**Bears Ears News Roundup**

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**Senate blocks poorly disguised assault on Native American heritage**
The Hill, February 19, 2016  
Councilman Carleton R. Bowekaty (Zuni)  
Focus on Sen. Lee’s (R-UT) attack on the Antiquities Act

**Bears Ears region is at center of land debate**
Farmington Daily Times, February 17, 2016  
Hannah Grover  
Highlights opposition from the Aneth Chapter
Full text of the proposal:

Press Conference highlight reel: https://vimeo.com/143029620

Intertribal Coalition Press Release:

Five Tribes Formally Petition President Obama and Congress to Create Tribally Co-Managed Bears Ears National Monument in Utah

For Immediate Release
WASHINGTON, D.C. (October 15, 2015) — The Bears Ears Inter-Tribal Coalition — an historic partnership of five sovereign Tribal Nations — today formally presented to the Obama Administration their proposal for the creation of a 1.9 million acre, collaboratively managed national monument in southern Utah. A copy of the proposal was also delivered to Representatives Rob Bishop and Jason Chaffetz of Utah.

The Hopi, Navajo, Ute Indian Tribe, Ute Mountain Ute, and Zuni Tribes created the Bears Ears Inter-Tribal Coalition in July of this year with the mission to protect and preserve the Bears Ears region, to which they have ancestral and contemporary ties. The sovereign-led proposal is formally supported by an additional 19 Tribes as well as the National Congress of American Indians.

“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.”

The Bears Ears National Monument proposal is named for the Bears Ears buttes – two prominent landforms at the center of a landscape rich in antiquities, with more than 100,000 archaeological and cultural sites that are sacred to dozens of tribes. However, rampant looting and destruction of the region’s structures, artwork, and gravesites is ongoing, and oil, gas and potash extraction also loom as threats.

“This destruction of our sacred sites—including the gravesites of our ancestors—deeply wounds us,” said Regina Lopez-Whiteskunk, Councilwoman to the Ute Mountain Ute. “Bears Ears should have been protected long ago. It has been central to our creation and migration stories since time immemorial.”

“The Antiquities Act was written to protect Native American artifacts on public lands,” said Alfred Lomahquahu, Vice Chairman to the Hopi Nation. “But this is the first time tribes have ever come together to call on the President to use the Antiquities Act.”

The collaborative management the proposal calls for—between Tribes and the federal government—would not change the ownership of the land; tribes and agency officials would be working together as equals to make joint decisions. As with any national monument, members of the public and key stakeholders will have ample opportunity to contribute to the development of plans and policies.

Prior to presenting their proposal to the Obama Administration, the Bears Ears Inter-Tribal Coalition delivered copies to Representatives Rob Bishop and Jason Chaffetz of Utah. Reps. Bishop and Chaffetz have been working on a Public Lands Initiative, which seeks to address federal land management in the
Bears Ears and other regions of eastern Utah. However, as the Bears Ears proposal details, Tribes have been excluded despite their extensive efforts to have the proposal considered as part of the Public Lands Initiative.

Still, at a press conference at the National Press Club, the tribes emphasized that the proposal is an opportunity to bring people together—including Representatives Bishop and Chaffetz. “It’s not just for us to get healed,” said Willie Grayeyes, chairman of Utah Diné Bikéyah, a nonprofit that developed and built grassroots support for the proposal among tribal members. “It’s for our adversaries to be healed too. We can come out dancing together.”

The proposed monument would be open to all members of the public.

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Contact: Natasha Hale at 505-906-8303 or BearsEarsPress@gmail.com.

The full proposal, timeline, B-roll, photos and other media resources can be accessed at: http://www.bearsearscoalition.org/media-resources/

Delegation Press Release:

**Hatch, Lee, Bishop, & Chaffetz Issue Joint Statement on Proposal from The Bears Ears Inter-Tribal Coalition**

WASHINGTON – In light of the announcement of a proposal by The Bears Ears Inter-Tribal Coalition, members of Utah’s federal delegation are reiterating their commitment to collaboration as public lands legislation is being crafted. Senators Orrin Hatch and Mike Lee and Representatives Rob Bishop (UT-01) and Jason Chaffetz (UT-03) issued the following joint statement:

"The Bears Ears Inter-Tribal Coalition is an important stakeholder in the Public Lands Initiative. The Coalition represents many Native American voices that have an interest in how lands in San Juan County are managed. While many Native Americans who live in Utah oppose the Coalition's proposal, we welcome the input and recommendations nonetheless. Our offices have now received over 65 detailed proposals from various stakeholder groups regarding land management in eastern Utah. We remain committed to reviewing each proposal and producing a final PLI bill that is balanced and broadly supported."

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10-15-15 News:

Albany Times Union, Minneapolis Star Tribune, Greenwich Times (England), Winnipeg Free Press (Canada), and others.

Tribes outline proposal for national monument in Utah

October 15, 2015 • By FELICIA FONSECA

FLAGSTAFF, Ariz. (AP) — Tribal leaders in the Southwest outlined a proposal Thursday to designate a section of southeastern Utah as a national monument, seeking to become partners with the federal government in managing their ancestral homeland.

The proposed Bears Ears National Monument is named for twin buttes that overlook Cedar Mesa. The 1.9 million-acre area would be bordered to the south by the Navajo Nation and to the west by Glen Canyon National Recreation Area and Canyonlands National Park. The Manti-La Sal National Forest would make up part of the eastern boundary.

American Indian and conservation groups say the area is under constant threat by looting of cultural objects, off-road vehicle use and destruction of gravesites — affronts to tribes' ancestors, they say, and impediments to communities' ability to heal. A handful of tribes submitted a proposal to President Barack Obama's administration asking that he use his power under the Antiquities Act to proclaim the area a national monument and honor the tribes' inherent connection with the land.

"It is not a matter of romanticism or political correctness," the proposal reads. "Native people always have, and we do now, conceive of and relate to the natural world in a different way than does the larger society."

Republicans in Utah's congressional delegation have opposed the use of the Antiquities Act, saying it would undermine a larger effort to resolve disputes over public lands in Utah. Eric Descheenie, co-chairman of the Bears Ears Inter-Tribal Coalition, said the tribes' views on the land being a source of healing have been overlooked in that discussion.

"This is very much about our ability to heal, our ability to negotiate with these beings who live at the Bears Ears," said Descheenie, of the Navajo Nation. "Those negotiations transpire in ceremonies and prayers that have been handed down from generation to generation verbatim, consistent with creation stories."

In a statement Thursday, Sens. Mike Lee and Orrin Hatch, and Reps. Rob Bishop and Jason Chaffetz said the coalition is an important voice and they will consider the tribes' proposal and dozens of others in crafting a legislative package.

"While many Native Americans who live in Utah oppose the coalition's proposal, we welcome the input and recommendations nonetheless," they said.

The Department of the Interior said it commends the tribes' efforts to formalize its proposal and is hopeful that it factors into the congressional delegation's Public Lands Initiative. However, the agency said it doesn't want proposals to protect and preserve areas that Americans treasure to fall by the wayside in Congress.

"If Congress does not act, we will continue to work with communities and tribes to ensure that their most historic and cultural sites are protected for future generations," the agency said.
Under the tribes' proposal, the monument would be managed by an eight-member commission made up of representatives from the Ute, Navajo, Hopi, Ute Mountain Ute and Zuni tribes, and three federal agencies. Popular recreation activities like mountain biking, river running, climbing and responsible off-road vehicle use will continue but with better management that will protect the natural resources, the tribes said.

The proposal bans mining, and oil and gas, or energy developments that don't have valid, existing rights.

San Juan County, Utah, Commissioner Rebecca Benally said she agrees that Cedar Mesa and the Bears Ears should be protected. But, she said, designating them part of a national monument "is too restrictive."

Tribal leaders to Obama: Name a new monument in Utah to protect our lands

The Salt Lake Tribune, October 15, 2015
By Thomas Burr

A group of tribal leaders stood two blocks from the White House on Thursday to call on President Obama to name a new national monument in southeastern Utah, arguing that congressional efforts to preserve the land are moving too slowly and the window to designate a monument is closing.

The leaders, from five Native American tribes, say that a 1.9 million-acre area known as Bears Ears must be protected for cultural and religious reasons and saved for future generations from development.

"Bears Ears offers something unique that we can't find anywhere else in the world," said Eric Descheenie, the Bears Ears Inter-Tribal Coalition's co-chair and special adviser to the president of the Navajo Nation. "The threat of looting, grave-robbing and mineral-leasing, to name a few — the list is extensive — we've already seen it in and around these lands. If this is something we lose, we lose it forever."

The tribal leaders had sought congressional action to preserve the area but say they are frustrated with the process and felt largely ignored by Reps. Rob Bishop and Jason Chaffetz, who have been drafting a major plan to protect some lands in exchange for developing others. While offering the Utah congressmen a second chance to help, the coalition says it has felt shut out so far.

"We haven't been taken seriously, our voices haven't been heard and in some cases, not at all," said Descheenie.

Obama has unilateral authority to name national monuments without congressional approval under the 1906 Antiquities Act, a move he has made several times during his administration. The president has promised more monuments will be designated if Congress doesn't take the initiative.

Emily Beyer, an Interior Department spokeswoman, said in response to the tribal leaders' monument request that the department hopes Bishop and Chaffetz will welcome the tribes' input as the proposed Public Lands Initiative (PLI) is formalized. Interior Secretary Sally Jewell said recently that she looks forward to seeing that proposal soon.

"However, Secretary Jewell has said that the protection of important places Americans hold sacred and love should not fall victim to congressional gridlock, and if Congress does not act, we will continue to work with communities and tribes to ensure that their most important historic and cultural sites are protected for future generations," Beyer said.

In a joint statement, Bishop and Chaffetz, along with Sens. Mike Lee and Orrin Hatch, said many Native Americans who live in Utah oppose the coalition's proposal but that the tribes' input and recommendations are welcomed.
"Our offices have now received over 65 detailed proposals from various stakeholder groups regarding land management in eastern Utah," the four representatives said. "We remain committed to reviewing each proposal and producing a final PLI bill that is balanced and broadly supported."

**Tribal coalition in Washington, D.C., pushing for Bears Ears National Monument**

By Amy Joi O’Donoghue, Deseret News

Published: Thursday, Oct. 15 2015 9:10 a.m. MDT
Updated: Thursday, Oct. 15 2015 5:36 p.m. MDT

Summary

The Bears Ears Inter-Tribal Coalition was in Washington, D.C., Thursday to push for establishing a new national monument in Utah, a move being resisted by Utah congressmen who say a public lands initiative process should be allowed to play out.

SALT LAKE CITY — Native American tribal leaders say mining, looting, grave robbing and mineral leasing all threaten a 1.9 million-acre area in southeastern Utah they call a sacred place of healing. They want those activities to stop, and for President Barack Obama to respond to a first-ever request by Native Americans to create a national monument on their behalf.

"This is a big breakthrough for Native Americans," said Alfred Lomahquahu, co-chairman of the Inter-Tribal Bears Ears Coalition during a news conference Thursday morning in Washington, D.C. "We have never used this tool before."

Coalition leaders and other tribal representatives said land within the boundaries of the proposed monument in San Juan County is used by tribes for gathering of medicine and herbs, worshiping at sacred areas, holding ceremonies, protecting archaeological sites, gathering firewood and more.

Development on the land threatens not only those uses, tribes say, but the pristine landscape they assert is like healing balm.

"I think the threats are real," said Willie Grayeyes, chairman of the Utah Diné Bikéyah, adding it is not possible to undo the damage. "You will never put a grain of sand in the right place."

The coalition unveiled a 39-page proposal, maps and an accompanying resolution directed at the Obama administration.

"It is not a matter of romanticism or political correctness," the proposal states. "Native people always have, and do now, conceive of and relate to the natural world in a different way than does the larger society."

Representatives said they are asking for a monument designation because the Public Lands Initiative planning process — being pushed by Utah GOP Reps. Rob Bishop and Jason Chaffetz — has ignored their desires.

"We have had friendly discussions. We have been in buildings," said Eric Descheenie, co-chairman of the Inter-Tribal coalition and special adviser to the president and vice president of the Navajo Nation. "But again we have not been taken seriously and our voices have not been heard."
Descheenie, during the news conference, invited Bishop and other members of Utah's congressional delegation to sit down with them to discuss protections for the area.

Members of Utah's congressional delegation — Sens. Mike Lee, Orrin Hatch and Bishop — issued a statement in response to the media event.

"The Bears Ears Inter-Tribal Coalition is an important stakeholder in the Public Lands Initiative. The coalition represents many Native American voices that have an interest in how lands in San Juan County are managed.

"While many Native Americans who live in Utah oppose the coalition's proposal, we welcome the input and recommendations nonetheless. Our offices have now received over 65 detailed proposals from various stakeholder groups regarding land management in eastern Utah. We remain committed to reviewing each proposal and producing a final (Public Lands Initiative) bill that is balanced and broadly supported."

Bishop, chairman of the U.S. House Committee on Natural Resources, has been shepherding the Public Lands Initiative process for the past three years. It involves land planning for an estimated 18 million acres in as many as eight of the state's eastern counties.

Some of that land use possibly includes wilderness designations for millions of acres, as well as "energy" zones and a recognition of high-value recreation areas.

Players at the table include conservation groups, county commissioners, environmental advocates, the oil and gas industry, tribes, the Utah Farm Bureau, and recreation interests. Proposals for land-use designations have come from county commissions, which has led some to criticize the process as being too beholden to county-driven interests.

Both Bishop and San Juan County Commissioner Bruce Adams disputed tribes being cut out of San Juan County's process and said key representatives of Utah tribes have been involved in discussions over what lands should be included in a draft bill expected to be released this fall.

"We are not trying to bloody the Navajo nose," Adams said in an earlier interview. "We feel like there are a significant number of Navajo who went to meetings and accepted the proposal."

Adams said the public lands bill Bishop is working on includes a 1,000-acre buffer zone around the geologic feature of the Bears Ears that would be protected in a national conservation area.

The coalition disagrees that the protections or their involvement in the process have been enough.

"Throughout the last six years, San Juan County and the Utah congressional delegation has demonstrated that they either do not understand how to reach Native American tribes and individuals, or they are unwilling to do so," the proposal said.

Coalition leaders added that they requested to meet with Bishop and Chaffetz in August, but said they were ignored.

Thursday's media event also included participation by Phillip Vicenti, vice chairman at the Hopi Tribe, and Regina Lopez-Whiteskunk, head councilwoman of Pueblo of Zuni Tribal Council, along with multiple leaders of the Ute tribes.

That so many tribes have come together in unification speaks to the special nature of the area, Descheenie said.

"We hold the Bears Ears in high regard," he said. "This is very much a human endeavor. This is not just about national monuments. … Bears Ears offers something unique that we cannot find anywhere else in the world, and therefore is something special," he said in a news conference from Washington, D.C.
The monument designation for 1.9 million acres would have far-reaching impacts for an area of southeastern Utah that is already dominated by federal land ownership, according to Adams.

About 8 percent of San Juan County is privately owned, he said, with the rest in the hands of federal agencies such as the Bureau of Land Management, U.S. Forest Service, and School and Institutional Trust Lands Administration.

"We have about 4.5 million acres," Adams said. "If you take 2 million acres, that takes about 50 percent of the land available for the public and puts a designation on it that limits public access and limits public enjoyment."

Kim Christy, deputy director of the School and Institutional Trust Lands Administration, said the monument proposal would lock up a block of 157,000 acres the trust owns.

"Our concern is that there is serious consideration for us to trade out of this property and that is handled on the front end, not the back end," should the proposal go forward, Christy said.

He said it took several years for the trust lands administration to trade out lands locked up with the 1996 designation of the Grand Staircase-Escalante National Monument, as well as other holdings mothballed in national parks, Forest Service land and even a Navajo reservation.

The San Juan County area under the tribes' proposal is used for grazing and has uranium deposits as well as mineral leases.

Interior Secretary Sally Jewell has emphasized any monument designation would not be made under a cloak of secrecy.

**Tribes come to D.C. to urge protections in southeast Utah**

Environment & Energy News, October 14, 2015

By Phil Taylor

Officials from a handful of Southwest American Indian tribes will be in Washington, D.C., tomorrow to urge protections for 1.9 million acres of federal lands in southeast Utah that they consider sacred.

