 *et seq.*, and royalty, operating, and administrative procedure rules and regulations of the Department of the Interior, the Minerals Management Service ("MMS"), and the Bureau of Land Management ("BLM") and any other Federal laws and regulations generally applicable to coal leases issued under the Mineral Leasing Act to the same extent as if the lease were a Federally-issued lease. However, to the extent that SITLA approves a significant operational decision and the lessee makes a substantial economic commitment based upon SITLA's approval, the lessee may continue to rely on that approval after reversion. Provided, however, that nothing herein will affect the liability of the lessee under CERCLA, RCRA, the Clean Water Act, 33 U.S.C. § 1251, *et seq.*, or other applicable environmental law.

4. Express agreements by the lessee relating to "Hazardous Substances," and "Indemnification" that are appended to this MOU as Appendix I. Prior to the issuance of any lease, the Parties further agree to jointly develop provisions to address "Waste Certification," "Discharges of Oil," "Oil Discharge Indemnity," and "Discharged Oil Certification" for inclusion in leases. If necessary, the Parties may modify language provided in Appendix I to bring the provisions of Appendix I into conformance with the subsequently developed provisions.

5. An express agreement by the lessee as follows:

The lessee agrees that it will furnish bonds or other financial guarantees meeting both State and Federal mineral lease bond or

financial guarantee requirements and that upon any forfeiture after reversion, those bonds or financial guarantees will be payable to the Secretary of the Interior.

6. An express agreement by the lessee as follows:

The lessee agrees that it will report production and royalties monthly in accordance with applicable State requirements and, after reversion, in accordance with applicable Federal regulations.

7. An express agreement by the lessee as follows:

The lessee agrees that the BLM may conduct underground inspections of all mines on the leased premises, regardless of whether the BLM is acting in cooperation with the Utah School and Institutional Trust Lands Administration as lessor or under the authority of Federal laws and regulations after any reversion of the lessor's interest to the United States.

C. Post-Leasing Issues

1. After SITLA issues any lease on the Cottonwood, Mill Fork, Dugout, Muddy, or North Horn Tracts, in cooperation with SITLA BLM will:

a. Inspect underground operations on a quarterly or other agreed upon basis to, among other things, verify production amounts and to determine compliance with the hazardous waste certification stipulation. Inspections will be coordinated, scheduled, and conducted jointly, if possible, with SITLA. BLM will notify SITLA of any underground and related surface operational problems observed or suggest remedial actions:

b. Provide SITLA with timely technical advice for SITLA's mining plan approvals and modifications and lease modifications. Such advice will address issues relating to maximum economic recovery ("MER") and avoiding coal bypass; and

c. Provide SITLA with timely technical advice regarding potential coal bypass and hazardous waste certification concerns on any lease relinquishment proposals.

2. After SITLA issues any lease on the Cottonwood, Mill Fork, Muddy, or North Horn Tracts, in cooperation with SITLA the USDA-Forest Service will:

a. Apprise SITLA of any concerns with respect to compliance with the hazardous waste certification stipulation or other surface operational problems concerning operations on NFS lands:

b. Provide SITLA timely information and/or comments on the surface effects of underground mining with respect to SITLA's mining plan approvals and modifications, lease modifications, and lease relinquishments; and

c. Timely process any surface use permits necessary to support the development of the coal interest.

3. After SITLA issues any lease on the Cottonwood, Mill Fork, Dugout, Muddy, or North Horn Tracts, SITLA will:

a. Provide BLM and the USDA- Forest Service, where NFS lands are involved, timely copies of all applications for mining plan approvals and modifications and lease modifications and relinquishments, and will consider BLM and USDA-Forest Service comments in determining whether to approve such applications and in developing any special approval conditions;

b. Report to BLM total royalty and rental income derived from all leases SITLA issues on the Cottonwood Tract conveyed under paragraph 3(F) of the Agreement by March 1 of each year for the preceding calendar year. When the total royalty and rental income is within one million dollars of the amount that triggers reversion to the United States, SITLA will report to BLM each month the total royalty and rental income derived from these leases;

c. Report to BLM by March 1 of each year for the preceding calendar year the total production from all leases SITLA issues on each of the following tracts. When the total production from all leases on each of the following tracts reaches the corresponding tonnage stated below, SITLA will report to BLM each month the total production from the tract:

Mill Fork Tract (Agreement § 3(K))	21 million tons
Dugout Canyon and Muddy Tracts (Agreement § 3(L))	33 million tons
North Horn Coal Tract (Agreement § 3(M))	99 million tons

For purposes of this paragraph (c), and for determining when reversion occurs for the Mill Fork, Dugout Canyon and Muddy, and North Horn Tracts under the cited Agreement provisions, coal is considered to be produced when it is subject to royalty under the SITLA lease; and

d. Be reasonable and prudent in making operational and other lease management decisions that would likely have consequences extending past the reversion date. SITLA agrees that it will provide BLM and the USDA-Forest Service with an opportunity to provide advice regarding those decisions. SITLA further agrees that for all such decisions made within one year of the expected reversion date, BLM must concur with such decisions, such consent not to be unreasonably withheld.

D. Reversion Issues

1. SITLA agrees that all royalties received on production beyond the royalty and rental income or tonnage amounts that trigger the reversion to the United States as provided in paragraphs 3(F), 3(K), 3(L), and 3(M) of the Agreement in the month in which the threshold royalty and rental income or tonnage amount is reached will be paid to MMS by the last day of the second month following the month in which the royalty or rental income or tonnage threshold amount is reached.

2. Any coal produced from a lease subject to reversion that was stockpiled before reversion for which no royalty was paid to SITLA will be subject to payment of royalty to the United States in accordance with MMS regulations.

3. Upon the occurrence of conditions subsequent, specific to each tract identified in section 3(F), 3(K), 3(L), and 3(M) of the Agreement (the Cottonwood, Mill Fork, Dugout, Muddy, and North Horn Tracts), each such tract will revert to the United States. Notwithstanding such reversion, SITLA will remain responsible for: identifying the location of any reportable release of hazardous substances or the discharge of oil (as those terms are defined in Part IV of this MOU) prior to the reversion; characterizing the environmental condition of each such tract at the time of reversion; and taking any response actions necessary for compliance with all applicable Federal or State laws, arising from environmental conditions existing on each such tract at the time of reversion, consistent with each tract's future anticipated use. SITLA will transmit to the United States not more than two years prior to the expected date of reversion a schedule for the completion of such actions prior to the date of reversion. If there is disagreement as to the urgency, necessity, or degree of the response action required, the Parties will use the dispute resolution procedure identified under this MOU.

4. Under section 3(F) of the Agreement, the coal mineral interest in the Cottonwood Tract reverts to the United States after SITLA receives \$13,006,105 in royalty and rental income. The Agreement also notes that such amount may be subject to adjustment for interest. The Parties agree to determine the reversion as follows:

a. Under the Agreement, the \$13,006,105 is an amount that SITLA is entitled to above what the State would have received under the provisions of 30 U.S.C. 191 had all or part of the Cottonwood Tract been leased by the United States. Therefore, the reversion will occur after SITLA receives \$26,012,210 in rental and royalty income from disposition of all or part of the coal mineral interest in the Cottonwood Tract, subject to adjustment under paragraph I.D.4(b). One-half of what SITLA receives each month will reduce the \$13,006,105 principal balance due under the Agreement and be used to pay accrued interest under paragraph I.D.4.(b).

b.(i) To compensate SITLA for the time value of the money until it receives the additional \$13,006,105 under the Agreement, interest will be calculated at the end of each month on the average daily remaining principal balance for that month (which starts at \$13,006,105). The interest rate will be the rate for a five-year Treasury note on the last business day of that month. Interest will be calculated as simple interest and will begin accruing January 8, 1999.

(ii) When SITLA receives rental or royalty income, on the day of receipt such amounts will be applied first to accrued interest, and any remaining amount will reduce the principal balance.

For example, assume that interest on \$13,006,105 is \$50,000 per month (\$30,000 for January 1999). For the first six months, \$280,000 in interest would accrue (no interest accrues on the outstanding interest balance) and the principal balance would be unchanged. On the first day of Month Seven, a lessee pays \$200,000 in rental. Under paragraph I.D.4.(a), \$100,000 would be applied to reduce the interest balance from \$280,000 to \$180,000 and the principal balance would not be reduced. But if in Month Seven that lessee paid \$800,000 in rentals instead of \$200,000, then \$400,000 would be applied to the outstanding principal and interest. First, \$280,000 would be used to pay accrued interest, and then \$120,000 would be used to reduce the principal balance. At the end of Month Seven, interest would be calculated on a principal balance of \$12,886,105 (assuming that is the average daily outstanding principal balance for the month). Rental interest in Month Eight would be applied first to that interest, and then the remainder would further reduce the \$12,886,105 principal balance.

Reversion will occur after SITLA receives rental and royalty income from some or all of the coal mineral interest in the Cottonwood Tract totaling \$26,012,210 plus an amount equal to the total of the simple interest calculated on the principal balance under this paragraph.

5. To insure uninterrupted operations on coal leases that revert to the United States pursuant to the Agreement, SITLA's approval of a mine plan after consultation with BLM and USDA-Forest Service (with respect to National Forest System lands) pursuant to the terms of this Memorandum of Understanding, and the Utah Division of Oil, Gas, and Mining's (DOGMS) final approval of a mine permit for such state leases under the Surface Mining Control and Reclamation Act of 1977, will be deemed to satisfy any requirements for federal mining plan or resource recovery and protection plan approval under 30 C.F.R. Part 746 and 43 C.F.R. Group 3400 applicable at the time of reversion, together with any requirements for concurrence in such plans or permits by USDA-Forest Service applicable at the time of reversion. To the extent that approvals by the State Historic Preservation Officer (SHPO), consultations with the U.S. Fish and Wildlife Service pursuant to Section 7 of the Endangered Species Act, or other necessary consultations or approvals were completed at the time of the original mine permit issuance, then such approvals shall continue in effect and be deemed to satisfy any requirements or for such consultations or approvals at the time of reversion. No later than one year prior to the anticipated date of the reversion of each tract, the parties will consult with each other, the lease operator, and the DOGMS to determine whether additional approvals or consultations will be required, and each Party agrees to take such steps and execute such documents as may be reasonably necessary to ensure uninterrupted operations upon reversion.

6. If SITLA approves a significant operational decision and the lessee makes a substantial economic commitment based upon SITLA's approval, BLM agrees after reversion to abide by SITLA's approval.

II. Oil and Gas, Coal, and Other Mineral Royalty Issues

A. The State is entitled to all royalty revenues derived from existing leases on lands the State is conveying to the United States under the Agreement on production occurring before the date the lands are conveyed to the United States. The United States is entitled to all royalty revenues derived from existing leases on lands the United States is conveying to the State under the Agreement on production occurring before the date the lands are conveyed to the State.

B. If conveyance to the United States of lands subject to existing State-issued leases does not occur on the first day of the period for which royalties accrue (for example, a production month for oil and gas leases or the month of shipment, sale, processing, or use for coal leases), the State is entitled to that proportion of the royalty revenues derived from the lease for that period that equals the number of days in the period before the date of conveyance divided by the number of days in the period. If conveyance to the State of lands subject to existing Federal leases does not occur at the beginning of a production month, the United States is entitled to that portion of the royalty revenues derived from the lease for that month that equals the number of days in the month before the date of conveyance divided by the number of days in the month.

For example, assume conveyance occurs on January 8, 1999. For an oil and gas lease that requires monthly royalty payment, the transferor would retain 8/31 of the royalties due for January production. The transferee would be entitled to 22/31 of the royalties due for January production. For a mineral lease that requires quarterly royalty payments, the transferor would retain 8/90 of the royalties derived from production in the first quarter of 1999, and the transferee would be entitled to 82/90 of those revenues.

C. If either Party receives lease revenues to which the other Party is entitled under the Agreement, the Party first receiving the money agrees to pay the amount to which the other Party is entitled by the end of the second month following the month in which the revenues were received.

D. If annual lease rental payments for mineral leases are due before the date of conveyance, the Party to whom the rental payment is owed on the due date is entitled to retain the entire rental payment, regardless of whether the lease goes into production during the year for which rental was paid.

E.1. If --

a. the lands within a single lease are segregated as a result of a conveyance under the Agreement; and

b. the lease was not committed to any Federally-approved unit or communitization agreement before conveyance,

then the Parties agree that so long as there is production in paying quantities from any well on either of the segregated parcels, such production will hold each of the segregated leases in full force and effect.

2. a. If the well spacing unit from which production occurs lies entirely within the boundaries of one of the segregated parcels, royalties on that production are payable only to the Party who is the lessor of that parcel.

b. If a well spacing unit has been established or is established in the future, and parts of the spacing unit are within both of the segregated parcels, the Parties will allocate royalties based on the proportionate acreage of the spacing unit within each parcel.