The Bears Ears Inter-Tribal Coalition, which includes Navajo, Hopi, Ute Mountain Ute, Ute Tribe of the Uinta Ouray Reservation, Zuni Pueblo and Cochiti Pueblo, expects to meet with Obama administration officials and congressional offices about its "Bears Ears" conservation proposal.

The coalition will also hold a press conference at 11 a.m. EDT tomorrow at the National Press Club.

The coalition wants 1.9 million acres surrounding Bears Ears protected as a national conservation area (NCA) with a full mineral withdrawal, or, if necessary, as a national monument designated by the president. A total of 25 tribes have endorsed the plan (Greenwire, Aug. 21).

The coalition is backed by conservation groups including the Conservation Lands Foundation, Grand Canyon Trust, National Trust for Historic Preservation, Friends of Cedar Mesa and Utah Diné Bikéyah, a Navajo nonprofit.

The tribes are hoping their proposal could be included in a sweeping bill by Utah Republican Reps. Rob Bishop and Jason Chaffetz that will cover roughly 18 million acres of public lands in several eastern Utah counties.

But the coalition has complained that the congressmen and San Juan County have ignored tribal input while crafting the bill.
San Juan commissioners in August voted on a plan to protect nearly a million acres of the county as national conservation areas or wilderness, while tagging other lands for expedited energy development. Tribes said it fell short of what's needed to protect a region that contains an estimated 100,000 cultural sites that have been plundered by a century of looting and vandalism.

With a legislative compromise appearing more elusive, tribes have amplified calls for President Obama to protect the lands using his executive powers under the Antiquities Act.

In mid-July, the administration sent a handful of its top public lands officials to Bears Ears to meet with tribes and discuss the proposal's merits. A source close to the administration said the White House appears poised to designate a monument on the one-year anniversary of that meeting.

The coalition's visit comes weeks after Utah state Sen. Jim Dabakis (D) led other state Democratic lawmakers to Washington, D.C., to urge presidential monument protections for Bears Ears, according to a report by the Deseret News. Dabakis said the legislative effort has placed too much power in the hands of county commissioners, rather than tribes and citizens from outside the region.

Obama has designated or expanded nearly 20 national monuments and has grown more willing in his second term to use the Antiquities Act in places like Utah where it is more controversial.

**COMMENTARY – New National Monument Should Come at Bears Ears**

Indian Country Today Media Network, October 14, 2015

By Jim Enote

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, hand made 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.

Jim Enote is the director of the A:shiwi A:wan Museum and Heritage Center.

**Tribes join forces to push Obama for new national monument in Utah**


WASHINGTON – Tribal leaders from the Four Corners states met in Washington Thursday and called on President Barack Obama to declare 1.9 million acres in southeastern Utah a national monument.

The Bears Ears Inter-Tribal Coalition, chaired by Navajo and Hopi representatives, said the president needs to create the Bears Ears National Monument to protect “ancestral land” on the Colorado Plateau.

The same argument has been raised by members of the San Carlos Apache tribe in their fight to block a copper mine at Oak Flat in southern Arizona, on land that opponents say is sacred to that tribe.

“The San Carlos Apache people, our brothers and sisters to the south, they relate to Oak Flat in a very familial way,” said Eric Descheenie, co-chairman of the Bears Ears coalition.

Coalition members said they fear a similar fate for the land around the two Bears Ears buttes in Utah’s San Juan County, where gas and oil companies are pushing for new drilling rights.

Designating the area a national monument would protect it from those companies, and from the ongoing threats of “looting, desecration of sites, grave robbing, excessive off-road vehicle usage, mineral leasing and uranium mining,” said Descheenie, who is also a special adviser to the president of the Navajo Nation.

“It’s imperative that the integrity of that land remain,” Descheenie said. “You can’t talk about who we are as people without talking about the land.”

But some lawmakers from Utah said that while they “welcome the input and recommendations” of the coalition, many Native Americans in the state oppose the proposed national monument designation.

“Our offices have now received over 65 detailed proposals from various stakeholder groups regarding land management in eastern Utah. We remain committed to reviewing each proposal” before producing legislation, said Sens. Orrin Hatch and Mike Lee and Reps. Rob Bishop and Jason Chaffetz, all Utah Republicans, in a joint statement released Thursday.

The inter-tribal coalition includes the Navajo Nation, Hopi Tribe, Ute Mountain Ute Indian Tribe, Pueblo of Zuni, and Uintah and Ouray Ute Indian Tribe. They said that a total of 25 tribal governments support turning Bears Ears into a national monument.

The coalition’s proposal calls for a national monument designation that would honor all existing mineral rights, but prohibit any future mining in the Bears Ears area. The tribes also propose that “responsible” off-road vehicle use be allowed in a Bears Ears National Monument.

The proposal marks the first time tribes have come together to directly petition a president to create a national monument, which coalition members called “a big breakthrough for Native Americans.”
“We’re creating a new path, and that path has really never been followed before,” said Alfred Lomahquahu, a vice chairman of the Hopi Tribe who is also co-chairman of the coalition.

Lomahquahu said Oak Flat “would have gone a lot differently” had tribes already known how to use their sovereignty as a tool to petition the government.

Congress in December approved a swap of thousands of acres of copper-rich federal land in southeast Arizona for thousands of acres held by Resolution Copper that the company said was environmentally sensitive. The deal failed in several successive Congresses, but finally passed last year when Sen. John McCain, R-Arizona, tucked it on as an amendment to the must-pass National Defense Authorization Act. Supporters of the deal say it will protect environmentally sensitive land while creating thousands of jobs and pumping billions of dollars into the state economy.

But critics say the deal would trample on environmental protections while destroying a site that is sacred to the San Carlos Apache. Rep. Raul Grijalva, D-Tucson, introduced the Save Oak Flat Act in June in an effort to reverse the ruling, but the bill remains stalled in the House.

Lomahquahu said tribes have the power to protect their sacred land if they band together.

“With the co-management of Native tribes, things like Oak Flat wouldn’t have happened,” he said Thursday. “Unfortunately, the Native tribes were not in consultation before that.”

He called the Bears Ears proposal a step forward for Native tribes, even if he believes “we need to learn how to use our sovereignty effectively.”

**Tribes Ask President Obama to Designate Bears Ears as National Monument**

Anne Minard Indian Country Today Media Network

10/15/15

Five tribes formally unveiled their proposal on October 15 for a 1.9 million-acre Bears Ears National Monument, which would protect lands in southeastern Utah that are both culturally significant and ecologically imperiled.

The Bears Ears Inter-Tribal Coalition, made of representatives from the Navajo, Hopi, Zuni, Ute Mountain Ute, and Uintah & Ouray Ute tribes, hosted a press conference at the National Press Club in Washington and published their full proposal online.

“We are here to propose to President Barack Obama a national monument for what we commonly refer to as the Bear Ears,” said Eric Descheenie. Navajo, co-chair of the Bears Ears Coalition along with Alfred Lomaquahu, Hopi. “This is a day about healing. This is a day about a people’s movement, a humanistic endeavor, and this is about collaborative management. It comes very much from the heart of Indian country.”

Including the five tribes participating in the Bears Ears Coalition, 25 pueblos and tribes in total have expressed their support for the proposal. Citing the spiritual and cultural significance of the land, as well as threats from grave-robbing, destructive off-road vehicle use and mining, the National Congress of American Indians (NCAI) has also issued a resolution, urging 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.”

The proposal lays out an unprecedented model for federal-tribal collaborative land management, under which tribes would be elevated to true government-to-government status, from the management plan
stage all the way through day-to-day operations. Although tribes are regularly consulted as part of federal agency actions, these consultations are often formalistic and relegate tribes to the position of interest groups.

RELATED: Bears Ears 1.9 Million–Acre Monument Would Be Unique Tribal-Federal Collaboration

The Bears Ears proposal competes with a legislative proposal called the Utah Public Lands Initiative (PLI), advanced by Utah Congressional Representatives Rob Bishop and Jason Chaffetz, that has lain dormant in the House for several years. As part of its proposal, the Bears Ears Coalition has included a timeline documenting years of attempts to participate in the PLI; Coalition members have been rebuffed at every turn.

“We have tried to participate in the Public Lands Initiative,” Descheenie said at the press conference. “We have not been taken seriously, and our voices have never been heard.”

Senators Orrin Hatch and Mike Lee, along with representatives Bishop and Chaffetz, issued a joint statement in response to the Coalition’s announcement, calling the Coalition “an important stakeholder” in the PLI and indicating that the politicians “remain committed to reviewing each proposal and producing a final PLI bill that is balanced and broadly supported.” The PLI still has some support among residents of San Juan Country, Utah, which overlaps with the proposed Bears Ears Monument. Some Utah locals, including several Navajo tribal members living in San Juan County, oppose a monument designation that would include a mining withdrawal and could restrict other uses.

RELATED: Bears Ears Sacred Site Unites 24 Tribes With Rock Climbers, Conservationists

Critics of the PLI say that effort is likely to fail because it calls for an end to the popular, Roosevelt-era Antiquities Act, which allows presidents to set aside culturally significant lands for conservation. Presidents from both parties have designated nearly 150 national monuments, including Grand Canyon National Monument, which became Grand Canyon National Park. In contrast to the PLI, the Bears Ears Coalition is asking the President to use the Antiquities Act in designating Bears Ears. Furthermore, Coalition members say “stakeholder” falls far short of the government-to-government relationship to which they are entitled.

“We have a unique relationship with the federal government, founded on the backs of our ancestors and manifested in tribal treaties,” Descheenie said. “We are not stakeholders. We are relatives to this land.”

Regina Lopez-Whiteskunk, a council member of Ute Mountain Ute Tribe and a Coalition member, noted that the U.S. government bears a trust responsibility to each of the federally recognized tribes—and the Bears Ears proposal calls upon the federal government to honor that responsibility.

“We’re standing here, a part of a Coalition, with solutions,” she said. “We’re here as sovereign nations, wielding a tool that our grandparents never even knew.”

Lopez-Whiteskunk said she believes the Coalition has been chosen to encourage the healing that will come from protecting the ancestral lands, including burial areas, of numerous tribes.

RELATED: New National Monument Should Come at Bears Ears

“We’ve been chosen by our ancestors to speak,” she said, “and to bring forth the huge issue of allowing them to rest in peace.”

Philip Vicente, head councilman from the Pueblo of Zuni in New Mexico, added that Bears Ears is still a place where tribal leaders and medicine people go to conduct their ceremonies.

“Bears Ears land is a unique land,” he said. “We visit for the purpose of attaining health. When we speak about health, we’re not speaking about our health. We’re speaking about everybody’s health, and the land also.”
Anne Minard is a journalist and a law student at the University of New Mexico. She is volunteering for the Bears Ears Coalition as a legal research assistant.

The AP story has been picked up as far away as England! 
http://www.dailyjournal.net/view/story/c846824fcd8496988c07705dea59d9f/AZ--Bears-Ears-Monument

Utah TV and Radio:

KSTU Fox 13:


KUTV (CBS):


KUER (NPR) radio:

http://kuer.org/post/tribal-coalition-proposes-new-monument

10-16-15 News:

**Utah Tribes Seek Monument Designation For Bears Ears, But Congress May Not Like That**

Obama can declare a national monument without congressional approval.

Ruby Mellen Fellow, The Huffington Post

Posted: 10/16/2015 06:00 PM EDT

WASHINGTON -- A group of Native American tribes wants 1.9 million acres in southeastern Utah to become the 20th national monument that President Barack Obama designates.

Leaders of the Bears Ears Inter-Tribal Coalition, which includes five Native American tribes and pueblos, announced a proposal Thursday at the National Press Club that would declare the Bears Ears region, which the coalition says has special cultural, spiritual and historical significance to Native Americans, a protected national site.

The coalition, which includes members of the Hopi, Navajo, Ute Mountain Ute, Zuni and Ute Tribe of the Uinta and Ouray nations, argued that Bears Ears is where tribal leaders have always gone to collect medicinal herbs and conduct traditional healing and spiritual rituals. But over time, the region has been plagued by looting, threats of mineral extraction, grave-robbing and disregard for the traditions and history of the land because it lacks federal protections.

"Today is a celebratory day," Eric Descheenie, the coalition's co-chair and special adviser to the president and vice president of the Navajo Nation, told the crowd. Descheenie said the coalition is excited to submit its proposal, which has been in the works since July, because members believe the designation of a
national monument would create hope for people who "relate to land" so deeply and are in need of "healing."

Under the 1906 Antiquities Act, the president can declare a site to be a national monument without congressional approval. The coalition said this proposal marks the first time native tribes have directly petitioned a president for the designation.

The coalition has tried to seek protections for the site through the Utah Public Lands Initiative, an effort led by House Natural Resources Committee Chair Rob Bishop (R-Utah) to develop consistent regulations for the treatment of eastern Utah's public lands, including the Bears Ears area. But Bears Ears Coalition members said Thursday that they have felt excluded from the initiative, and a national monument designation from Obama would preserve the region's historic and cultural significance.

Bishop's office said Friday that a public lands bill is still being drafted and negotiated, so groups still have the opportunity to weigh in. Bishop is a vocal opponent of the Antiquities Act, which he has said presidents can abuse to limit activity on public land.

Sens. Orrin Hatch (R-Utah) and Mike Lee (R-Utah), along with Bishop and Rep. Jason Chaffetz (R-Utah), issued a joint statement Thursday welcoming any input the Bears Ears Coalition would like to offer to the Public Lands Initiative. The lawmakers noted the proposal has sparked conflict among native tribes, arguing that "many Native Americans who live in Utah oppose the Coalition's proposal. Our offices have now received over 65 detailed proposals from various stakeholder groups regarding land management in eastern Utah.

"We remain committed to reviewing each proposal and producing a final PLI bill that is balanced and broadly supported," the lawmakers wrote.

Willie Grayeyes, a member of the Bears Ears coalition and the chairman of the Utah Diné Bikéyah, said Thursday that approximately 75 percent of the 566 federally recognized tribes support the proposal. and cited a resolution backing the proposal passed by the National Congress of American Indians.

But a segment of Utah's Navajo community argues that the creation of a national monument would infringe upon the everyday life of the native people in the region.

The proposal is "not going to help our people. I know they want to preserve, but we are here," Marie Holiday, a Navajo member who served on the county's public lands advisory council, told the Salt Lake Tribune in August. "We still get our wood from there. ...If there's a national monument, we are not going to have access to it."

Bishop's office provided statements about the proposal from a sampling of the more than 300 Utah Navajos who have signed a letter opposing the Bears Ears National Monument Proposal. Many said they would prefer the site be named a National Conservation Area, which requires congressional designation rather than an order from the president.

"We don't get involved in Ute, Zuni, or Hopi issues, so why do they involve themselves in ours? We still want to hunt, gather herbs, and have access to this land," Harrison Johnson, a Utah Navajo and Aneth Chapter representative, said in a statement provided by Bishop's office.

Grayeyes dismissed these claims in a comment to the Salt Lake Tribune in August, arguing that Native Americans would retain access to the site, no matter what the designation, because of religious freedom protections.

Coalition members in favor of designating Bears Ears as a national monument said the competing claims of opponents are a result of misinformation. Regina Lopez-Whiteskunk, an Ute Mountain Ute tribe
council member, said Thursday that the government had not accurately presented the consequences of a national monument designation to the native people in the area.

The coalition's proposal lays out a plan for protection for the site, and attempts to address the complicated logistics of having a federally declared monument on land that has longstanding ties to the native community. It calls for an eight-member commission to oversee Bears Ears, with five members drawn from the tribes and three members representing the Bureau of Land Management, the U.S. National Park Service and the U.S. Forest Service. That commission would hire a monument manager and staff.

Coalition members said the creation of a national monument is an imperative for the protection of their identity. "It's not only a request," said Lopez-Whiteskunk, "but it's our responsibility. This is who we are. This is something that our grandparents had probably foreseen for us many, many years ago."

Inter-Tribal Coalition Calling For Bears Ears National Monument in Utah

New West Online News Magazine

October 16, 2015

A coalition of Tribal Nations presented a proposal to the Obama Administration for a 1.9 million area National Monument in southern Utah.