F. SITLA agrees that under section 3(P)(ii) of the Agreement, it will pay to MMS 50 percent of the bonus bid it receives when it issues each lease under section 3(P)(i) of the Agreement, reduced by 50 percent of administrative costs as prescribed in section 3(P)(ii), no later than the last day of the second month following the month in which the State receives the bonus payment. The Parties further agree that for any lands or interests in land that the State receives from the United States under the Agreement that are subject to an existing mineral lease. SITLA may amend or replace a Federally-issued lease instrument, with the lessee's consent, and not be subject to section 3(P)(i) as long as SITLA does not extend the lease term or add previously unleased acreage.

III. Mining Claim Administration

If any of the lands conveyed to the State under the Agreement are encumbered by mining claims, mill sites, or tunnel sites located under the Mining Law of 1872, 30 U.S.C. § 22 *et seq.* --

A. SITLA will:

1. Recognize the mining claimants' and site holders' interests in all valid mining claims and site locations as property interests and allow them to develop those minerals or use the sites so long as they comply with applicable laws and regulations including without limitation applicable state filing and claim maintenance requirements; and

2. Adjudicate any mining claim or site validity issues in the appropriate state or Federal court according to the Mining Law of 1872, as amended, and case law interpreting that law.

B. BLM will provide notice to each mining claimant and site holder that its mining claims or site locations --

1. Will be administered by SITLA and that compliance with the state filing and claim maintenance requirements contained in Utah Code Ann. Section 53C-2-104 will be required to avoid abandonment of such claim under state law;
2. Will no longer be administered by the United States;
3. Will no longer be subject to Federal filing or fee requirements or BLM surface management requirements; and
4. That the Secretary of the Interior no longer has jurisdiction to adjudicate the validity of any mining claim or site.

IV. Environmental Compliance

A. Definitions.

1. With respect to this Part IV of this MOU, unless otherwise defined herein, all terms have the meaning provided under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. § 9601, *et seq.*, and other applicable Federal environmental laws.

2. The term "land" means lands, resources, and interests therein.

3. The term "hazardous substance" means any substance designated under 42 U.S.C. § 9601(14); any regulated substance contained in, or released from, any underground storage tank, as defined by the Resource Conservation and Recovery Act at 42 U.S.C. § 6991, *et seq.*; and any substance defined and regulated as "hazardous" by applicable State law.

4. The terms "oil" and "discharge" are defined by the Clean Water Act at 33 U.S.C. §1321(a)(1) and 33 U.S.C. §1321(a)(2), respectively.

B. Environmental Compliance Responsibilities

The Parties agree to the following:

1. Apportionment of Costs and Funding of Obligations

Each Party will be responsible for the costs associated with response actions and other actions specified in this Part IV, on lands it transfers, except as provided in section IV(B)(2) of this MOU. Commitments of any funds made pursuant to Part IV of this MOU will be subject to the availability of appropriated funds. No provision of this Agreement requires the United States to obligate or pay funds in contravention of the Anti-Deficiency Act, 31 U.S.C. § 1341, in any fiscal year for actions

subject to the Agreement and this MOU. No provision of this Agreement obligates the State of Utah or SITLA to obligate or pay funds not appropriated by the Utah legislature.

2. Assessment of Presumptive Baseline Contamination Existing at the Time of Transfer

The Parties agree that they will conduct an investigation to establish a presumptive baseline of sites on which a release of hazardous substances or discharge of oil has occurred (hereinafter, "release sites"). The investigation will include an examination by the United States of the lands to be transferred by the Parties and a complete search by SITLA and the State of files located in the Utah Department of Environmental Quality pertaining to actions on the lands transferred as part of the investigation. The Parties will complete such investigation prior to the date of transfer. The release sites identified will constitute the presumptive baseline release sites existing on the lands to be transferred at the time of transfer. The Parties are aware of the contractors, processes and methodologies that will be used in the investigation, and agree that the contractors, processes and methodologies are sufficient to establish the presumptive baseline release sites. The State or SITLA will contribute \$115,000 as its share of the investigation within 60 days from the date of transfer, for the United States' Bureau of Land Management's investigation pursuant to Bureau of Land Management Contract No. 1422-N651-C4-3049, Task Order 98-5758, of the lands that the State or SITLA will transfer to the United States. Simultaneous with the payment of such amount by the State or SITLA, the United States will assign to the State or SITLA all rights of action against the contractor, C.C. Johnson and Mahotra, arising out of the aforementioned contract.

3. Grant of Mutual Right of Access

The Parties will grant reciprocal rights of access to the transferred lands for the limited purpose of taking any and all necessary actions related to the release, or potential release, of hazardous substances or discharge of oil located on the subject lands and to conduct any and all actions required under the terms of this MOU. Future use authorizations issued to third Parties will be subject to rights of access under this paragraph. Each grant of access will be of such terms as are mutually acceptable to the Parties.

4. Characterization of Contaminated Lands

a. The Parties will meet not later than 60 days after the date of transfer to address the need for any further investigation, or any further environmental characterization, of sites identified under Section IV(B)(2) of this MOU. At a minimum, the Parties agree to gather such additional information as is necessary to develop recommendations regarding any needed response actions to ensure compliance with all applicable Federal and State laws, and to determine the urgency of such action.

b. Characterization of the lands identified under Section IV(B)(2) will be completed under the terms established under section IV(B)(4)(a) within 180 days after the date of transfer. The Parties will make this information available to each other as it becomes available.

c. In the event that additional time is needed to complete any characterization required, including any additional characterizations required as a result of information gathered by the Parties, the Parties will consult with each other and agree as to the amount of time necessary to complete such characterization.

5. Response Actions on Contaminated Lands

The Parties will meet not later than 240 days after the date of transfer to develop plans to address the necessity or urgency of response actions on the characterized release sites. Each Party, to the extent responsible under any State or Federal law applicable at the time of transfer, will address environmental conditions on the lands, which it has or will transfer, so that the lands are in compliance with all applicable Federal or State law governing the release of hazardous substances or the discharges of oil. The Parties will conduct response actions on any contaminated lands to achieve a permanent remedy of conditions on the lands which pose a present or future threat to human health or the environment, and to a condition consistent with the lands' reasonably anticipated future land use, as identified by the Party to whom the land was or will be transferred. If there is disagreement as to the urgency, necessity, or degree of response action required, the Parties will use the dispute resolution procedure identified under this MOU. Nothing herein prevents any Party from seeking contribution or indemnification for the costs of response action from any persons or entities who contaminated the lands or otherwise ensuring that responsible parties perform or contribute their share of the costs of response actions.