The Bears Ears Inter-Tribal Coalition (comprising the Hopi, Navajo, Ute Indian Tribe, Ute Mountain Ute, and Zuni Tribes) came into being July 2015 with the aim of preserving the Bears Ears region, which includes its titular Bears Ears buttes as well as over 100,000 archaeological and cultural sites. The region has a history of vandalism and raiding, and faces pressures for oil, gas, and potash extraction.

In a press conference at the National Press Club, embedded above, the tribes made their case for the proposal as a balm for historic discord. “It’s not just for us to get healed,” said Willie Grayeyes, chairman of Utah Diné Bikéyah, a nonprofit that developed and built grassroots support for the proposal among tribal members. “It’s for our adversaries to be healed too. We can come out dancing together.”

The current projected Bears Ears region shares borders and/or overlaps with Glen Canyon National Recreation Area, Canyon Lands National Park, White Mesa Reservation, and the Navajo Nation. It is also located just west of Ute Mountain Reservation and Mesa Verde National Park and just south of Arches National Park.

Under the proposal, the federal government would retain ownership of the land, but it would be jointly administered by tribes and agency officials as Bears Ears National Monument. In addition, members of the public and stakeholders would be able to comment and contribute to the development of plans and policies.

Before presenting their proposal to the Obama Administration, the Coalition circulated copies to Utah Representatives Rob Bishop and Jason Chaffetz, who have been working on a Public Lands Initiative. The Coalition has documented their involvement in trying to get Bears Ears included in this initiative.

“This proposal originates from the heart of Indian Country,” said Eric Descheenie, Co-Chair of the Bears Ears Inter-Tribal Coalition and adviser to Navajo Nation President Russell Begaye, in a press release. “By protecting these sacred ancestral lands we can take a very important step towards healing.”

This destruction of our sacred sites—including the gravesites of our ancestors—deeply wounds us,” said Regina Lopez-Whiteskunk, Councilwoman to the Ute Mountain Ute, in the same press release. “Bears
Ears should have been protected long ago. It has been central to our creation and migration stories since time immemorial.”

What makes the Coalition’s proposal unique is that it calls for President Obama to invoke the Antiquities Act, enacted by President Theodore Roosevelt in 1906 and used to designate National Monuments such as Devils Tower and the Grand Canyon (which later became a National Park under President Woodrow Wilson).

“The Antiquities Act was written to protect Native American artifacts on public lands,” said Alfred Lomahquahu, Vice Chairman to the Hopi Nation, in the same press release as Descheenie and Lopez-Whiteskunk. “But this is the first time tribes have ever come together to call on the President to use the Antiquities Act.”

The act is sometimes seen as controversial, as it places considerable power in the executive office to designate and enact monuments. Later legislation has placed limits on the president’s power—for instance, as of 1950, the executive office requires congressional consent to create or enlarge monuments in Wyoming; and the Alaska National Interest Lands Conservation Act requires Congressional consent for use of the Antiquities Act in Alaska if withdrawals exceed 5000 acres.

Note, however, that none of those limits apply to monuments created in Utah.

The proposal, [which you can read in full here](#), is formally supported by an addition 19 Tribes and the National Congress of American Indians.

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**Tribes call for establishment of Bears Ears National Monument**
Friday, October 16, 2015 Indianz.com

Tribal leaders from Utah, Arizona, Colorado and New Mexico held a [press conference in Washington, D.C.](#) on Thursday to show support for a new national monument.

The Bears Ears National Monument would cover 1.9 million acres of important ancestral and sacred sites in Utah. Tribal leaders from the region want President Barack Obama to protect the land for future generations.

“This proposal originates from the heart of Indian Country,” said Eric Descheenie, a member of the Navajo Nation who serves as co-chair of the Bears Ears Inter-Tribal Coalition. “By protecting these sacred ancestral lands we can take a very important step towards healing.”

The Navajo Nation is among two dozen tribes that officially back the monument. The National Congress of American Indians, the largest inter-tribal organization, also passed a resolution of support.

Cedar Mesa in Utah was home to the ancestors of today's Pueblo and other tribes. Photo by Don Romnes

“This destruction of our sacred sites—including the gravesites of our ancestors—deeply wounds us,” said Regina Lopez-Whiteskunk, a council member for the Ute Mountain Ute Tribe in Colorado. “Bears Ears
should have been protected long ago. It has been central to our creation and migration stories since time immemorial.”

Bears Ears could be included in a Public Lands Initiative that's being developed to address land issues in the state. Utah lawmakers said they are open to the idea although they claimed not everyone supports it.

"The Bears Ears Inter-Tribal Coalition is an important stakeholder in the Public Lands Initiative. The Coalition represents many Native American voices that have an interest in how lands in San Juan County are managed," four Republicans from Utah said in a statement. "While many Native Americans who live in Utah oppose the Coalition's proposal, we welcome the input and recommendations nonetheless. Our offices have now received over 65 detailed proposals from various stakeholder groups regarding land management in eastern Utah. We remain committed to reviewing each proposal and producing a final PLI bill that is balanced and broadly supported."

A monument declaration by Obama wouldn't need Congressional approval.

10-19-15 News:

San Juan Navajo criticize Bears Ears proposal
By Amy Joi O'Donoghue, Deseret News

Published: Monday, Oct. 19 2015 5:55 p.m. MDT

Summary

The push for a new national monument designation in Utah to protect 1.9 million acres is drawing increasing attention, but some Navajo residents in San Juan County are opposed to the effort, saying it will cut off their access to the land.

SALT LAKE CITY — Proponents of a new national monument in southeastern Utah say the proposal involves a unique management approach that will put Native American tribes on an equal playing field with the federal government when it comes to how the land is used.

Grazing could stay. Gathering of wood, berries and other items for medicinal purposes would continue. Tribal access would not be deterred.

"We want to be part of providing policy," should a Bears Ears National Monument be created, said Regina Lopez-Whiteskunk, tribal council member of the Ute Mountain Ute Tribe.

But it's a plan that does not have the support of tribal members in Utah, who want to keep locals involved with how land sacred to them is managed.

Leaders of the Bears Ears Inter-Tribal Coalition participated in an editorial board meeting with Deseret Media Companies on Monday, reiterating their desire to see 1.9 million acres in San Juan County receive monument protection.

Eric Descheenie, coalition co-chair, said some tribal members wrongly see a monument designation as making activities "dead on arrival when it comes to things they can do," but he disagreed there would necessarily be restricted access.
Instead, he stressed, an eight-member commission made up of representatives of five tribes and three federal land management agencies would determine what land uses could continue.

Several members of the Navajo tribe who live in San Juan County, however, don't believe a monument designation is in their best interest, or the best interest of the county.

"We do not want a national monument in San Juan County," said Harrison Johnson, a Navajo tribal member who also served on the San Juan County Lands Council. "It does nothing for us...We are the grassroots people who live in San Juan County who use this land to get wood, to get meat and what they (the coalition) is doing is inviting other tribes to say what they want with this monument. We disagree with that."

Opposition voices

Several Navajo tribal members say the coalition does not represent what the local people want.

"I think the coalition is out of touch with the people of southeastern Utah," said Harry F. Johnson. "We don't want it as a monument and we never agreed to it. It is being proposed from people who live outside the area. The people living in Arizona, Colorado don't use the area, we do."

Johnson, a member of the Aneth Chapter of the Navajo Tribe, said the coalition never approached Utah Navajo about a monument designation.

He said that tribes from California, New Mexico and Arizona have been persuaded to push for the designation, even though they may not have even heard of Bears Ears until being told about it.

"They don't live here, we do."

San Juan County Council member Rebecca Benally, a Navajo, said San Juan County's plan is for the area to receive protections under a federally designated National Conservation Area, which has fewer restrictions.

"It is the residents of this county who put that proposal together, not just the commission," she said.

The coalition, which Descheenie said formed in July, has traveled to Washington, D.C., to push the Interior Department and President Obama to use the Antiquities Act and declare a Bears Ear National Monument.

Leaders seek a voice

Descheenie said the monument push came about after tribal leaders were excluded from the Public Lands Initiative process being carried out by Reps. Rob Bishop and Jason Chaffetz, both R-Utah. That process is creating a master plan of sorts for an estimated 18 million acres in Utah, which includes new wilderness designations, zones recognized for energy development and protections afford to high-value recreation areas.

The process involves eight counties, each of which were asked to cull input from multiple groups to develop "land-use" plans that met with majority approval.

"Our voices were not being heard," Descheenie said.

Bishop said the Bears Ears coalition is flat wrong to say tribal members were not consulted in the San Juan County lands plan.

"In the very first set of meetings we met with the Navajo Nation. There has always been Navajo representation from Utah. But some of these voices have very little connection to Utah."

Bishop added that the Public Lands Initiative process will give tribes a better "deal" than a monument designation would.
"It will be easier for them to make changes or deal with new issues in the future. With a monument, you have to deal with Washington."

Lopez-Whiteskunk said the process in particular has ignored the concerns of the Ute Tribe.

Bishop said there has been tribal involvement from the beginning.

"I am doing work with Utah Native Americans with Utah interests on Utah lands and a lot of this council does not represent Utah."

Tribal headquarters, or sovereign nation capitols, are located in Arizona, New Mexico and Colorado.

Benally said the Public Lands initiative component for San Juan County was also approved by local Navajo members because it will allow them to get at tribal mineral rights locked up at McCracken Mesa during a land exchange for Lake Powell.

Both she and Harrison Johnson mentioned tribal conflicts that could arise with more federal government oversight via a monument designation, specifically mentioning Navajo people being evicted from ancestral lands because they are part of Canyon De Chelly National Monument in New Mexico.

"Whatever the decision may be," Benally said, "the coalition are not the ones who have to live here on a day-to-day basis. We are the ones who have to live with whatever the decision is."

Descheenie said he is a confident that a new management structure can be created to oversee the Bears Ears Monument that is protective of the land, its healing nature and respects tribal access.

"There are a lot of misnomer out there."

Native Americans propose new Bears Ears national monument
Written by Julie Applegate on October 20, 2015 in Local, News - 3 Comments

ST. GEORGE — A coalition of Native American nations are proposing the creation of a 1.9 million-acre national monument in southeastern Utah. The move has the potential to affect school trust land income, and members of Utah’s Congressional delegation have weighed in on the issue.

The Bears Ears Inter-Tribal Coalition, a group of five tribal nations, presented their proposal to the Obama Administration Oct. 15, according to a press statement. A copy of the proposal was also delivered to Reps. Rob Bishop and Jason Chaffetz of Utah.

Bishop and Chaffetz have been working on the Public Lands Initiative, which seeks to address federal land management in the Bears Ears and other regions of eastern Utah.

the tribes have been excluded
However, the tribes have been excluded in spite of efforts to have the Bears Ears proposal considered as part of the Public Lands Initiative, the tribes’ statement said.

In response to the proposal, members of Utah’s federal delegation released a statement, saying there are many Native Americans in Utah who oppose the monument. Sens. Orrin Hatch and Mike Lee, and Reps. Rob Bishop and Jason Chaffetz issued this joint statement:

The Bears Ears Inter-Tribal Coalition is an important stakeholder in the Public Lands Initiative. The Coalition represents many Native American voices that have an interest in how lands in San Juan County are managed.

While many Native Americans who live in Utah oppose the Coalition’s proposal, we welcome the input and recommendations nonetheless. Our offices have now received over 65 detailed proposals from
various stakeholder groups regarding land management in eastern Utah. We remain committed to reviewing each proposal and producing a final PLI bill that is balanced and broadly supported.

The monument, as proposed, would not change the ownership of the land, the tribes’ statement said, instead the area would be collaboratively managed by the federal government and the Hopi, Navajo, Ute Indian Tribe, Ute Mountain Ute, and Zuni tribes.

Tribes and agency officials would work together as equals

Tribes and agency officials would work together as equals to make joint decisions. As with any national monument, members of the public and key stakeholders would have ample opportunity to contribute to the development of plans and policies, the statement said.

The Bears Ears Inter-Tribal Coalition was created in July 2015 to protect and preserve the Bears Ears region. The proposal is formally supported by an additional 19 tribes as well as the National Congress of American Indians, the statement said.

By protecting these sacred ancestral lands we can take a very important step towards healing

“This proposal originates from the heart of Indian Country,” Eric Descheenie said. Descheenie is 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.”

The Bears Ears National Monument proposal is named for the Bears Ears buttes – two prominent landforms at the center of a landscape rich in antiquities, with more than 100,000 archaeological and cultural sites that are sacred to dozens of tribes, the statement said. However, the area is threatened by looting and destruction of the region’s structures, artwork, and gravesites; and oil, gas and potash extraction threaten the landscape.

This destruction of our sacred sites – including the gravesites of our ancestors – deeply wounds us

“This destruction of our sacred sites – including the gravesites of our ancestors – deeply wounds us,” Regina Lopez-Whiteskunk, councilwoman to the Ute Mountain Ute, said. “Bears Ears should have been protected long ago. It has been central to our creation and migration stories since time immemorial.”

The proposed monument would be open to all members of the public, the statement said.

School funding impact

Public education leaders are voicing concerns over the long-term impact of a national monument designation on classroom funding.

More than 157,000 acres of trust lands would be tied up within the boundaries of the proposed Bears Ears monument, according to the Utah School and Institutional Trust Lands Administration.

Monument designations would inevitably capture hundreds of thousands of acres of school trust lands, rendering them undevelopable

“Monument designations would inevitably capture hundreds of thousands of acres of school trust lands, rendering them undevelopable instead of providing revenue to directly support K-12 education as Congress intended,” said Tim Donaldson, School Children’s Trust director for the Utah State Board of Education. The board has independent oversight of the state’s efforts to generate revenue from school trust lands.

Iron County and Washington County school districts have received $19 million in school land trust funds, and $2.56 million this year alone, according to a press statement.
SITLA has generated $1.2 billion from Utah’s trust lands
Over the past decade, SITLA has generated $1.2 billion from Utah’s trust lands, helping to grow Utah’s permanent school fund to $2 billion. Interest and dividends from the fund have provided $310 million to Utah schools in that time.

“If conservation designations are made, they must be done in a way that holds schools harmless financially,” SITLA Director Kevin Carter said. “That might mean identifying lands of comparable value up front and providing for costs of exchanging those lands.”

Resources

- Bears Ears Inter-Tribal Coalition Proposal
- Bears Ears Inter-Tribal Coalition website

Jay Meehan: Love song to the Bears

Park Record, Oct. 20 (Park City, Utah)

Although the "Bears Ears" buttes aren't spectacular in the same manner of many southern Utah topographical features, I've always found them to be as "huggable" a sandstone formation as you're likely to come across. They radiate warmth, especially when they call out to you from far across that magic landscape.

So when these eroded remnants of the older Jurassic Wingate formation became the focal point of a coalition of five-sovereign tribal nations petitioning the Obama Administration for a collaboratively managed 1.9 million acre national monument, it jerked me out of my recent doldrums.

It also pleased me on many levels. Not the least being the coefficient of annoyance it would layer upon many of my friends from the "right." Speaking of which, members of the visiting coalition also dropped off copies of the proposal with Utah Representatives Rob Bishop and Jason Chaffetz.

These are the two usual suspects who have been busy for what seems like geological eons fashioning a Public Lands Initiative dealing with management of this and other lands in the southeastern portion of the state. When you totally ignore tribal input on such matters, it obviously burns a lot of daylight.

What the coalition of Hopi, Navajo, Ute, Ute Mountain Ute, and Zuni hopes to accomplish is to prod the administration into invoking the Antiquities Act of 1906 in order to create the monument, thereby staving off developmental desecration on lands directly related to their respective creation myths.
The "footprint" for the proposed monument also made evident that many of the sacred spaces contained therein are also holy to my "head-banded slick-rock" tribe's spiritual rebirth.

The southern section of the Manti-LaSal National Forest with the laccolithic Abajo Mountains and the Dark Canyon Wilderness Area are within the proposed boundaries, as are Natural Bridges National Monument, Cedar Mesa, Owl Canyon, and, down those legendary switchbacks, the Valley of the Gods.

Then there's Grand Gulch, Buckhorn Canyon, Red House Cliffs, Nokai Dome, and Moqui Canyon. The "arrowhead" of Wilson Mesa is included as the western edge, mostly following the Colorado River down from Canyonlands National Park to its confluence with the San Juan River, skirts, for the most part, the Glen Canyon National Recreation area.

Following the San Juan River eastward far enough to include Comb Ridge, the boundary line heads due north past White Mesa while sort of paralleling Hwy 191 up to the Shaffer Basin country west of Moab.

That leaves us with those two adorable "little" adjacent mesas situated right in the middle of it all and topping out roughly at about 9,000-feet -- those quite-special land features that lend their collective name to both the Inter-Tribal Coalition and the proposed National Monument. That would be the Bears Ears.

Just to the east of Natural Bridges and positioned by the Creators-in-question about a half-dozen miles up Elk Ridge Road (actually, I believe the buttes preceded the byway), the Bears Ears, respectively, abide. Of course, when you're trekking between them, they regain much of the respect that words such as "cute" and "adorable" tend to erode.

The Arch Canyon Overlook reposes up the road a piece and, if you squint just right you might see the canyon mouth way over yonder past Cathedral Arch and Angel Arch to near where Hwy 95 busts on through Comb Ridge. Myself, however, these days squinting seldom accomplishes much more than imprinting wrinkles to facial memory.

What we're talking about with the Bears Ears National Monument proposal is the protection of more than 100,000 locales that are sacred to even more tribes than those involved in the Coalition. It's about archeology and culture and the ongoing destruction and looting of sacred sites by the ignorant and greedy among us.

A most interesting aspect of the proposal is the collaborative management of both the Feds and the Tribes. There could even be an epiphany or two on both sides as the arrangement, if it comes to be, plays out. That would follow public and "stakeholder" involvement, of course, and there are many in power both locally and nationally that aren't necessarily smitten with this idea.
Those of us who have long put boots on the ground within these boundaries, however, are feeling the love and sending it along to the Bears Ears Inter-Tribal Coalition and those who actively support their efforts. Wow! Can you imagine? It's about healing us all!

Jay Meehan is a culture junkie and has been an observer, participant, and chronicler of the Park City and Wasatch County social scenes for more than 40 years.

The Bears Ears Inter-Tribal Coalition presents proposal for a national monument in southern Utah.

by Natasha Hale

Published - 10/21/15 - 10:33 AM | 0 | 2 | | 

“It's for our adversaries to be healed too. We can come out dancing together.”

WASHINGTON, D.C. — The Bears Ears Inter-Tribal Coalition — an historic partnership of five sovereign Tribal Nations — today formally presented to the Obama Administration their proposal for the creation of a 1.9 million acre, collaboratively managed national monument in southern Utah. A copy of the proposal was also delivered to Representatives Rob Bishop and Jason Chaffetz of Utah.

The Hopi, Navajo, Ute Indian Tribe, Ute Mountain Ute, and Zuni Tribes created the Bears Ears Inter-Tribal Coalition in July of this year with the mission to protect and preserve the Bears Ears region, to which they have ancestral and contemporary ties. The sovereign-led proposal is formally supported by an additional 19 Tribes as well as the National Congress of American Indians.

"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."

The Bears Ears National Monument proposal is named for the Bears Ears buttes – two prominent landforms at the center of a landscape rich in antiquities, with more than 100,000 archaeological and cultural sites that are sacred to dozens of tribes. However, rampant looting and destruction of the region's structures, artwork, and gravesites is ongoing, and oil, gas and potash extraction also loom as threats.

"This destruction of our sacred sites—including the gravesites of our ancestors—deeply wounds us," said Regina Lopez-Whiteskunk, Councilwoman to the Ute Mountain Ute. "Bears Ears should have been protected long ago. It has been central to our creation and migration stories since time immemorial."

"The Antiquities Act was written to protect Native American artifacts on public lands," said Alfred Lomahquahu, Vice Chairman to the Hopi Nation. "But this is the first time tribes have ever come together to call on the President to use the Antiquities Act."

The collaborative management the proposal calls for—between Tribes and the federal government—would not change the ownership of the land; tribes and agency officials would be working together as equals to make joint decisions. As with any national monument, members of the public and key stakeholders will have ample opportunity to contribute to the development of plans and policies.
Prior to presenting their proposal to the Obama Administration, the Bears Ears Inter-Tribal Coalition delivered copies to Representatives Rob Bishop and Jason Chaffetz of Utah. Reps. Bishop and Chaffetz have been working on a Public Lands Initiative, which seeks to address federal land management in the Bears Ears and other regions of eastern Utah. However, as the Bears Ears proposal details, Tribes have been excluded despite their extensive efforts to have the proposal considered as part of the Public Lands Initiative.

Still, at a press conference at the National Press Club, the tribes emphasized that the proposal is an opportunity to bring people together—including Representatives Bishop and Chaffetz. "It's not just for us to get healed," said Willie Grayeyes, chairman of Utah Diné Bikéyah, a nonprofit that developed and built grassroots support for the proposal among tribal members. "It's for our adversaries to be healed too. We can come out dancing together."

The proposed monument would be open to all members of the public.

Read more: KCSG Television - The Bears Ears Inter Tribal Coalition presents proposal for a national monument in southern Utah

**Op-ed: We've gone to Obama to protect Bears Ears because Utah and San Juan County won't even listen**

By Malcolm Lehi and Willie Grayeyes

First Published Oct 24 2015 03:03PM • Last Updated Oct 24 2015 10:03 pm

For more than five years, Native Nations, including the Hopi, Navajo, Uintah and Ouray Ute, Ute Mountain Ute and Zuni, and grassroots Native American communities represented by the Utah Diné Bikéyah (UDB) organization have been working respectfully and collaboratively with all parties to protect the Bears Ears landscape in San Juan County. The purpose of our proposal is to promote healing between all people and the earth.

Last week, our effort reached a significant milestone as we hand-delivered a formal proposal to both the Obama administration and Congressmen Rob Bishop and Jason Chaffetz to protect the Bears Ears landscape as a national monument. Both Congress and the president have the power to make the Bears Ears proposal a reality, and tribes are determined to see the cultural values in this landscape protected for the future of all Americans.

In April 2013, Bears Ears became the first proposal to be put on the table by a local government in the Public Lands Initiative process, but frustratingly it remains the last to be recognized by elected officials in Utah.

Why is this so? Perhaps because the PLI was designed to rely too heavily on county commissioners, who, in the case of San Juan County, argue that our sacred sites should be opened to ATV recreation and mineral development. We feel as if Native American concerns have been purposefully eliminated from the discussion during the Public Lands Initiative.

Throughout the last six years, San Juan County (where the Native population is 53 percent of the citizenry) and the Utah congressional delegation have demonstrated that they either do not understand how to reach Native American tribes and individuals within their borders, or are
unwilling to do so. For example, San Juan County did not announce its PLI open houses on the Navajo radio station or send public mailers to Utah residents who collect their mail in Arizona, even though hundreds of Utah residents living on the reservation must travel to Arizona to retrieve their mail.

Furthermore, before San Juan County initiated its public comment period for citizens in 2014, the Navajo Nation and UDB were assured by the county that the Bears Ears proposal would be included as "Alternative D" on the list of county-identified alternatives. Yet one week before the first open house, San Juan County broke this agreement and excluded Alternative D as an alternative, even though it was developed locally and represented the views of nearly half of the San Juan County 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 own documents show that the anti-conservation, pro-development "Alternative B" received just two comments of support — less than 1 percent. Yet this Alternative B was officially endorsed by the San Juan County Commissioners as their preferred alternative in August 2015.

Native American efforts to engage directly with Reps. Bishop and Chaffetz have met with similar results. For example, Congressman Chaffetz has indicated that tribes outside of Utah (the Hopi and Zuni, both federally-recognized tribes) were not likely to be included in the PLI process, even though Pueblo People have ancestral and contemporary ties to the area. Also, to our knowledge neither congressman nor their staffs have visited any Native government headquarters to discuss Bears Ears and the PLI.

It is with these circumstances in mind that the five tribes of the Bears Ears Inter-Tribal Coalition formally submitted its proposal this week to the president and Utah congressmen. The opportunity for Congress to pass the Bears Ears proposal through the PLI still exists. However, whether Congress or the president ultimately acts, the archaeological antiquities in San Juan County continue to be looted across the Bears Ears landscape. It is long past time to work together to protect Bears Ears to fulfill our goal of bringing healing to all people and the earth.

Malcolm Lehi is a Ute Mountain Ute Tribal Councilman in White Mesa. Willie Grayeyes is chairman Utah Diné Bikéyah and lives on Navajo Mountain.

Op-ed: Rural Utahns open to compromises if politicians would truly negotiate

By Tim Glenn

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As a young student in Salt Lake City, there was once a time when I thought that rural communities were only interested in federal land because they wanted to protect their desire to ride ATVs and drill baby drill. That's mostly because people like Phil Lyman, Rob Bishop or Ken Ivory dominate news stories and work hard to make headlines that push political agendas that, let's face it, don't make a lot of sense for anyone but themselves. After two years (no, not on
a mission) being immersed in a rural Utah culture, I have come to find that I was dead wrong, and I grossly misunderstood the motivations of rural communities and land managers. My apologies.

The truth is that the average rural Utahn cares much more deeply about job creation, expanding their local economy and maintaining their rural lifestyle than they do about stopping a new national monument, blocking wilderness designation or "taking back our land," as the American Lands Council would have you believe. In my experience, most rural residents still believe in the classic American dream. A lot of times that does mean taking a job on an oil rig or taking over their family's generations-old grazing permits, but it doesn't mean they are diametrically opposed to the idea of federal land or that they don't see the benefits of preservation.

Congressman Bishop might not like to see this printed, but there was once a time in Utah's history when rural communities were the impetus for expanding federal lands management. Shocking, I know. In San Juan County, Phil Lyman's own stomping grounds, residents lobbied the government to create Canyonlands National Monument. I repeat, the local residents of San Juan County are a major reason Canyonlands National Park exists. In Cache County, cattle and sheep grazers once pleaded for federal oversight, asking the Forest Service to create the Wasatch-Cache National Forest because locals were overgrazing the mountains and ruining water supplies.

I continue to hope that Congressman Bishop's Public Lands Initiative will actually garner bipartisan support and show compromises from both sides of the aisle. A strong hand to play, and a serious show of compromise, would be the designation of San Rafael Swell National Park in exchange for the millions of acres of public land they want to start drilling into. The economic impacts for this region, and specifically the town I live in, would be huge. Towns in Emery and Carbon counties, along with places like Hanksville and Moab, would see huge and sustainable economic growth.

But with Bishop's recent refusal to let the widely supported Land and Water Conservation Fund come up for renewal, his opposition to locally and nationally supported national monument status for the Bears Ears landscape in southern Utah and his outright refusal to believe that ancient dwellings, rock art and historic cultural resources on public lands are antiquities, well, I have my doubts.

But let's not blame this all on hardcore wing nuts on the right. Urban Democrats are just as much at fault here, too. They've given up on rural communities. They don't support rural grassroots efforts to find common ground, and there is no Democratic money being spent here. Democrats no longer see rural communities as valuable commodities, so there's no wonder rural communities stopped supporting Democratic agendas.
I recently mentioned Phil Lyman to a group of local residents who have lived in my town for years. Surprisingly, not a single one of them knew who he was. Turns out, not all rural communities are as passionate about illegal ATV riding as we've been led to believe.

Tim Glenn is a historian, musician and a resident of Green River.

**Navajo Council Supports Bears Ears**

LakePowellLife.com

by John Christian Hopkins November 02, 2015

The Navajo Nation Council has reiterated its support for the Bears Ears National Monument proposed for Utah. The council’s clarification came after several Republican lawmakers commented in October that Native American tribes did not back the monument designation, which would keep the land from resource development.

“This is not accurate,” Navajo Delegate Davis Filfred said. The statements are “seemingly false,” he said.

Six of the seven Navajo chapters in Utah support Bears Ears. The Navajo delegates also pointed out that the monument enjoys strong support from non-natives. A 2014 vote in San Juan County drew 64% support, though it was later removed from the ballot.

GOP lawmakers wrote to Interior Secretary Sally Jewell in August urging denial of the designation for Bears Ears. They cited lack of support by Utah Gov. Gary Herbert and the San Juan County Commission.

Commission Chairman Phil Lyman, a Republican, was recently convicted of illegally riding an ATV through Recapture Canyon – an area of ancestral tribal villages and archaeological resources.

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**Through Bears Ears, Tribes Lead the Way for True Collaboration over Utah’s Public Lands**

Posted on November 9, 2015

By Anna Brady EDRblog.org.
“We are not stakeholders here. We are relatives to these lands, and we have something to say.”

That’s what Eric Descheenie, Co-Chair of the Bears Ears Inter-Tribal Coalition, told reporters at a press conference in Washington, D.C., on October 15th when representatives from five tribes—Ute Mountain Ute, Uintah Ouray Ute, Hopi, Zuni, and Navajo—became the first coalition of sovereign tribal nations in history to ask the U.S. government to do everything in its power to protect sacred, ancestral land as a national monument when they delivered the Bears Ears National Monument proposal to the White House.

“It’s 1.9 million acres of land in southeastern Utah, who—not what or that, but who—we relate to in a very unique and special and religious way,” explained Descheenie, also an Advisor to the President of the Navajo Nation. The Bears Ears proposal (so named for a pair of distinctive buttes said to resemble the crown of a bear rising out of the earth) encompasses a remote and culturally significant area of the Colorado Plateau fanning upstream from the confluence of the San Juan and Colorado Rivers. The region is home to more than 10,000 archaeological sites, where the spirits of ancestors still dwell, and which have been the target of intense looting in recent years. Bears Ears is part of the living history of numerous regional tribes, for whom the area figures centrally in creation stories and traditional healing practices. “It’s a cultural place,” expressed Phillip Vicente, Head Councilman for Pueblo Zuni, “where we visit and practice religious ceremonies for the purpose of attaining and resuming health for ourselves—human communities—and our natural world as an interconnected and integral world.”

The Bears Ears Nat’l Monument proposal, and indeed the Bears Ears Inter-Tribal Coalition itself, developed as a grassroots response to the Utah Public Lands Initiative—a multi-year, statewide stakeholder engagement process sponsored by Utah Representatives Rob Bishop and Jason Chaffetz with the elusive goal of reaching consensus regarding designation and management of public lands in Utah. According to a 2013 report issued by Bishop and Chaffetz, “The Public Lands Initiative has been an open, inclusive, and transparent process.”

Tribes see it differently. “We feel as if Native American concerns have been purposefully eliminated from the discussion during the Public Lands Initiative,” wrote Malcom Lehi, Ute Mountain Ute Councilman, and Willie Grayeyes, Board Chairman of the Native-led nonprofit Utah Diné Bikéyah, in a recent Salt Lake Tribune Op-Ed. At the D.C. press conference, Descheenie explained, “The Coalition exists because over the past few years our people…were not afforded the kind of inclusivity that any one of us would feel we should have, one, as a human, and two, as a citizen of the United States. Our people tried to participate in the Utah Public Lands Initiative, dating back to 2010,” but, he observed, “We haven’t been taken seriously and our voice has not been heard.”

Rather than sit idly by as sacred sites continue to be desecrated by pothunting and off-road vehicles, tribal leaders from five tribes convened this summer in a historic meeting of the minds to form a Coalition that has transcended age-old tribal rivalries in pursuit of a common cause: protecting Bears Ears for future generations of all people. Nineteen additional tribes have submitted resolutions of support for the Bears Ears proposal, which has also garnered backing from the Nat’l Congress of American Indians. “We’re standing here a part of a Coalition, with some solutions,” declared Regina Lopez-Whiteskunk, Ute Mountain Ute Councilwoman, in
Washington, D.C. “We’re here as sovereign nations wielding a tool that our grandparents never even knew, but lived.”