6. Further Response Actions

As provided by this Section IV(B)(6), the Party that will transfer or has transferred the subject land (hereinafter, "transferring Party") will conduct and fund any reasonable additional response action determined to be necessary by the Party which has or will receive the subject land (hereinafter, "non-transferring Party") after response actions under Section IV(B)(5) have been completed if:

a. The remedy fails (e.g., the remedy fails to meet previously identified response action goals or response objectives) and such failure occurs not as a result of the acts or omissions of the non-transferring Party;

b. Additional hazardous substance releases or discharges of oil are identified, which are demonstrated by the non-transferring Party to have existed on the subject land prior to transfer and have not been previously identified, that create conditions inconsistent with the established reasonably anticipated land use; or

c. A statute, a regulation, a final and binding court order, or a final and binding administrative order necessitates additional response actions to address the presence of hazardous substances or discharges of oil attributable to the transferring Party on the property, provided that the order is not occasioned by the non-transferring Party's physical activities on the property.

7. Dispute Resolution

If a dispute arises under Part IV of this MOU that is not resolved informally between the United States and the State or SITLA, then either Party may pursue the following dispute resolution procedure:

a. The Party which seeks resolution will provide a written statement of its dispute, along with any rationale or supporting documents, to the other Party. The Parties will engage in discussions in an attempt to arrive at a consensus and resolve the dispute.

b. If no resolution is reached within thirty (30) calendar days of receipt of the statement of dispute, then the dispute may be elevated to the Parties' respective headquarters-level officials, or their designees. The headquarters-level officials for the United States and Utah will engage in discussions in an attempt to arrive at a consensus. If consensus is not achieved, the Parties will refer the matter in accordance with section IV(B)(7)(c) within thirty (30) calendar days.

c. Any matter referred under section IV(B)(7)(b) will be elevated to the principal environmental policy makers for the State or SITLA and the Department of the Interior, or the Department of Agriculture in the case of a matter concerning NFS lands, who will resolve the matter, and transmit their determination in written form to the Parties involved. In the case of Utah, the principal environmental policy maker is the Governor of Utah or his or her designee. In the case of the United States, the principal environmental policy maker is the Assistant Secretary, Land and Minerals Management or his or her designee, except that with respect to matters involving NFS lands, the principal environmental policy maker is the Under Secretary for Natural Resources and Environment or his or her designee.

d. These time limits may be extended on the mutual agreement of the Parties to the dispute.

V. Other General Provisions

A. The Parties will each provide notification of the conveyance and the terms of the Agreement and this Memorandum of Understanding to any current lessees, permittees, and mining claimants of record who hold interests in any lands subject to conveyance under the Agreement.

B. For any contract for mineral materials under the Materials Act of 1947, 30 U.S.C. §§ 601-604, applicable to lands conveyed to the State under the Agreement, payments under the contract due to the United States for materials severed, extracted, or removed before the date of conveyance will be paid to the United States.

C. For all non-mineral-related revenues (including for grazing permits and leases, rights-of-way, recreation permits, filming permits, etc.), whichever Party is entitled to a payment due before the date of conveyance will retain the full amount of the payment.

D. SITLA, BLM, and the USDA-Forest Service with respect to NFS lands, will share information regarding properties transferred under the Agreement, except that proprietary coal data and proprietary coal company data will not be shared with the USDA-Forest Service. SITLA, BLM and the USDA-Forest Service will maintain the confidentiality of all proprietary and confidential information to the extent authorized under applicable law.

E. SITLA, BLM, and the USDA-Forest Service with respect to NFS lands, will work to establish Intergovernmental Personnel Act assignments from their respective staffs to further the implementation of this Memorandum of Understanding.

F. SITLA and BLM, and the USDA-Forest Service with respect to NFS lands, each will provide technical assistance to the other to facilitate implementation of the Agreement.

G. With respect to any administrative appeals within DOI, USDA-Forest Service or the State pending on the date of conveyance involving lands conveyed to SITLA or to the United States under the Agreement that encompass issues that may have prospective implications, the Parties agree to work cooperatively to analyze and resolve the effect of the conveyance on those matters.

H. Each Party conveying land under the Agreement will, upon request of the Party receiving the land, seek to enforce existing surety or financial guarantees for unfulfilled lease obligations existing on the date of conveyance that the lessee does not correct.

I. SITLA agrees that if MMS does not receive any of the amounts due under the Agreement by the date those amounts are due under this Memorandum of Understanding, SITLA will pay interest on any unpaid amount from the date due until the date paid at the same five-year Treasury note simple interest rate prescribed in section I.D.4.(b) of this Memorandum of Understanding.

J. Nothing in this Memorandum of Understanding is intended to limit the rights or obligations of the Parties under the Act or Agreement.

K. This Memorandum of Understanding is subject to modification by later agreement in writing.

L. For purposes of this Memorandum of Understanding, references to the State of Utah may mean SITLA, and references to SITLA may mean the State of Utah, as the context requires.

M. This Memorandum of Understanding may be executed in counterparts, each to be considered an original for all purposes, and collectively to be considered a single document.

[The remainder of this page is intentionally blank.]

VI. Exclusion

This Memorandum of Understanding does not apply to lands conveyed to the United States under paragraphs 2(A) and 2(B) of the Agreement, which the United States will hold in trust for the Navajo Nation and Goshute Tribe, respectively, and which will be the subject of a separate Memorandum of Understanding among the Parties and the Navajo Nation and Goshute Tribe.

IN WITNESS WHEREOF, the Parties have executed this Agreement.

FOR THE UNITED STATES DEPARTMENT OF THE INTERIOR

By: _____

Title: _____

Date: _____

FOR THE UTAH SCHOOL AND INSTITUTIONAL TRUST LANDS ADMINISTRATION

By: David T. Taylor

Title: DIRECTOR

Date: JANUARY 5, 1999

APPROVED AS TO FORM:
JAN GRAHAM
ATTORNEY GENERAL

By: [Signature]

FOR THE UNITED STATES DEPARTMENT OF AGRICULTURE

By: _____

Title: _____

Date: _____

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IN WITNESS WHEREOF, the Parties have executed this Agreement.

FOR THE UNITED STATES DEPARTMENT OF THE INTERIOR

By: *Sylvia V. Bacon*

Title: *Acting Assistant Secretary, Land and Minerals Management*

Date: *JAN - 5 1999*

FOR THE UTAH SCHOOL AND INSTITUTIONAL TRUST LANDS ADMINISTRATION

By: _____

Title: _____

Date: _____

FOR THE UNITED STATES DEPARTMENT OF AGRICULTURE

By: _____

Title: _____

Date: _____

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IN WITNESS WHEREOF, the Parties have executed this Agreement.