A critical component of the Bears Ears proposal is the innovative and unprecedented collaborative management plan, in which tribes would share equal footing with federal agencies in administering the monument. The proposed eight-member administrative commission would include one individual from each of the five Coalition tribes and each of the three agencies represented within the proposed monument boundary: Forest Service, Park Service, and Bureau of Land Management. This commission would then be responsible for hiring staff and overseeing operations. “Collaborative management is the equal distribution of authority and management over public lands, between tribal governments and the federal government,” Descheenie said at the October 15th press conference. “Our proposal, we believe, introduces a new way of thinking and doing, of intergovernmental cooperation.”

As typically stoic journalists from across the country broke into applause, announcement of the Bears Ears National Monument proposal marked a historic day for tribes, for conservation, and for true collaboration. “In this process, we also offer healing,” concluded Navajo leader Willie Grayeyes. “It’s not just for us to get healed. It’s for our adversaries to be healed, too. We can all come out dancing together.”

Anna Elza Brady is currently a first-year law student at the University of Oregon and communications coordinator for Utah Diné Bikéyah, a Native American nonprofit working to protect the Bears Ears cultural landscape and “bring healing to people and the Earth.” She completed her Masters in Environmental Humanities at the University of Utah this past spring.

A monumental idea: A coalition of tribes asks President Obama to use the Antiquities Act to protect a swath of Utah lands

November 12, 2015
Sonja Horoshko Four Corners Free Press

On Oct. 15 the Bears Ears Inter-Tribal Coalition, a partnership of five southwestern native tribes, presented a groundbreaking proposal to President Obama’s administration to turn a large swath of public lands in southern Utah into a national monument.

The coalition, a tribal organization of the Hopi, Navajo, Uintah and Ouray Ute, Ute Mountain Ute, and Zuni governments, finalized its formal relationship during the past summer after meeting to work out the details of their business and cultural relationship to the land, and hone the parameters of the designation. Prior to presenting their proposal to the Obama administration, the Bears Ears Inter-Tribal Coalition delivered copies to representatives Rob Bishop (R-District 1) and Jason Chaffetz (R-District 3). Both have been working on a sweeping public-lands initiative, which seeks to address federal land management in the Bears Ears and other regions of eastern Utah.

However, as the Bears Ears proposal details, tribes say their input has been excluded despite their extensive efforts to have the proposal considered as part of the initiative.

The 1906 Antiquities Act gives the U.S. President the authority to create national monuments on public lands to protect significant natural, cultural or scientific features. It was the result of concerns about
protecting prehistoric indigenous ruins and artifacts, and the antiquities found on federal lands in the West, such as Hovenweep in Utah / Colorado. Removal of artifacts from these lands by private collectors had become a serious problem by the end of the 19th century.

In 1902 Iowa Congressman John Lacey, chair of the House Committee on Public Lands, traveled to the Southwest with anthropologist Edgar Lee Hewett, to see for himself the extent of the pot hunters’ impact. His findings, supported by an exhaustive report by Hewett to Congress, detailed the archaeological resources of the region, and provided the necessary impetus for the passage of the legislation.

“The Antiquities Act was written to protect Native American artifacts on public lands,” said Alfred Lomahquahu, vice chairman to the Hopi Nation and a member of the coalition’s board. “But this is the first time tribes have ever come together to call on the President to use the Antiquities Act.”

With a similar interest in providing facts to support the national-monument proposal, the tribes invested six years building an extensive inventory, a cultural map describing the relationship of a broad base of native tribes to the area. This included oral storytelling, archaeological data, locations of more than 100,000 sites including Puebloan village sites, Navajo sweat buildings and sheep corrals and Ute horse trails; herb-gathering and medicinal language and use, as well as documented evidence involving arts and ceremony, often referred to as traditional knowledge.

The Bears Ears movement brought together leaders of the tribes with traditional links to the land in southern Utah. At a meeting held at Towaoc in mid-July critical decisions were made that expanded the work accomplished by the nonprofit Utah Diné Bikéyah to include four additional Southwestern tribes with links to the ancestral land. Utah Diné Bikéyah and the Navajo Nation supported the effort. Tribal leaders from Hopi, Navajo, Uintah and Ouray Ute, Ute Mountain Ute and Zuni agreed to formally unite.

The following day they met with senior federal officials from Washington D.C. within the proposed monument site, described on the Bears Ears website as a meeting “in a clearing, in a sunny ponderosa pine forest directly below the majestic natural Bears Ears formation.”

The five tribes adopted an MOU setting forth the mission, function and procedures for the coalition. “I know that if we all can go through this together and fight this together, we’re going to make a stronger union than if we go alone,” said Lomahquahu. “I think we’re going to be a great model for everyone else out there. We can make a really big footprint.”

At the press conference in Washington, D.C., announcing the monument proposal, Eric Descheenie, co-chair of the Inter-Tribal Coalition and special adviser to Navajo Nation President Russell Begaye, told the audience that the moment has come for healing. “This is a day about a people’s movement, a humanistic endeavor, and this is about collaborative management. It comes very much from the heart of Indian country.”

Regina Lopez Whiteskunk, Ute Mountain Ute Tribe councilmember, traveled to D.C. as a member of the tribal delegation. Her mother is from the Uintah Tribe in Fort Duchesne, Utah. She was raised at her father’s home at Towaoc on the Ute Mountain Ute Tribal land and is a graduate of Montezuma-Cortez High School.

“I was in Washington a few years ago and read a news article about the Utah Public Lands Initiative and the Utah Diné Bikéyah,” she said. “It talked about the effort to include the people from White Mesa. Although I was raised in Towaoc I have knowledge of family in White Mesa.

“The project was seeking elders who had stories to tell but the project had little resources to fund the work and so it challenged me. I went to assist Malcolm Lehi [representative of White Mesa] for the sake of supporting the White Mesa people, the elders, the grandmothers. At some point it became very personal to me. I said to myself, ‘These are my people. I have to know more,’ and I began my own research.”
Boundary lines

Three boundaries of the area proposed for the monument are provided by natural formations. The Colorado and San Juan rivers mark the west. The low bluffs and high mesas and plateaus from White Mesa up to the Colorado River near Moab, Utah mark the east and north. The southern side of the 1.9-million-acre parcel is bordered by the northern edge of the Navajo Reservation.

The monument essentially stretches broadly over the land west of Blanding at Comb Ridge to the Colorado River and north to Canyonlands.

“Our map doesn’t have any state lines,” Whiteskunk told the Free Press. “It wasn’t us that drew those blue lines [U.S. maps]. We didn’t have lines. In the beginning, this is what it was and it continues to be from our point of view.”

In the proposal map, Bureau of Land Management areas mesh with national park and national-forest lands. Long stretches of the monument’s southern border and part of the west are contiguous or overlie the Glen Canyon National Recreation Area. A National Recreation Area lies in the southwest corner while Canyonlands National Park runs adjacent to the proposed monument for a lengthy portion of Bears Ears’ western boundary. Natural Bridges National Monument is located within the proposed monument. The Abajo Mountains, Dark Canyon, Elk Ridge, and surrounding terrain within the Manti-La Sal National Forest would also be included.

Co-management

The monument is treasured ancestral land for the tribes, yet it is also public land owned by U.S. citizens. According to the Bears Ears website, the effort to preserve the place has always been premised on collaborative management between the tribes and the federal government.

The coalition is pursuing a sovereign-nation-to-federal-government approach, requesting the President initiate collaborative tribal co-management of the monument.

To that end, the proposal calls for an unusual management arrangement.

A Bears Ears Management Commission would be created to be the policymaking and planning body for the monument. It would have eight members – one from each tribe and one from each federal agency overseeing lands included in the monument (the BLM, Forest Service, and Park Service). The tribal members would receive salaries.

The commission would have authority over the monument manager.

The commission would set policy within the bounds of the proclamation, the management plan, and any MOUs or MOAs adopted in connection with the proclamation.

If the collaborators cannot agree, the proposal states, “the dispute will go to mediation. If that fails, then the Secretary of Interior or Agriculture makes the final decision.”

Whiteskunk is confident about the expertise of the coalition group. “We all agreed from the beginning that we need to be unified and organized in this effort, we need to be the best we can be. Our co-chairmen, Alfred Lomahquahu, and Eric Descheenie have great leadership qualities.” She describes the first time the tribes sat down together it was, “a time of respect and reconciliation, Navajo next to Hopi, Ute beside Zuni beside Navajo. We applaud the immense amount of diligent work the Utah Diné Bikéyah did before the coalition became the official proposing entity. It was hard work. We quickly dedicated ourselves to the timeline and the presentation in Washington. There is a great healing in the coalition and it extends to the land, and to all people, including non-natives.”

The proposal describes the co-management plan at Bears Ears as a first-ever opportunity to truly infuse Native values into public-lands administration by “pulling upon both indigenous knowledge and Western
science. … The enterprise of honoring and using both bodies of thought and experience, and thus mediating across knowledge systems, can be a unique contribution of this monument. As such, their work can both enrich on-the-ground conditions and produce cutting-edge research for land managers everywhere.”

**Stumbling blocks**

Whiteskunk admits there are stumbling blocks. One is the Utah School and Institutional Trust Lands Administration, or SITLA.

SITLA lands are parcels managed by the trust for the exclusive benefit of state institutions or beneficiaries, as designated by Congress. Because these lands are held in trust, they differ greatly from public lands and are more similar to private lands. About 6 percent of the state’s acreage is set aside as trust land to generate revenue for beneficiaries, primarily (96 percent) public schools. SITLA manages the land portfolio for each beneficiary, generating revenue through oil, gas, and mineral leases, rent, and royalties; real estate development and sales; and surface estate sales, leases, and easements.

The Utah State Board of Education is charged with oversight of the state's efforts to generate revenue from those school lands. An article posted on the Trust Land Administration website reports that more than 157,000 acres of trust lands would be captured within the boundaries of the proposed Bears Ears monument.

Tim Donaldson, the School Children’s Trust Director for the state BOE, writes that, “Monument designations would inevitably capture hundreds of thousands of acres of school trust lands, rendering them undevelopable instead of providing revenue to directly support K-12 education as Congress intended.”

SITLA Director Kevin Carter explained, “If conservation designations are made, they must be done in a way that holds schools harmless financially. That might mean identifying lands of comparable value up front and providing for costs of exchanging those lands.”

Whiteskunk said the coalition is working to solve the SITLA problem.

The other, she says, is the San Juan County Energy Zone map.

**Energy zone**

According to the timeline posted on the Bears Ears website, the San Juan County commissioners, without consulting the tribes or informing Diné Bikéyah, urged the Utah State Legislature to pass HB 393, a bill to modify the Utah resource management plan for federal lands, sponsored by Michael Noel, RDistrict 73. The group alleges that the zone undermines major portions of the Bears Ears proposal by designating the land as an Energy Zone where development is streamlined and grazing, energy and mineral development are declared to be the highest and best use.

San Juan County Planner Nick Sandberg told the *Free Press* that the state-produced legislation became law on March 23. San Juan County was one of several counties included in the bill, he said. “Another is Uintah County where there is oil and gas, uranium and vanadium and mining resources. The Utah Public Lands draft [structure] didn’t offer a good way to delineate mining districts, but the EZ map does.”

He described the identified areas, such as those with uranium and vanadium, as simply locations garnered from the USGS sources. The higher-extraction potential concentrations fall in the eastern part of the county, east of State Highway 191. Some of the energy-zone map falls on Navajo land.

“We have met with the Navajo government to assure them that we have no authority over the development of the resources, but that if they chose to develop we will support that decision,” Sandberg
said. Just because a mineral has been identified doesn’t mean it could be cost-effectively refined, he said. “The map just helps streamline and expedite the process.

“The energy-zone legislation was ongoing at the time the county was deliberating the Utah Public Lands submissions [from stakeholders]. We did try to not make those overlap Bears Ears areas. A good example is along the Colorado River. We stopped the boundary for the energy zone at the rim of the canyon above the river at Hatch Point, for instance.”

There are concerns about the timeline of getting the proposed federal legislation enacted and whether it would supersede a monument designation.

“Probably not,” Sandberg admits. “The feds generally trump the state.” Under the coalition’s proposed co-management system, existing mineral leases would still be valid and development can commence; however, new leases or mining claims would not be allowed.

Grazing-permit holders would also be allowed to continue grazing livestock, with better management to protect sacred sites, plants, and natural areas.

Restrictions
The designation would not change any land ownership. Tribes and agency officials would be working together as equals to make joint decisions, and the public and key stakeholders would have opportunity to contribute to the development of plans and policies.

The BLM and Forest Service are required to identify the cultural values, religious beliefs, traditional practices, and legal rights of Native American people when making management decisions. But under the Bears Ears proposal, Native American uses would be elevated above other uses for the first time.

The proposed monument would be open to all members of the public.

The plan outlines basic management regulations that provide for continued traditional uses of the land, such as collection of wood, plants and medicinal herbs. Hunting with permits will continue to be managed by the State of Utah’s Division of Wildlife Resources.

The majority of sacred places, such as ancient cliff dwellings, that are open to public access now would remain open. In the event site instability or other visitation threatens the sites, special accommodations would be made for Native American ceremonial visitation.

While no roads will be closed by the designation itself, it would instigate a new travel-management planning process that includes full public involvement.

Visitors will still be allowed to camp, hike, backpack, climb, build campfires, pick pine nuts, mountain-bike, bring pets, ride horses or drive ATVs if Bears Ears becomes a national monument or NCA. However, it is still illegal under federal law to collect arrowheads, potsherds or any cultural antiquities.

Parts of the Bears Ears monument could be declared wilderness areas. If so, new road construction would not be permitted. Boundaries of existing roads can be drawn to include deeper setbacks on both sides of the road. Personal collection of firewood or plants would be allowed but no mechanized equipment could be used, just as it is now in the current wilderness study areas.

Time for healing
In a joint statement issued from the Utah congressional delegation in Washington on the day the proposal was presented, Bishop and Chaffetz reconfirmed their intent to reach out to the coalition.

“The Bears Ears Inter-Tribal Coalition is an important stakeholder in the Public Lands Initiative. The Coalition represents many Native American voices that have an interest in how lands in San Juan County
are managed…. Our offices have now received over 65 detailed proposals from various stakeholder
groups regarding land management in eastern Utah. We remain committed to reviewing each proposal
and producing a final PLI bill that is balanced and broadly supported.”

At the press conference in Washington, the tribes emphasized that the Bears Ears monument proposal is
an opportunity to bring people together, including Bishop and Chaffetz.

“It’s not just for us to get healed,” said Willie Grayeyes, chairman of Utah Diné Bikéyah. “It’s for our
adversaries to be healed too. We can come out dancing together.”

“The healings have already started,” added Whiteskunk.

Monument idea prompts mixed reactions
November 12, 2015
Sonja Horoshko  Four Corners Free Press

The call by a coalition of five American Indian tribes for a 1.9-million-acre Bears Ears National
Monument is opposed by the commissioners of San Juan County, Utah, where the monument would be,
as well as many others in the huge county in Southeast Utah.

“From my standpoint it is contrary to our county responsibilities, to lobby to impose federal restrictions
on the county diminishing our ability to take care of the health, safety and welfare of our citizens,” said
San Juan County District 2 Commissioner Phil Lyman in a telephone interview.

“We [the commission] don’t oppose their notion of a national monument,” Lyman said, but added that
citizens are better served by local government working from a ground-based approach, rather than
“special interests working to influence Washington DC to take unilateral actions.”

“I would promote the Navajo dispensation of the land. They can go straight to the federal government –
government to government – they have a right as a sovereign nation to get the designation done.

“But our community should not be castigated just because we are opposed to something. It’s even
difficult for me to believe in the legislative congressional track. I believe in the chain of command, the
authority of local governance. We have supported an earnest set of priorities that represent the citizens of
the county. We don’t feel adversarial. Our objective is to do the right thing.”

On Aug. 4, after five years of work, the commissioners of San Juan County voted unanimously to endorse
a plan for managing public lands in the vast county.

The plan, called Alternative 4, was developed by the San Juan Citizens Lands Council, a group of about a
dozen citizens representing diverse interests in the county. The council adopted Alternative 4 on June 15
after deliberating for 18 months on the best way to combine energy extraction, tourism, recreation,
farming and ranching, conservation and wildlife, and cultural and archaeological issues into one tidy
million-acre package containing wilderness, wilderness study areas, national conservation areas, and
multiple-use lands. During that time they convened 22 work sessions and held six public meetings.