FOR THE UNITED STATES DEPARTMENT OF THE INTERIOR

By: _____

Title: _____

Date: _____

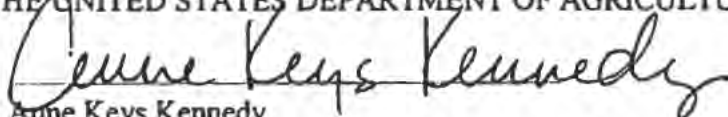
FOR THE UTAH SCHOOL AND INSTITUTIONAL TRUST LANDS ADMINISTRATION

By: _____

Title: _____

Date: _____

FOR THE UNITED STATES DEPARTMENT OF AGRICULTURE

By: 

Anne Keys Kennedy

Title: Deputy Under Secretary, Natural Resources and Environment

Date: JAN - 5 1999

APPENDIX I

Provisions relating to "Hazardous Substances," and "Indemnification" in each lease SITLA issues on lands subject to reversion to the United States under sections 3(F), 3(K), 3(L), and 3(M) of the Agreement (the Cottonwood, Mill Fork, Dugout, Muddy, and North Horn tracts) will include:

Hazardous Substances. Lessee [or other occupant pursuant to any agreement authorizing mining] shall not keep on or about the premises any hazardous substances, as defined under 42 U.S.C. § 9601(14) or any other Federal environmental law, any regulated substance contained in, or released from, any underground storage tank, as defined by the Resource Conservation and Recovery Act at 42 U.S.C. § 6991, *et seq.*, or substances defined and regulated as "hazardous" by applicable State law, (hereinafter, for the purpose of this paragraph, collectively referred to as, "Hazardous Substances") unless such substances are reasonably necessary in Lessee's mining operations, and the use of such substances or tanks is noted and approved in the Lessee's mining plan, and unless Lessee fully complies with all Federal, State and local laws, regulations, statutes, and ordinances, now in existence or as subsequently enacted or amended. Lessee shall immediately notify Lessor, the Bureau of Land Management, and any Federal, State and local agency with jurisdiction over the subject land, or contamination thereon, of (i) all reportable spills or releases of any Hazardous Substance affecting the Leased Premises, (ii) all failures to comply with any applicable Federal, state or local law, regulation or ordinance, as now enacted or as subsequently enacted or amended, (iii) all inspections of the Leased Premises by, or any correspondence, order, citations, or notifications from any regulatory entity concerning Hazardous Substances affecting the Leased Premises, (iv) all regulatory orders or fines or all response or interim cleanup actions taken by or proposed to be taken by any government entity or private Party concerning the Leased Premises.

Hazardous Substances Indemnity. Lessee [or other occupant pursuant to any agreement authorizing mining] shall indemnify, defend, and hold harmless Lessor and the United States (as successor Lessor or owner pursuant to reversion or as owner of surface estate) its agencies, employees, officers, and agents with respect to any and all damages, costs, fees (including attorneys' fees and costs), penalties (civil and criminal), and cleanup costs assessed against or imposed as a result of Lessee's use, disposal, transportation, generation and/or sale or location upon or affecting the Leased premises of hazardous substances, as defined under 42 U.S.C. § 9601(14) or any other Federal environmental law, any regulated substance contained in, or released from, any underground storage tank, as defined by the Resource Conservation and Recovery Act at 42 U.S.C. § 6991, *et seq.*, or substances defined and regulated as "hazardous" by applicable State law, or that of Lessee's employees, agents, assigns, sublessees, contractors, subcontractors,

licensees or invitees, and for any breach of this lease's provisions concerning the
aforementioned substances or tanks.

**FIRST AMENDMENT TO MEMORANDUM OF UNDERSTANDING BETWEEN THE
UTAH SCHOOL AND INSTITUTIONAL TRUST LANDS ADMINISTRATION, THE
UNITED STATES DEPARTMENT OF AGRICULTURE, AND THE UNITED STATES
DEPARTMENT OF THE INTERIOR**

Recitals

- A. The Utah Schools and Land Exchange Act of 1998, Pub. L. 105-335, 112 Stat. 3139 (the "Act"), ratified the May 8, 1998 "Agreement to Exchange Utah School Trust Lands Between the State of Utah and the United States of America" entered into between the State of Utah and the United States of America (the "Agreement").
- B. On or about January 5, 1999, the United States Department of the Interior ("DOI"), the United States Department of Agriculture, Forest Service ("USDA-Forest Service"), and the Utah School and Institutional Trust Lands Administration ("SITLA") (collectively the "Parties") entered into a Memorandum of Understanding concerning the implementation of the Act and the Agreement (the MOU).
- C. Pursuant to Section I.B. of the MOU, SITLA agreed that for each coal lease that SITLA issues on lands subject to reversion to the United States under sections 3(F), 3(K), 3(L) and 3(M) of the Agreement (the Cottonwood, Mill Fork, Dugout, Muddy and North Horn Tracts), SITLA would include certain specific lease provisions intended to protect the reversionary interests of the United States in those tracts.
- D. The Parties desire to amend and restate Section I.B. of the MOU to provide more workable lease provisions.
- E. The Parties further desire to amend the MOU to address unanticipated issues concerning venting of coalbed methane for safety reasons, issuance of potentially-conflicting leases and permits, confidentiality of operator data, and Mineral Leasing Act acreage limitations.

Amendment to Memorandum of Understanding

- 1. **Amended and Restated Section I.B.** Section I.B. of the MOU is hereby amended and restated in its entirety as follows:

- B. **Lease Instrument Contents**

- SITLA agrees that for each coal lease SITLA issues on lands subject to reversion to the United States under sections 3(F), 3(K), 3(L) and 3(M) of the Agreement (the Cottonwood, Mill Fork, Dugout, Muddy and North Horn Tracts), SITLA will include the following provisions in the lease terms:

- 1. **Reversion of Leased Premises to United States.** Pursuant to the May 8, 1998

"Agreement to Exchange Utah School Trust Lands Between the State of Utah and the United States of America", as ratified by Pub. L. No. 105-335, 112 Stat. 3139, ownership of the Leased Premises shall revert to the United States when _____

[INSERT TRACT-SPECIFIC REVERSION PROVISIONS HERE]

_____. Upon reversion, the United States shall succeed the State of Utah as Lessor.

2. Royalty Valuation After Reversion. After reversion of the Leased Premises to the United States, the Secretary of the Interior may establish the reasonable value of post-reversion production for royalty purposes in the same manner and by the same methods as the United States establishes value under coal leases issued by the United States.
3. Regulation Upon Reversion. After reversion of the Leased Premises to the United States pursuant to paragraph _____, Reversion of Leased Premises to United States, Lessee will be subject to the requirements of the Mineral Leasing Act, 30 U.S.C. §§ 181 *et seq.* (the "MLA"), and to the royalty, operating, and administrative procedure rules and regulations of the Department of Interior, the Minerals Management Service, and the Bureau of Land Management, and to any other federal laws and regulations generally applicable to coal leases issued under the MLA to the same extent as if the Lease were a federally-issued lease. Notwithstanding the foregoing, to the extent that the State, as Lessor, approves a significant operational decision prior to reversion, and Lessee makes a substantial economic commitment based upon that approval, Lessee may continue to rely upon that approval after reversion; provided, however, that no such approval shall act to limit the liability of Lessee, if any, under CERCLA, RCRA, the Clean Water Act, 33 U.S.C. § 1251 *et seq.* or other applicable environmental law. Upon reversion, nothing in this paragraph shall be deemed to require or suggest that the Leased Premises be included in the calculation of acreage held by Lessee for the purposes of the acreage limitation provisions of the MLA and associated regulations.
4. Hazardous Substances. Lessee [or other occupant pursuant to any agreement authorizing mining] shall not keep on or about the premises any hazardous substances, as defined under 42 U.S.C. § 9601(14) or any other Federal environmental law; any regulated substance contained in or released from any underground storage tank, as defined by the Resource Conservation and Recovery Act, 42 U.S.C. § 6991, *et seq.*; or any substances defined and regulated as "hazardous" by applicable State law, (hereinafter, for the purposes of this Lease, collectively referred to as "Hazardous Substances") unless such substances are reasonably necessary in Lessee's mining operations, and the use of such substances or tanks is noted and approved in the Lessee's mining plan, and unless Lessee fully complies with all Federal, State and local laws, regulations, statutes, and ordinances, now in existence or as subsequently enacted or amended, governing Hazardous Substances. Lessee shall immediately notify Lessor, the Bureau of

Land Management, the surface management agency, and any other Federal, State and local agency with jurisdiction over the Leased Premises, or contamination thereon, of (i) all reportable spills or releases of any Hazardous Substance affecting the Leased Premises; (ii) all failures to comply with any applicable Federal, state or local law, regulation or ordinance governing Hazardous Substances, as now enacted or as subsequently enacted or amended; (iii) all inspections of the Leased Premises by, or any correspondence, order, citations, or notifications from any regulatory entity concerning Hazardous Substances affecting the Leased Premises; and (iv) all regulatory orders or fines or all response or interim cleanup actions taken by or proposed to be taken by any government entity or private Party concerning the Leased Premises.

5. **Hazardous Substances Indemnity.** Lessee [or other occupant pursuant to any agreement authorizing mining] shall indemnify, defend, and hold harmless Lessor and the United States (as successor Lessor or owner pursuant to reversion or as owner of surface estate) its agencies, employees, officers, and agents with respect to any and all damages, costs, liabilities, fees (including attorneys' fees and costs), penalties (civil and criminal), and cleanup costs arising out of or in any way related to Lessee's use, disposal, transportation, generation, sale or location upon or affecting the Leased Premises of Hazardous Substances, as defined in this Lease. This indemnity shall extend to the actions of Lessee's employees, agents assigns, sublessees, contractors, subcontractors, licensees and invitees. Lessee shall further indemnify, defend and hold harmless Lessor and the United States from any and all damages, costs, liabilities, fees (including attorneys' fees and costs), penalties (civil and criminal), and cleanup costs arising out of or in any way related to any breach of the provisions of this Lease concerning Hazardous Substances. This indemnity is in addition to, and in no way limits, the general indemnity contained in paragraph 16.1 of this Lease.

6. **Waste Certification.** The Lessee shall provide upon abandonment, transfer of operation, assignment of rights, sealing-off of a mined area, and prior to lease relinquishment, certification to the Lessor and the Bureau of Land Management that, based upon a complete search of all the operator's records for the Lease, and upon its knowledge of past operations, there have been no reportable quantities of hazardous substances as defined in 40 Code of Federal Regulations §302.4, or used oil as defined in Utah Administrative Code R315-15, discharged (as defined at 33 U.S.C. §1321(a)(2)), deposited or released within the Leased Premises, either on the surface or underground, and that all remedial actions necessary have been taken to protect human health and the environment with respect to such substances. Lessee shall additionally provide to Lessor and the Bureau of Land Management a complete list of all hazardous substances, hazardous materials, and their respective Chemical Abstracts Service Registry Numbers, and oil and petroleum products used or stored on, or delivered to, the Leased Premises. Such disclosure will be in addition to any other disclosure required by law or agreement.

7. **Lease Bond Required.** At the time this Lease is executed, Lessee shall execute and file with the Lessor a good and sufficient bond or other financial guarantee acceptable to Lessor in order to: (a) guarantee Lessee's performance of all covenants and obligations under this Lease, including Lessee's obligation to pay royalties; and (b) ensure compensation for damage, if any, to the surface estate and any surface improvements. The Lease Bond shall meet all federal mineral lease bond requirements as described in 43 Code of Federal Regulations Subpart 3474. The Lease Bond shall further provide that upon forfeiture after reversion of the Leased Premises to the United States, the Lease Bond shall be payable to the Secretary of the Interior.
8. **Royalty Payment.** After reversion of the Leased Premises to the United States pursuant to paragraph ____, Reversion of Leased Premises to United States, Lessee shall report production and royalties monthly in accordance with applicable federal regulations.
9. **Federal Inspections.** Lessee agrees that, prior to reversion of the Leased Premises to the United States, employees and authorized agents of the Bureau of Land Management ("BLM") may conduct underground inspections of the Leased Premises, both independently and in cooperation with the State in its capacity as Lessor. After reversion, employees and authorized agents of BLM may conduct underground inspections of the Leased Premises under the authority of applicable federal laws and regulations.
2. **Venting of Coalbed Methane for Safety Reasons.** In patents for coal tracts issued to SITLA pursuant to the Act, DOI reserved coalbed methane to the United States. Under certain circumstances, venting of coalbed methane may be necessary to ensure the safety of coal mining operations and/or compliance with safety regulations imposed by the U.S. Mine Safety and Health Administration ("MSHA"). DOI agrees that it will not unreasonably withhold consent to the venting of coalbed methane by SITLA's coal lessees as necessary for safety reasons and/or MSHA compliance. Such consent may be conditioned upon resolution of conflicts with existing federal oil and gas leases, payment of royalties for coalbed methane that is captured and used by the lessee, and other requirements that would not unreasonably interfere with coal mining operations.
3. **Consultation Concerning Potentially-Conflicting Uses.** In order to minimize conflicts with coal mining operations, DOI and USDA-Forest Service agree to consult with SITLA prior to issuance of federal leases and permits that have the potential to conflict with coal mining operations on coal tracts conveyed to SITLA pursuant to the Agreement, including but not limited to oil and gas leases and power line and utility easements.
4. **Confidentiality of Operator Data.** To the extent permissible by applicable federal law, DOI shall keep confidential geologic and business data obtained by it pursuant to its right under this MOU to conduct underground inspections of coal tracts that are subject to reversion to the United States under the Agreement.