The push to come up with the plan came from the Utah Public Lands Initiative, a project designed by
Utah Representatives Rob Bishop (R-District 1) and Jason Chaffetz (R-District 3) to put prickly decisions
about public land use and management into the hands of local people and their representatives in eight of
the state’s eastern counties.
Each county was asked to merge the needs of different stakeholders and develop a recommended land-use plan. The final proposals from all eight counties are to be taken into consideration by the congressional delegation as they craft a Utah Public Lands Bill destined to be introduced by Bishop and Chaffetz.

It was hoped that passing such a sweeping bill would resolve decadeslong issues about public-lands management and also dissuade President Obama from using his executive power to simply declare one or more national monuments in the areas under consideration.

**Boiling point**

But the process brought to light a lingering dispute between the San Juan County Lands Council and the Utah Diné Bikéyah, a grassroots Utah Navajo organization, which developed a proposal that would designate 1.9 million acres of public lands as Bears Ears National Conservation Area / National Monument. From the beginning the Navajo, Ute and San Juan Paiute tribes, which together constitute more than 50 percent of the population of San Juan County, have been a major player in the initiative, requesting inclusion in the considerations of the lands council, the county commissioners and the public lands initiative.

Diné Bikéyah charges that the proposal they drafted was not adequately presented to the public or seriously considered during the county process, and as a result, the county-supported proposal ignores the Native American point of view.

A last effort to resolve the dispute was made in four attempts through negotiating meetings in March, April, and May. It failed.

In a letter sent July 9 to Chaffetz’s office, Diné Bikéyah stated, “It has been more than three years since the Navajo submitted its proposal and we have never seen a response from the County nor had a meaningful negotiation to understand how far apart these proposals are. The past four attempts at negotiating an agreement have not produced anything of substance that we are aware. At the most recent meeting neither UDB nor the Tribes were invited to attend and we were told that the SJC Commissioners did not require any further information from us to make its final decision…”

Leonard Lee, a founding member of Utah Diné Bikéyah, told the Free Press, “We arrived about 1400. There have been lots of Native Americans crisscrossing the land here before and after we arrived with no restrictions on our activities, herb gathering, wood fuel, ceremonial and more. Right now, [with the restrictions placed upon the land use by federal and state regulations] in their eyes we are just common criminals. For the longest time we have not had a share in the management – federal, state or local government.”

**A mix of tribes**

Tribal affiliation in the group included board members from White Mesa, members of the Ute Mountain Ute Tribe, located on 2 percent of the county’s land near Blanding. The board make-up is entirely Native, drawing members from residents and leaders living in one quarter of the sprawling, canyon-riddled land that is Navajo reservation along the San Juan River.

Paiute lands north of the Arizona border and south of the San Juan River in Utah were proclaimed in 1907 as the Paiute Strip Reservation and later integrated into the Utah Navajo lands. Today the 300 enrolled members of the San Juan Paiute Tribe and their 100 children are settled in 5,400 acres at Naatsis’áán (Navajo Mountain) Cow Springs, Hidden Springs and White Mesa.

According to the U.S. Census Bureau, the percentage of Native Americans in the county in 2010 was 50.4 percent of the total 15,251 residents. The county is divided into three districts. Only one, District 3, which is 98 percent Native, is represented on the commission by a Native —Rebecca Benally, Diné, from Aneth Chapter.
The San Juan County commission and many citizens are frustrated by the amount of non-taxable land owned by the federal government, the state of Utah, and the State and Institutional Trust Lands Administration (SITLA). According to the county promotional pamphlet, the 2011 Guide for Decision Makers, “only 40,000 of the county’s 5 million acres are subject to local property tax.”

Designations resented
There are seven national monuments in Utah and five national parks. Four of the parks started out as national monuments. Residents still cringe at President Bill Clinton’s use of the Antiquities Act to designate Grand Staircase Escalante National Monument in southwestern Utah in 1996. Some residents feel they are overburdened with public land today.

In July, President Obama designated three new national monuments in Texas, Nevada and California. The news was not taken lightly by Congressman Bishop, who at the time was working on a measure in Congress, H.B. 2258, to thwart designations of national monuments in western U.S. counties where such presidential actions are considered probable.

Bishop stated that the national monuments were declared “without input from the people…The people in the counties that are designated in this amendment need to have the right to have some input in how land decisions are used in that area. This is what this amendment does. It gives them the chance to be heard, because under the present Antiquities Act, they are not heard.”

On July 8 the House approved the amendment, which would forbid spending money to designate national monuments in 17 counties within Arizona, California, Colorado, New Mexico, Nevada, Oregon and Utah. The three counties in Utah – Kane, Garfield and Wayne – are all directly west of San Juan County, which was not included in the amendment. Utah Sen. Mike Lee introduced the legislation in the Senate on Aug. 6, where it was referred to the Committee on Energy and Natural Resources.

As work on the final lands-council proposal progressed, information became public that Utah Diné Bikéyah had convened a coalition with support from over 24 tribes that intended to present a monument proposal directly to President Obama. Locals moved quickly to block the Bears Ears plan. In addition to supporting Alternative 4, the commission passed a separate resolution opposing the creation of a national monument within the county.

The Utah congressional delegation sent a letter to U.S. Interior Secretary Sally Jewell advising against the Bears Ears proposal. The letter stated that “Regrettably, yesterday’s progress [the county’s choice of Alternative 4] could be undermined if a National Monument were to be designated in Utah. Earlier this week, Utah Governor Herbert sent a letter to President Obama expressing his opposition to his use of the Antiquities Act in Utah.”

The letter said that the delegation echoes “the sentiments expressed by Governor Herbert and San Juan County and oppose the use of the Antiquities Act in Utah. Local support does not exist and doing so would be detrimental to the larger PLI process.”

Broad support
But as the Diné Bikéyah proposal gained eminence among Utah’s Native people it drew support from tribes beyond Utah boundaries. Five tribes with historical ties to the 1.9-million-acre land base formally organized as the Bears Ears Inter-Tribal Coalition. On Oct. 15 representatives of the Navajo Nation, Ute Mountain Ute Tribe, Hopi Tribe, Pueblo of Zuni, and Uintah and Ouray Ute Indian Tribe held a press conference in Washington, D.C., announcing their support for a national monument.

Six of seven Utah Navajo chapters passed resolutions in support of the proposal. Only one, Aneth, Benally’s home chapter, voted not to support it.
There have been references in media coverage to petitions signed by 300 Utah Navajo people opposing the proposition. The *Free Press* asked Benally multiple times for the petition and documentation of the 300 dissenters, but she declined to be interviewed.

Fred Ferguson, chief of staff for Chaffetz, did furnish the *Free Press* with a copy of a hand-written petition sent to their offices in Salt Lake City. It is dated July 28 and signed by 52 people in support of the Lands Council Alternative B, one of three options offered for comment during public meetings of the Lands Council during the past year. A second sheet with 49 undated signatures accompanied the first but was not attached to a description. There were no statements on any of the papers referencing Diné Bikéyah Bears Ears or Bears Ears Inter-Tribal Coalition.

But Lyman explained that “Commissioner Benally has heard strong opposition to the Bears Ears plan in person. I have read the reference [to the petition] in media, but I’ve never seen it.”

**Local concerns**

Still, some local residents – Native American and other – do have concerns about how a national-monument designation might affect their use of land for everything from wood-gathering to recreational ATV-driving.

Julie Binali, Diné, lives in Halchita, part of the Mexican Water Chapter. In a phone interview she said she has not been able to get clear information about the restrictions she imagines could curtail her traditional activities. “None of us Natives will be allowed up there,” she said, but added she hasn’t attended any meetings about Bears Ears.

A recent Navajo Nation Council press release weighed in on the conflicting allegations: “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.”

On March 12, the Navajo Nation Council’s Naabik’iyáti’ Committee, made up of the entire delegate body representing all chapters, unanimously passed a resolution in “support of the federal designation of Bears Ears — ancestral home of many Southwestern tribes.”

Council Delegate Davis Filfred, who represents five chapters in Utah (Mexican Water, Aneth, Teec Nos pos, Tóikan and Red Mesa) said the statements alleging non-support of the inter-tribal proposal 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 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.”

Naa’tsis’Áán and Oljeto, both in Utah Navajo, are two of five chapters represented by Delegate Herman Daniels, Jr. “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 Daniels.

According to Ferguson, Chaffetz’s office has been committed to tribal input and involvement since the PLI began. “The Inter-Tribal Coalition was only formed over the summer of 2015,” Ferguson said. “[Since then] Rep. Chaffetz has flown to Arizona with a delegation of Utah officials to discuss PLI with Navajo Nation President Begaye and his senior staff.”

At the Aug 18 meeting, Chaffetz sought tribal input and committed to working together. It was a very productive meeting, said Ferguson.
Also, Begaye and Chaffetz have met in Washington, D.C. “Since Aug. 5,” Ferguson said, “I have requested multiple meetings with Inter-Tribal Coalition staff. Not until [Oct. 23] have I received a response expressing their willingness to meet. I was pleased to read in yesterday’s email that the coalition would like to engage in the legislative process. As was stated in a letter from Representative Chaffetz to President Begaye, we are skeptical co-management can be achieved via the Antiquities Act. So we strongly hope the coalition will work within the PLI process to establish land designations and co-management terms that can be supported widely and implemented in a meaningful way.”

**Utah Gov. Herbert mulls national monument as debate compromise**

E&E News - Greenwire

Published: Friday, November 13, 2015

Utah Gov. Gary Herbert (R) hinted yesterday he could support a new national monument if it meant a compromise on the protracted debate over public lands management in his state.

At a monthly local news conference, Herbert said he was not specifically referring to the proposed Bears Ears National Monument, a plan to set aside 1.9 million acres in San Juan County that is supported by many Native Americans for whom the land is sacred (*E&E News* PM, Oct. 15).

But he said a national monument and Utah GOP Reps. Rob Bishop and Jason Chaffetz's Public Lands Initiative, a push for a partial state takeover of many federal lands, are not "mutually exclusive."

"I'm not too happy about national monuments, but if that's what it takes to get the compromise done so that everybody feels like they got something out of this thing, that's part of compromise," said Herbert, who is running for re-election in 2016.

"It depends on where the national monument would be," he said, noting contention between Native American leaders and San Juan County commissioners (Lisa Riley Roch, *Salt Lake City Deseret News*, Nov. 12). -- DTB

**Herbert shifts his stance, says no new monuments in Utah**

By ROBERT GEHRKE | The Salt Lake Tribune

First Published Nov 17 2015 07:00PM • Last Updated Nov 17 2015 11:43 pm

It only took 24 hours for Gov. Gary Herbert to back away from a statement he would be open to a new national monument in Utah if it was part of an effort to settle land use issues on 18 million acres of southeastern Utah.

"I'm not too happy about national monuments, but if that's what it takes to get the compromise done … that's part of compromise," Herbert said Thursday during his monthly KUED news conference.

But the next day, Herbert told county commissioners gathered at the Utah Association of Counties conference that he would vigorously oppose any monument that didn't have support of local officials and the community.

He reiterated his viewpoint on a Facebook post that same day, where he said he would never support a monument in Utah "unless it has the support of locally elected officials and the rural communities impacted."
Herbert's spokesman, Jon Cox, said the governor was not changing his position.

"I think when someone sees in the headlines that Governor Herbert supports national monuments, that's obviously concerning, but Governor Herbert's take is, 'Look, I'm not going to support anything that you as county commissioners don't want,' " Cox said. "I don't view that as a reversal. I think it's more of a clarification."

Members of five American Indian tribes asked Congress and President Barack Obama in October to designate the Bears Ears National Monument on 1.9 million acres in southern Utah. The group said the area contains 100,000 archaeological and cultural sites that are sacred to dozens of tribes.

Protections for portions area — although not necessarily through a national monument, but potentially through national conservation or wilderness areas — are expected to be included when the Public Lands Initiative legislation, cobbled together by Reps. Rob Bishop and Jason Chaffetz and local leaders and interest groups, is released within the next few weeks or months.

Josh Ewing, executive director of Friends of Cedar Mesa, which supports protection for the Bears Ears, said he was surprised to hear Herbert use a figure Thursday of 1.6 million acres for possible protection — considerably larger than the 1 million acres of conservation areas and wilderness the county is considering.

Ewing said it is important that the governor not look solely to elected officials for their support of protections, but listen to the community as well. At a comment meeting on the proposal, Ewing said nearly 90 percent of those who testified supported the Bears Ears proposal.

"I think there needs to be a larger discussion than just those elected officials," Ewing said.

Rep. Mike Noel, R-Kanab, whose district includes San Juan County where the proposed Bears Ears monument is located, said he opposes a monument designation and believes other elected officials in the area would, as well.

"I don't think they're in favor of that at all," he said.

Noel said the Antiquities Act was created to protect archaeological artifacts and sites, but there has been no damage to the artifacts in the area, despite claims to the contrary.

"I'm absolutely opposed to it," Noel said, but he said he would be open to discussions of conservation areas or wilderness.

Noel believes the governor misspoke when he said he would be open to a monument designation — not that he changed his position.

That said, Noel believes Obama will probably designate the monument anyway, as both President Bill Clinton and President George Bush did late in their terms.

"I think it's just one of those things presidents want to do," Noel said. "I think he's going to do it, personally. That's what all these presidents do in their last year."

Ewing agreed that, unless Bishop is willing to listen to important parties who have an interest in the public lands, it makes it unlikely the compromise bill could pass and "the only likely thing is a monument, and it makes me sad that we couldn't work together as a state and local officials to make a solution for ourselves."

Herbert's Republican opponent, former Overstock.com CEO Jonathan Johnson, said the governor said in 2010 he would get Utah ownership and management of federal lands inside the state, but Utahns are still waiting. Johnson said he is committed to state ownership of public lands as governor and added that Herbert's recent statements on the monument designation "show a lack of negotiation skills."
"He is willing to concede yet another point without receiving anything in return," Johnson said.

The misspeak-backtrack-clarification boogie

Core Samples

Jay Meehan, Park Record columnist

Posted: 11/24/2015 04:44:15 PM MST

I didn't recognize it as a "clarification" when it first flew out of Utah Governor Gary Herbert's mouth, soared across the room at eye level and, not unlike a sub-atomic particle in a centrifuge, exposed its component parts by smashing into the opposite wall.

No, upon reassembling the quanta involved, it much more resembled "backtracking." Of course, once the Republican Party spin-doctors had finished their remodel, the finger once again pointed at the collective nefarious agenda of local media. It seemed that an entire roomful of reporters had got it all wrong during Herbert's monthly KUED news conference.

These pawns of the elite Eastern liberal media establishment had actually taken the Governor's statement -- "I'm not too happy about national monuments, but if that's what it takes to get the compromise done that's part of compromise" -- to mean he was open to negotiation as regards adding additional public lands within Utah's borders.

The following day, however, the usual suspects, "misspoke" and "clarification," assumed their spots in the line-up to further explain what the state's chief executive actually had in mind. Coming at a gathering of representatives of the Utah Association of Counties, it appeared that coverage of the earlier news

He would never, under any circumstances, back a national monument that didn't have full support of the local community, including elected officials. Now, that's the sort of take-it-or-leave-it negotiation with which Utah's wilderness advocates have become most accustomed.

Actually, I'm much more at peace with the process now that Utah's governor has formally returned to what, to him, is most decidedly familiar ground. I am not now and have never been comfortable when Utah's powers-that-be take the same side of an environmental "negotiation" as I.

Over time, it has come to the attention of the wilderness lobby hereabouts that there is a lot more going on up the sleeves of state and local officials than elbows. Those who have been manipulating corporate purse strings for both the extractive industries and those in the legislature have been seen licking their chops and nosing around for a leg up.

Being on the side of the workingman, of course, they couch it in jobs and funding for schools and patriotism. The fact that corporations believe they have the moral high ground when it comes to land use I find almost hilarious. Not quite, however. Control of drinking water is only part of the darkness at that edge of town.

The fact that the movement for a national monument of 1.9-million acres surrounding the "Bears Ears" buttes in Southern Utah has gained the amount of traction it has is due, almost totally, to the ongoing involvement of the five sovereign tribes who claim that the lands in question constitute sacred space.

As the final decisions on any further protections for the lands of southern Utah rest most probably with the executive branch of the federal government, we who advocate for wildness and wilderness can only hope that the President comes through on the implied, if not explicit, promises of his campaigns.
Nothing is ever a given when it comes to land use out here in the West. Those who would privatize the landscape have already proven they have the billionaire class and the majority of the Supreme Court on their side. The Citizens United decision did nothing but reaffirm the notion that the electorate is highly influenced by what money can do.

Another, mostly unexplored, opening to gain political favor on the side of preservation would entail somehow swelling the ranks of environmental activists to the point where, as a voting bloc, they become a political force. Of course, with Citizens United, we would all be portrayed as terrorists before that would ever happen.

With apologies to Albert Camus and his "Myth of Sisyphus" essay, "the struggle itself towards the heights is [no longer] enough to fill a man's heart." In climate justice, the rock must reach the summit and stay there. Retrograde is no longer an option. An angle of repose that allows it to keep rolling back down certainly won't get us where we need to be.

Southern Utah needs further land protections and Bears Ears would be a good start. Not to say that the Greater Canyonlands proposal wouldn't help solve some additional issues that loom over a threatened landscape. Help us in our time of need, Mr. President. Show us you are who we thought you were.

Jay Meehan is a culture junkie and has been an observer, participant, and chronicler of the Park City and Wasatch County social scenes for more than 40 years.

**Guest Commentary: Make Bears Ears a national monument**

**By Walt Dabney and Steve Martin**

POSTED: 11/24/2015 05:00:00 PM MST

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.

Op-ed: Bishop is wrong, Utah's Native Americans want Bears Ears protected

By Herman Daniels Jr.

First Published Nov 28 2015 08:12PM   •   Last Updated Nov 28 2015 08:12 pm

Herman Daniels, Jr.

Recently, a number of people have tried to speak on behalf of Native Americans who live in Utah — including those of us who are Navajo and live in San Juan County.

False statements have been made to the media, claiming that the proposal put forward last month by five tribes — Navajo, Hopi, Zuni, Ute Mountain Ute and Uintah Ouray Ute — to protect the Bears Ears as a national monument is not supported by native communities and local people in San Juan County.

As one of two council delegates on the 23rd Navajo Nation Council who represent Utah Navajos — I represent the Utah communities of Na'atsis'Áán (Navajo Mountain) and Oljato (Monument Valley) — I can tell you that these reports of division among Utah Navajos are not accurate. As a council delegate, I am glad to see that the Bears Ears initiative has moved forward in the preferred manner, originating first
from the grassroots and our esteemed elders and then through the political channels to Window Rock and then on to Washington, D.C.

I recognize that many people may be unaware of how the Navajo Nation is politically organized, so let me explain.

The fundamental building block of Navajo democracy is the Chapter House. There are 110 Chapter Houses on the Navajo Nation, with seven that extend into Utah. Chapter houses are community centers where residents discuss and decide upon matters that affect their communities. Official business is conducted in our Native language according to the Navajo Nation Local Governance Act. Issues include everything from approving government budgets, securing clean drinking water after the Gold King mine spill, and considering proposals such as protecting Bears Ears. Chapter Houses are also the place where local residents are given the opportunity to express their opinions to their Council Delegate, such as myself.

Thus, if you want to know what people "on the ground" think about a subject, it is a good idea to ask for the community to vote on it during a Chapter House meeting. And it is here, not in the media, that it becomes clear that the Navajo people who live in San Juan County overwhelmingly support the creation of a 1.9 million acre Bears Ears National Monument.

Of the seven Navajo Chapter Houses in Utah, six have passed resolutions in support of protecting Bears Ears. As recently as November 8, the Oljato Chapter House unanimously (40-0) reaffirmed its support for protecting Bears Ears as a national monument.

Normally, delegates like to see consensus on issues such as the protection of Bears Ears, but this is not always possible. For example, the community of Aneth endorsed the position of San Juan County in August and supports mineral extraction across large swaths of federal lands inside Bears Ears. It is not unusual for this kind of disagreement to exist, but in this case San Juan County violated normal consultation protocol by asking the Chapter House to endorse its official government position after the fact. Typically Native American tribes insist on being engaged before important decisions are made and San Juan County did not do this.

In comparison, Utah Diné Bikéyah followed Navajo procedures when it obtained resolutions of support from all seven chapters to carry out its land planning effort in 2010. Then it developed a proposal with full community input and eventually won the approval of all seven chapters in 2014. Then, after this consensus was secured in Utah, it then asked for the support of the Navajo Nation Council and the president, which was granted wholeheartedly. This contrasts profoundly with the actions of San Juan County Commissioner Rebecca Benally, who began going against Chapter Houses more than one year after they had studied San Juan County's five alternatives and had endorsed Bears Ears.

In an Oct. 29 interview on KSL Radio's Doug Wright show, Utah Rep. Rob Bishop stated that in the Public Lands Initiative process, he “need[s] to give precedence to the Native Americans who live in Utah.” As a council delegate representing Utah, I could not agree more and I can assure the congressman that he has local Navajo support in protecting Bears Ears.

If Bishop agrees to give precedence to the Native Americans who live in Utah, then he should understand that we have already spoken, and with overwhelming unity we have asked for Bears Ears to be protected. Local Navajo communities have the sovereign support of the Navajo Nation government and we understand that other tribes are similarly supporting their grassroots people. What we have said, and continue to say, is this: It is time to protect Bears Ears, and if it can't be passed in the coming months through the Public Lands Initiative, then the president should declare this living cultural landscape as a national monument for all.
Herman Daniels Jr. is a Navajo Nation Council Delegate representing Shonto, Naa'tsis'Áán, Oljato and Ts'ah Bii Kin.

**Making Bears Ears a national monument is an opportunity for healing**

By DP Opinion

The Denver Post

Re: “Make Bears Ears a national monument,” Nov. 25 guest commentary.

Add my voice, along with many others, to the strong call from Walt Dabney and Steve Martin for President Obama to respond to the request from a coalition of sovereign tribal nations to protect sacred and historical lands by designating Bears Ears a national monument.

This is an opportunity for healing — between peoples and between people and the land. Bears Ears contains over 100,000 cultural sites considered sacred by multiple tribes and pueblos.

Monument designation, a tool every president has used, is the right tool to move forward at a time when Congressional vehicles have stalled and the Public Lands Initiative negotiations have ignored the voices of Native Americans. Action now will put an end to degradation of these lands from looting, off-road vehicles, mining, and fossil-fuels extraction, allowing future generations of American Indians to connect to their heritage embedded in the land. Now is the time for healing.

Susan Jacobson, Denver

*This letter was published in the Dec. 2 edition.*

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**State school board wants land swap if new monument named in Utah**

By BENJAMIN WOOD | The Salt Lake Tribune

First Published 12-4-15

The State Board of Education hopes that schools will come out ahead if Congress or the president designate a new national monument in Utah.

That's the thinking behind a resolution, adopted by the board Friday, that insists the state school-trust fund be "held harmless" in such designations.

It would likely require land exchanges, in which the School and Institutional Trust Lands Administration (SITLA) trades land inside new monuments and wilderness areas for Bureau of Land Management acreage elsewhere.

There is precedent for such a swap, the school board and lawmakers say, pointing to the designation of the Grand Staircase-Escalante National Monument two decades ago, when the BLM agreed to trade thousands of acres of SITLA inholdings for consolidated blocks of federal land in the West Desert.
"There's no guarantee that will happen, that lightning will strike twice" said Woods Cross Republican Sen. Todd Weiler.

Weiler spoke in favor of the board's resolution on Friday.

He said he and House Minority Leader Brian King, D-Salt Lake City, have discussed sponsoring a similar resolution during next year's legislative session.

According to the Board of Education resolution, trust lands are "a central component of Utah's education funding," and provided a record $47 million for the current school year.

The funding stream represents the interest and dividend generated by the revenue from state trust lands, which are scattered throughout Utah in a checkerboard pattern within oceans of public lands. The $2 billion endowment grows by about $100 million a year.

The money is distributed at the local level, to be spent by school community councils. It's typically used as supplementary funding for supplies, equipment or additional faculty.

"Landscape-scale monument designations, wilderness designations, or other federal conservation set aside programs have the potential to impact school funding due to tax implications," the resolution states.

The resolution doesn't name any potential monuments, but Bears Ears, an scenic archaeologically rich area sacred to Native Americans, is the most likely Antiquities Act designation in the waning months of the Obama administration.

An intertribal coalition has asked the president, who has already designated or expanded 19 monuments in other states, to consider a national monument for 1.9 million acres in San Juan County running from the San Juan River across Cedar Mesa to the Abajo Mountains. It encompasses 157,000 acres of SITLA land, some of which has little potential for mineral development regardless of a monument designation.

Additionally, under the public lands process orchestrated by Rep. Rob Bishop, Congress could designate thousands of acres of new wilderness in eastern Utah while also lifting barriers to development.

Many Utah leaders, particularly in rural counties, adamantly oppose monument and wilderness designations because they preclude most development, increase the impact of federal regulations and stymie economic development in communities hungry for jobs.

Gov. Gary Herbert recently endorsed the idea of a Bears Ears monument as long as it was part of larger lands deal, but later backtracked to say any new monument must enjoy the support of local leaders. This would be unlikely in the case of the Bears Ears proposal, which is opposed by the San Juan County commission, including its Navajo member.

Tim Donaldson, director of the School Children's Trust at the state education office, which administers the fund, said the Grand Staircase-Escalante land swap boosted the trust fund's endowment by roughly $300 million in cash payments and land revenue.

But whether that helped or hurt school funding, he said, is "heavily disputed."

In June, the Garfield County Commission declared a state of emergency, blaming the monument for an unsustainable drop in school enrollment and endangering the area's economy.

But Weiler said the exchange was a win for the state, and similar considerations need to be made if a new monument is designated.

"We were not only made whole, we came out very favorable with the Clinton administration," Weiler said. "We're not dealing with the Clinton administration any more."

Tribune reporter Brian Maffly contributed to this article.
Where is Rob Bishop's promised lands bill?

By Amy Joi O'Donoghue, Deseret News

Published: Saturday, Dec. 12 2015 5:05 p.m. MST

Summary

Rep. Rob Bishop's Public Lands Initiative process is nearly three years in the making and being awaited anxiously by thousands involved in charting out "zones" for 18 million acres in Utah. When will it be released?

SALT LAKE CITY — Rep. Rob Bishop's much-awaited legislation promoted as the panacea to the divisive public land conflicts on 18 million acres in Utah remains under construction, months after he promised maps and language to thousands of interested parties.

Not to worry, the Utah Republican assures.

"My sooner has turned into later. My first effort is to do it the right way, and if that takes longer, I am sorry," said Bishop, who is chairman of the House Committee on Natural Resources.

But in the midst of delays and promises, anxiety over a large swath of public lands in Utah continues to grow, especially in light of a renewed push for President Barack Obama to declare a new monument and questions raised by skeptics wondering if Bishop can pull it off.

With fear that this administration — or the next — will make use of the Antiquities Act and tie up millions of acres of Utah land in a state already dominated by federal land ownership, people are checking the calendar, holding their breath and urging Bishop to quite simply, get it done.

"We've been wanting to see something since March, but we've not seen it yet," said Emery County Public Lands coordinator Ray Petersen. "Through all of this, we will participate as long as it appears to be viable and appears it is going to work."

Bishop, in a recent telephone interview from Washington, D.C., promises the wait will be worth it, even if it stretches several more weeks or longer.

"The bill is going to be exciting. People will win and people will lose. They have to be willing to accept that fact," he said.

The plan

Bishop's so-called "Grand Bargain," has been in the development stages for nearly three years. Its aim is to carve out land use designations in places where there has been inherent conflict over logging, oil and gas development, grazing and other industry activity and includes provisions for the establishment of new wilderness areas. It also includes protections for high-value recreation destinations.

The bill promises victory and some defeat to all the parties at the negotiating table in the eight impacted counties. It also includes a prohibition against any future presidential monument designation via use of the Antiquities Act — a component Bishop insists on being in the bill.

Some critics say prohibiting the presidential use of the Antiquities Act in eastern Utah under the Bishop bill could be a deal killer.
"Any legislation with an Antiquities Act exemption will fail, as a president won't sign legislation that relinquishes this long-standing executive branch authority," said Scott Groene, executive director of the Southern Utah Wilderness Alliance.

Bishop said the whole point of his Public Lands Initiative process is to provide certainty — guarantees about acceptable land uses that county leaders, recreationists, industry and conservationists can count on in the years to come. That certainty can be annihilated with the swipe of a presidential pen via monument creation, so Bishop questioned the point of eking out such hard-fought compromises, only to have them effortlessly undone.

Ashley Korenblat, owner of Moab-based Western Spirit Cycling and heavily steeped in promoting the region's recreation economy, has been a key player in Bishop's land initiative.

She said she is optimistic that the public lands initiative can be successful, if it does not get derailed by ideology.

"The reality is there is a deal and all the pieces of the deal are on the table," she said. "The question is whether ideology will blow up the deal."

Korenblat added that if the bill is everything she think it will be, the need for the Antiquities Act in this area of the state goes away.

"That is why if we get a bill that makes sense that covers enough acreage it is super unlikely there would be a monument designation anyway."

Korenblat said she believes the beauty of the deal is that everyone will get something they need.

The impacts

The School and Institutional Trust Lands Administration, with much of its land tied up in checkerboard parcels not readily accessible, will be able to consolidate some of its holdings in exchange for trading land to the Bureau of Land Management that has recreation or scenic values.

"It makes sense to get them out of some places where they can't make money for the schoolchildren and into some places that could," she said.

John Andrews, associate director and chief legal counsel for the trust lands administration, said that as an example, the organization would give up lands to the Bureau of Land Management in the Cedar Mesa area and in close proximity to Arches and Canyonlands national parks. In exchange, SITLA would receive parcels with revenue potential near the city of Green River and in Lisbon Valley in San Juan County.

"I think as we look at it, it is good to provide some finality about what should be in a conservation designation and what would not," he said. "We have devoted a significant portion of our time to try to come up with something that will work for the conservation community as well as our trust beneficiaries."

Korenblat said the recreation community stands to achieve significant progress via the bill as well, which is critical for both outdoor enthusiasts and state and local coffers.

"Recreation stands a lot to gain as well because the Mighty Five is not enough," she said. "Nobody spends their entire vacation within the boundaries of a park."

Petersen said he and his colleagues are anxious to see what Bishop is able to deliver.

"We, along with others, are anxious to see the language," he said. "With that being said, the folks in Washington are the experts on this, and so we are relying on them to do their job."

Bishop said he's tweaking some of the language in the bill because it was too vague. The ambiguities would give too much discretion to regulatory agencies and create room for conflict, he said.
"I want to tighten it up as much as possible," he said. "I want to write it so that five years from now we are not engaged in a lot of lawsuits because we don't know what the words mean. There is a lot of latitude in it for personal interpretation, and if I let that stand, all of I have done is postpone lawsuits in the short-term and guarantee them in the long run."

Bishop specifically mentioned recent resource management plans released by the BLM in the wake of the Washington County Lands Bill signed into law in 2009. The plans are the next step in carrying forward land management for the southern Utah region.

However, the Washington County Commission has objected strongly to the BLM's interpretation of the law and says the agency is ignoring compromises negotiated in good faith on a number of issues, including a northern transportation route and land that is now being proposed to be managed for its wilderness characteristics.

For that reason, Bishop says he wants to shore up the imprecise language in his legislation.

"Especially with what is happening in Washington County … I think we need to have that kind of security for local leaders."

Korenblat, even as time has drawn on over the Bishop bill, is not frustrated by the wait.

Over the years, she has worked on 30 lands bills around the country — and this one is complicated because it covers such a big area, she said.

"What the Bishop bill does is move to a 21st century plan for Utah's public lands," she said, "But it comes back to the pieces. A lot of different groups would get a lot out of this bill; I really think it is a grand bargain. … The real question is if we are going to let the extremists run the show. By definition, the extremists don't want to cut a deal. They want the extreme."