5. **Mineral Leasing Act Acreage Limitations.** DOI recognizes and acknowledges that leases issued by SITLA on coal tracts that are subject to reversion to the United States under the Agreement do not constitute leases issued under the Mineral Leasing Act, 30 U.S.C. §§ 181 *et seq.* (the "MLA"). As such, the acreage within leases issued by SITLA shall not be considered by DOI in the calculation of lessee acreage limitations under the MLA upon reversion of the underlying tracts to the United States pursuant to the Agreement.

6. **Effect of Indemnity.** It is the understanding of SITLA that the general indemnity provisions contained in paragraph 16.1 of the proposed SITLA coal lease form for tracts in which the United States has a reversionary interest, as that paragraph of such lease form is attached hereto and incorporated by reference, extends to indemnification of the Lessor (including the United States as successor Lessor after reversion of the Leased Premises to the United States) for claims, demands, liabilities, damages and penalties incurred as a result of the Lessee's violation of applicable statutes, regulations and ordinances relating to public health, pollution control, management of hazardous substances and environmental protection, compliance with which is required pursuant to paragraph 9.3 of the proposed lease form (as such paragraph is also attached hereto and incorporated by reference).

7. **Transfer of Minimum Royalty Credit Balance at Reversion.** It is contemplated by the Parties that leases of coal tracts acquired by SITLA pursuant to the Act may require the coal lessee to pay minimum lease royalties to keep the respective leases in effect beyond the primary term, and that such minimum royalties will constitute a credit against future production royalties. The Parties further contemplate the possibility that, at the time certain tracts revert to the United States, the lessee may have paid to SITLA minimum royalties in an amount which would create a credit against production royalties accruing to the United States on production after reversion. In order to prevent loss to the United States in such event, SITLA agrees to pay to the United States any credit balance that exists in the minimum royalty account of any coal lease of the Mill Fork, Dugout, Muddy, or North Horn tracts at the time of reversion of that lease. SITLA shall pay such credit balance(s), without interest on accrued amounts, to the United States within ninety (90) days of the reversion. Nothing in this paragraph shall obligate SITLA to pay interest to the United States on minimum royalty amounts collected by it prior to reversion. In the event that any lease of the above-described tracts terminates or is canceled prior to reversion, SITLA shall be entitled to retain all minimum royalty amounts collected by it under that lease without obligation to the United States at the time of any future reversion. Nothing in this paragraph shall prevent SITLA from recouping or recovering from the State of Utah the State's proportionate share of previously collected and distributed minimum royalties that are required to be paid to the United States pursuant to this paragraph, or from reserving from distributions such amounts as are deemed necessary to meet SITLA's potential obligation under this paragraph.

8. **Effect of Amendment.** Except as expressly amended herein, the MOU is unamended and remains in full force and effect by and between the Parties.

IN WITNESS WHEREOF, the Parties have executed this First Amendment to the MOU.

FOR THE UNITED STATES DEPARTMENT OF THE INTERIOR

By: _____

Title: Supra T. Duro
ACTING ASSISTANT SECRETARY

Date: MAR 23 1999

FOR THE UTAH SCHOOL AND INSTITUTIONAL TRUST LANDS ADMINISTRATION

By: _____

Title: David T. Toy
DIRECTOR

Date: _____

FOR THE UNITED STATES DEPARTMENT OF AGRICULTURE

By: _____

Title: Glenn Kennedy
Deputy Under Secretary

Date: 4-16-99

ATTACHMENT

SITLA Coal Lease Form Paragraphs 9.3 and 16.1

- 9.3 **Other Applicable Laws and Regulations.** Lessee shall comply with all applicable federal, state and local statutes, regulations, and ordinances, including without limitation the Utah Coal Mining and Reclamation Act, applicable statutes and regulations relating to mine safety and health, and applicable statutes, regulations and ordinances relating to public health, pollution control, management of hazardous substances and environmental protection.
- 16.1 **Indemnity.** Except as limited by paragraph 7.2, Inspection, Lessee shall indemnify and hold Lessor and the United States (as successor Lessor or owner pursuant to reversion or as owner of surface estate) harmless for, from and against each and every claim, demand, liability, loss, cost, damage and expense, including, without limitation, attorneys' fees and court costs, arising in any way out of Lessee's occupation and use of the Leased Premises, including without limitation claims for death, personal injury, property damage, and unpaid wages and benefits. Lessee further agrees to indemnify and hold Lessor harmless for, from and against all claims, demands, liabilities, damages and penalties arising out of any failure of Lessee to comply with any of Lessee's obligations under this Lease, including without limitation attorneys' fees and court costs.

Public Law 105-335
105th Congress

An Act

To provide for the exchange of certain lands within the State of Utah.

Oct. 31, 1998

[H.R. 3830]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Utah Schools and Lands Exchange Act of 1998".

Utah Schools and
Lands Exchange
Act of 1998.

16 USC 431 note
[table].

SEC. 2. FINDINGS.

The Congress finds the following:

(1) The State of Utah owns approximately 176,600 acres of land, as well as approximately 24,165 acres of mineral interests, administered by the Utah School and Institutional Trust Lands Administration, within the exterior boundaries of the Grand Staircase-Escalante National Monument, established by Presidential proclamation on September 18, 1996, pursuant to section 2 of the Antiquities Act of 1906 (16 U.S.C. 431). The State of Utah also owns approximately 200,000 acres of land, and 76,000 acres of mineral interests, administered by the Utah School and Institutional Trust Lands Administration, within the exterior boundaries of several units of the National Park System and the National Forest System, and within certain Indian reservations in Utah. These lands were granted by Congress to the State of Utah pursuant to the Utah Enabling Act (chap. 138, 28 Stat. 107 (1894)), to be held in trust for the benefit of the State's public school system and other public institutions.

(2) Many of the State school trust lands within the monument may contain significant economic quantities of mineral resources, including coal, oil, and gas, tar sands, coalbed methane, titanium, uranium, and other energy and metalliferous minerals. Certain State school trust lands within the Monument, like the Federal lands comprising the Monument, have substantial noneconomic scientific, historic, cultural, scenic, recreational, and natural resources, including ancient Native American archeological sites and rare plant and animal communities.

(3) Development of surface and mineral resources on State school trust lands within the Monument could be incompatible with the preservation of these scientific and historic resources for which the Monument was established. Federal acquisition of State school trust lands within the Monument would eliminate this potential incompatibility, and would enhance management of the Grand Staircase-Escalante National Monument.

(4) The United States owns lands and interest in lands outside of the Monument that can be transferred to the State of Utah in exchange for the Monument inholdings without jeopardizing Federal management objectives or needs.

(5) In 1993, Congress passed and the President signed Public Law 103-93, which contained a process for exchanging State of Utah school trust inholdings in the National Park System, the National Forest System, and certain Indian reservations in Utah. Among other things, it identified various Federal lands and interests in land that were available to exchange for these State inholdings.

(6) Although Public Law 103-93 offered the hope of a prompt, orderly exchange of State inholdings for Federal lands elsewhere, implementation of the legislation has been very slow. Completion of this process is realistically estimated to be many years away, at great expense to both the State and the United States in the form of expert witnesses, lawyers, appraisers, and other litigation costs.

(7) The State also owns approximately 2,560 acres of land in or near the Alton coal field which has been declared an area unsuitable for coal mining under the terms of the Surface Mining Control and Reclamation Act. This land is also administered by the Utah School and Institutional Trust Lands Administration, but its use is limited given this declaration.

(8) The large presence of State school trust land inholdings in the Monument, national parks, national forests, and Indian reservations make land and resource management in these areas difficult, costly, and controversial for both the State of Utah and the United States.

(9) It is in the public interest to reach agreement on exchange of inholdings, on terms fair to both the State and the United States. Agreement saves much time and delay in meeting the expectations of the State school and institutional trusts, in simplifying management of Federal and Indian lands and resources, and in avoiding expensive, protracted litigation under Public Law 103-93.

(10) The State of Utah and the United States have reached an agreement under which the State would exchange all its State school trust lands within the Monument, and specified inholdings in national parks, forests, and Indian reservations that are subject to Public Law 103-93, for various Federal lands and interests in lands located outside the Monument, including Federal lands and interests identified as available for exchange in Public Law 103-93 and additional Federal lands and interests in lands.

(11) The State school trust lands to be conveyed to the Federal Government include properties within units of the National Park System, the National Forest System, and the Grand Staircase-Escalante National Monument. The Federal assets made available for exchange with the State were selected with a great sensitivity to environmental concerns and a belief and expectation by both parties that Federal assets to be conveyed to the State would be unlikely to trigger significant environmental controversy.

(12) The parties agreed at the outset of negotiations to avoid identifying Federal assets for conveyance to the State where any of the following was known to exist or likely to

be an issue as a result of foreseeable future uses of the land: significant wildlife resources, endangered species habitat, significant archaeological resources, areas of critical environmental concern, coal resources requiring surface mining to extract the mineral deposits, wilderness study areas, significant recreational areas, or any other lands known to raise significant environmental concerns of any kind.

(13) The parties further agreed that the use of any mineral interests obtained by the State of Utah where the Federal Government retains surface and other interest, will not conflict with established Federal land and environmental management objectives, and shall be fully subject to all environmental regulations applicable to development of non-Federal mineral interest on Federal lands.

(14) Because the inholdings to be acquired by the Federal Government include properties within the boundaries of some of the most renowned conservation land units in the United States, and because a mission of the Utah School and Institutional Trust Lands Administration is to produce economic benefits for Utah's public schools and other beneficiary institutions, the exchange of lands called for in this agreement will resolve many longstanding environmental conflicts and further the interest of the State trust lands, the school children of Utah, and these conservation resources.

(15) The Congress finds that, under this Agreement taken as a whole, the State interests to be conveyed to the United States by the State of Utah, and the Federal interests and payments to be conveyed to the State of Utah by the United States, are approximately equal in value.

(16) The purpose of this legislation is to enact into law and direct prompt implementation of this historic agreement.

SEC. 3. RATIFICATION OF AGREED EXCHANGE BETWEEN THE STATE OF UTAH AND THE DEPARTMENT OF THE INTERIOR.

(a) **AGREEMENT.**—The State of Utah and the Department of the Interior have agreed to exchange certain Federal lands, Federal mineral interests, and payment of money for lands and mineral interests managed by the Utah School and Institutional Trust Lands Administration, lands and mineral interests of approximately equal value inheld within the Grand Staircase-Escalante National Monument the Goshute and Navajo Indian Reservations, units of the National Park System, the National Forest System, and the Alton coal fields.

(b) **RATIFICATION.**—All terms, conditions, procedures, covenants, reservations, and other provisions set forth in the document entitled "Agreement to Exchange Utah School Trust Lands Between the State of Utah and the United States of America" (herein referred to as "the Agreement") are hereby incorporated in this title, are ratified and confirmed, and set forth the obligations and commitments of the United States, the State of Utah, and Utah School and Institutional Trust Lands Administration (herein referred to as "SITLA"), as a matter of Federal law.

SEC. 4. LEGAL DESCRIPTIONS.

(a) **IN GENERAL.**—The maps and legal descriptions referred to in the Agreement depict the lands subject to the conveyances.

(b) **PUBLIC AVAILABILITY.**—The maps and descriptions referred to in the Agreement shall be on file and available for public inspection in the offices of the Secretary of the Interior and the Utah State Director of the Bureau of Land Management.

(c) **CONFLICT.**—In case of conflict between the maps and the legal descriptions, the legal descriptions shall control.

SEC. 5. COSTS.

The United States and the State of Utah shall each bear its own respective costs incurred in the implementation of this Act.

SEC. 6. REPEAL OF PUBLIC LAW 103-93 AND PUBLIC LAW 104-211.

The provisions of Public Law 103-93 (107 Stat. 995), other than section 7(b)(1), section 7(b)(3), and section 10(b) thereof, are hereby repealed. Public Law 104-211 (110 Stat. 3013) is hereby repealed.

SEC. 7. CASH PAYMENT PREVIOUSLY AUTHORIZED.

As previously authorized and made available by section 7(b)(1) and (b)(3) of Public Law 103-93, upon completion of all conveyances described in the Agreement, the United States shall pay \$50,000,000 to the State of Utah from funds not otherwise appropriated from the Treasury.

SEC. 8. SCHEDULE FOR CONVEYANCES.

All conveyances under sections 2 and 3 of the agreement shall be completed within 70 days after the enactment of this Act.

Approved October 31, 1998.

LEGISLATIVE HISTORY—H.R. 3830:

HOUSE REPORTS: No. 105-598 (Comm. on Resources).

SENATE REPORTS: No. 105-331 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 144 (1998):

June 24, considered and passed House.

Oct. 9, considered and passed Senate.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 34 (1998):

Oct. 31, Presidential statement.

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