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Colorado Public Radio - [Colorado Matters](http://www.coloradomatters.org)

**American Indian Coalition Proposes Bears Ears National Monument**

By [Shanna Lewis](http://www.deseretnews.com) Dec 17, 2015

Listen

**Audio: Regina Lopez Whiteskunk speaks with Ryan Warner**

A coalition of American Indian tribes including Colorado's Ute Mountain Ute, are working to protect lands in southern Utah. They've proposed a new, 1.9-million acre national monument called "Bears Ears" that borders the Ute Mountain Ute Tribe reservation in southwest Colorado. Regina Lopez Whiteskunk represents the Ute Mountain Ute on the Bears Ears coalition. She told Colorado Matters
Our Turn: Tribes unite to protect lands

Eric Descheenie and Alfred Lomahquahu, AZ We See It 6:25 p.m. MST December 20, 2015

At this month’s United Nations Conference on Climate Change, there was increased recognition for the need for all leaders to work collaboratively with indigenous peoples, the original caretakers of the earth, to solve the world’s problems.

The Indigenous Elders And Medicine Peoples Council released a statement emphasizing how, “we must work in unity to help Mother Earth heal so that she can bring back balance and harmony for all her children.”

This is exactly what Native American tribes are doing to protect our ancestral lands - the Bears Ears, beautiful forest and high plateau lands located in San Juan County, Utah. This is a place of traditional religious significance to tribes of the southwest United States.

Our people have lived in the Bears Ears country since time began. The land is a unique place where we practice religious traditional rights for the purpose of attaining or restoring health for human communities and our natural world as an interconnected and inextricable whole.

Traditional leaders depend on the preservation of these lands for healing. Yet despite this connection, this landscape remains unprotected, leading to ongoing looting and rampant destruction of the structures, artwork and grave sites. These acts literally rob Native American people of spiritual connections, as well as a sense of place and history.

In Paris, the Indigenous Elders And Medicine Peoples Council talked about the shared responsibility to “create real solutions and do something right for the future of all life.” In that vein, the five sovereign tribal governments of the Ute Mountain Ute Indian Tribe, Uintah and Ouray Ute Indian Tribe, Zuni Tribe, Hopi Tribe, and Navajo Nation delivered a formal proposal in October requesting U.S. President Barack Obama exercise his authority via the Antiquities Act to designate the Bears Ears a national monument.

Our proposal combines both Western science and Traditional Knowledge in establishing something never accomplished before; true collaborative management between the United States government and five Indian Nations. It has the potential to shape intergovernmental cooperation throughout the country and the world, as we help turn back the tide of the exploitation that injures us all.

This came from local tribal members’ years of work living in southeastern Utah. In 2012 local tribal members tried to work with local county officials and Congressional leaders to protect Bears Ears. This effort was intended to participate in the Utah Congressional Public Lands Initiative aimed at resolving some of Utah’s most challenging public land disputes, due in part to proposed development through mining and energy extraction.

After having their input routinely pushed to the side or not considered altogether, these leaders shifted their attention to neighboring tribes who also maintain traditional relationships with the Bears Ears. Responding to the injustice sustained, the people’s torch was willfully handed to our unified governments. In doing so, we evoke and elevate our people’s rights to a true government-to-government relationship, an even stage earned on the backs of our ancestors.

The Bears Ears Inter-Tribal Coalition stands with our people. Our intention is to preserve and protect our ability to heal as a people. The land must be able to provide for a healthy and satisfying life now and into the future. Our children-all of our children-depend on it.
In our opinion: Efforts toward federal land compromise applauded

Deseret News editorial
Published: Monday, Dec. 21 2015 12:10 a.m. MST
Updated: 14 hours ago
Utah Rep. Rob Bishop, more than anyone, should be applauded for his efforts to bring a compromise solution in the way 18 million acres of federal land in Utah is managed, but time may be running out. With a stroke of his pen, President Barack Obama could declare a national monument in southeastern Utah that would destroy all efforts toward a fair and democratic solution to the needs of everyone involved.

The president has been pressured to do so, and such an outcome seems especially likely without a credible counterproposal wending its way through Congress.

Bishop’s long-promised lands bill, his “grand compromise,” simply can’t wait much longer.

And because it would do little good to pass such a measure only to have it vetoed, he needs to abandon his plan to include a provision that would suspend the president’s right to create a monument under the power granted him by the Antiquities Act.

Bishop is right to disdain that act, which was signed into law in 1906 and which has been used in recent years to circumvent a democratic process for political purposes. He also is right when he notes that Alaska and Wyoming have been exempted from the act and when he talks about the need for certainty about land uses.

But if standing on principle keeps a historic grass-roots solution on land management from becoming law, it would accomplish nothing. In any event, with a grand compromise solution in place, the creation of a monument becomes unnecessary and politically unpalatable.

Utahns should be hopeful Bishop’s process succeeds and that it resolves a host of conflicting interests about land issues. While he has indicated that no side will be entirely happy with the result, his process could ensure a consensus that preserves genuine antiquities — perhaps even
with an agreed-upon monument — while providing for recreation and reasonable extraction. Best of all, it could greatly increase the chances for lasting peace on contentious issues.

But several months have passed since he said the bill would be forthcoming. He told the Deseret News earlier this month he was tightening language to head off potential lawsuits. Such a concern is understandable, but there simply isn’t time. Perhaps Bishop is attempting too large of a solution at once. Maybe he would be better served to propose piecemeal legislation that focuses first on the counties where consensus is clearest, or where the need is greatest. Even such a smaller approach would send a clear signal to Washington that Utah is serious about forging a meaningful solution. A series of smaller, successful measures would be better than one grand measure that fails.

A lot is riding on this process. The nation needs the mineral and energy extraction that could come from unlocking vast underground resources on nonsensitive land. Local communities need assurances they can have access to the economic means for survival. Native Americans need assurances that they will have continued access to sacred lands, and that those lands will remain pristine. And outdoor recreationists, another vital part of the local economy, need certainty, as well.

Bishop’s efforts demonstrate that Utahns are just as sensitive to these needs as anyone in Washington, if not much more so. But with the clock running on Obama’s second term, time is of the essence.

—

**Education leaders weigh in on a new monument's threat to funding**

By [Morgan Jacobsen](https://deseretnews.com), Deseret News

Published: Wednesday, Dec. 30 2015 6:15 p.m. MST

**Summary**

With the looming possibility of a new national monument or two in Utah, education officials are urging state and national leaders to be mindful of the impacts a new designation could have on schools.
SALT LAKE CITY — With the looming possibility of at least one new national monument in Utah, education officials are worried such a designation could negatively impact funding for schools.

This year, Utah's School Institutional Trust Fund generated its largest payout to date of $45.8 million, all of which went to school community councils to use as they wish.

The revenue comes from interest on a $2 billion permanent account as well as revenues generated by 3.4 million acres of state land managed by the School and Institutional Trust Lands Administration, known as SITLA.

In an effort to protect the funds, the Utah State Board of Education this month unanimously adopted a resolution asking lawmakers to hold school trust lands harmless should the president or Congress designate wilderness areas or create a new national monument in the state under the Antiquities Act.

That would likely include swapping school trust land with federal land elsewhere, similar to an exchange that occurred following the Grand Staircase-Escalante monument designation, according to Tim Donaldson, director of the School Children's Trust at the Utah State Office of Education.

"There's discussion about the possibility, or even probability, of similar designations in 2016, whether they're monuments or wilderness," Donaldson said at a December State School Board meeting. "We want the schoolchildren of the state to be held harmless financially and for those impacts to be considered and fully mitigated."

What has education leaders worried is the possibility that President Barack Obama would designate a national monument in the Bears Ears, about 1.9 million acres of archaeologically sensitive land in San Juan County. That designation would likely collapse a developing public lands initiative headed by Utah Reps. Rob Bishop and Jason Chaffetz that would bring many other changes to public land management in Utah.

While Bishop's proposal also includes a monument designation, as well as a new national park and designated wilderness areas, it involves months of collaboration with local stakeholders, including SITLA, where an executive designation would not.

SITLA doesn't inherently oppose monument or wilderness designations in the state, but the administration has voiced its support for the State School Board's resolution to find suitable trades in advance of a designation, according to Kim Christy, deputy director of the Trust Lands Administration.

"We wholeheartedly applaud the State Board of Education for acting on this resolution, because it definitely represents our perspective on the issue," Christy said Wednesday. "If, in fact, a monument designation is going to take its course, we want to make sure that the consideration for trading out these lands occurs upfront in this process, rather than after the fact."

Two years following the designation of Grand Staircase-Escalante National Monument by former President Bill Clinton, federal and state leaders agreed on a land exchange for school trust lands that earned about $300 million for the state's school trust fund and unlocked thousands of acres of trust lands in other areas, according to Donaldson.

But future designations may not end up so favorably, according to Utah Sen. Todd Weiler, R-Woods Cross, who also endorsed the State School Board's resolution early this month.

"We were not only made whole; we came out very, very favorably with the Clinton administration. But we're not dealing with the Clinton administration anymore," Weiler said. "There's no guarantee that lightning will strike twice."

Weiler said he and Rep. Brian King, D-Salt Lake City, are considering bringing a similar resolution before the Legislature early next year.
"If we do have another national monument come next year, we should be united as a state and as a Legislature and as a school board that it should not capture and diminish our school trust lands," he said. "We need to trade out or be financially compensated with money to go into the permanent school fund to hold us harmless if that happens."

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For Immediate Release

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BEARS EARS COALITION FORCED TO BREAK OFF NEGOTIATIONS WITH CONGRESSMEN CAUSED BY BROKEN PROMISES AND MISSED DEADLINES

DECEMBER 31, 2015 — On December 31st, the Bears Ears Inter-tribal Coalition sent a formal letter, which is attached, to Utah Congressmen Rob Bishop and Jason Chaffetz, discontinuing discussions over including tribal objectives in the Congressmen’s Public Lands Initiative. The PLI is a process initiated in 2013 by Congressman Bishop to resolve long-standing disputes over conservation on federal public lands in Eastern Utah.

The Hopi, Navajo, Ute Indian Tribe, Ute Mountain Ute, and Zuni Tribes created the Bears Ears Inter-Tribal Coalition in July of this year with the mission to protect and preserve the Bears Ears region in Southern Utah. The sovereign-led proposal is formally supported by an additional 19 Tribes as well as the National Congress of American Indians.

The tribes developed a comprehensive proposal for a 1.9 million acre Bears Ears National Monument, encompassing a glorious landscape that had been tribal homeland since time immemorial. Indian people were forcibly removed to reservations starting in the mid 1800’s. The area is now federal public land.

The tribes submitted a detailed and creative proposal to President Obama on October 15th. The President has broad authority to create National Monuments under the Antiquities Act of 1906, and Bears Ears is a leading candidate. The Coalition is hopeful that the President would grant Bears Ears monument status, but decided to try first the Congressional route of the PLI to satisfy recommendations of the Utah delegation.
“Our proposal confirms tribal cooperation and support and is at its core a process of healing, not only for our people, but our land,” stated Zuni Councilman Carleton Bowekaty.

In its letter, the Coalition detailed a long and callous PLI pattern of “not taking seriously” the concerns of tribes. In numerous meetings, the tribes put forward compelling, specific reasons for protecting Bears Ears. But the Coalition never received any responses to the proposal, positive or negative, just continuing delay.

This has been a problem with the PLI, which has been consistently plagued by missed deadlines. PLI representatives promised a draft proposal by November 30th, and then guaranteed delivery of a report by December 30th, but the draft report has never been delivered. The Coalition still had not received any idea of what the PLI intends to do.

The tribes also faced outright discrimination by the San Juan County Commission. The Commission promised to include the tribal proposal in its citizen survey, but then reneged. A write-in campaign ensued and the tribal proposal received an overwhelming 64% of the votes. The Commission then recommended an industry-supported proposal which received less than 1% of the votes. The Coalition’s letter described this as “extraordinary unfairness” and “the kind of raw, heavy-handed political overreaching rarely seen in America today.”

“Hopi has been instructed to speak and act with the full authority as a sovereign tribe in order to protect all Tuwakatsi, which includes Bears Ears. As Vice Chairman, I stand by my people’s priorities to do so as a member of our Coalition”, stated Bears Ears Co-Chair Alfred Lomahquahu.

The tribes concluded that the Coalition had “no choice” but to discontinue PLI negotiations. Now the tribes will turn to the Obama Administration for monument designation under the Antiquities Act. President Obama has on several occasions welcomed tribal national monument proposals.

Ute Mountain Ute Councilwoman Regina Lopez-Whiteskunk stated, “The President has a responsibility to think and act to take care of her because we all share one mother, and that’s Mother Earth.”

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Tribes cut off talks with Utah delegation over public lands bill

Published: Thursday, Dec. 31 2015 1:40 p.m. MST

Summary

The Bears Ears Inter-Tribal Coalition is calling off discussions with Reps. Rob Bishop and Jason Chaffetz on the Public Lands Initiative process, saying they are disgusted by the missed deadlines and are fed up with not being taken seriously.

SALT LAKE CITY — Fed up with what it says are constant blown deadlines and not being taken seriously, the Bears Ears Inter-Tribal Coalition said it will pursue a new monument designation with the Obama administration and is bowing out of discussions on the Public Lands Initiative process.

The public lands bill — which has yet to be unveiled by Rep. Rob Bishop, R-Utah — called for setting up a National Conservation Area to protect the Bears Ears Butte area in San Juan County, but the coalition said it has yet to see a definitive proposal.

"The promised draft (Public Lands Initiative) was never delivered," said a letter sent Thursday to Bishop and Rep. Jason Chaffetz, R-Utah. "All of this is consistent with the PLI's repeated failures to meet deadlines. Our five sovereign tribal nations, and our carefully drafted comprehensive proposal, deserve far more than that."

Leaders of the coalition, meanwhile, say they have been to Washington, D.C., eight times to meet with members of the Utah delegation, detailing their proposal for a monument designation to protect 1.9 million acres in the Bears Ears area, which they consider a sacred place of healing. The nations in the coalition are the Hopi, Navajo, Uintah and Ouray Ute, Ute Mountain Ute and Zuni.

"At each of those meetings we made extensive statements complete with maps and a summary of the proposal. At all of these meetings, both in the field and in Washington, D.C., we asked for comments on our proposal. … It was to no avail."

The coalition said its representatives were treated in a "polite and friendly" way, but no substantive comments — either negative or positive — were made by the delegation or their staff on the Bears Ears proposal.

Bishop has insisted that such a sweeping proposal for a large monument designation would be the worst thing that could happen to the area, cutting off access by the tribes and everyone else. Instead, he has pushed to institute protections in his public lands bill, which is still being crafted and has been met with delays.

On Thursday, he dismissed the complaints of the coalition and said its members do not represent the desire of local Native Americans in San Juan County who would be impacted by the proposal.

"The Native Americans who live in Utah and who would be most impacted by a national monument do not support the proposal of this group. One of our efforts has been to reconcile this proposal with what Utah Navajos want, and a monument is not the solution," he said in a prepared statement.

"A structured conservation area would allow Native Americans who live in the area to use this land, and have the ability to maintain their traditional activities with the least amount of federal interference. It is
clear this self-appointed coalition has an agenda that we need to reconcile with the wishes of those who actually call Utah home.”

The coalition, however, said it is frustrated and angry over Bishop's broken promises on legislation they have yet to see in a process they said has left them disenfranchised.

Alfred Lomahquahu and Eric Descheenie, coalition co-chairmen, said they were promised a look at Bishop's draft bill as early as November so they could compare the two proposals and determine the next steps forward.

At a Nov. 30 meeting of both sides — when it was clear the deadline would be missed — the coalition said it was promised a draft of the legislation — at the latest — in a meeting set for Dec. 30.

The meeting, the coalition said, was canceled by Chaffetz's representatives, leading coalition members to instead discuss their options and experience with the Public Lands Initiative process.

"We have come to the conclusion that we have no choice but to discontinue these discussions," the letter said. "Our strenuous efforts to participate in the (Public Lands Initiative) process, and related proceedings before that over the course of the past six years, have been consistently stonewalled. We have never been taken seriously."

But some critics of the coalition's Bears Ears proposal say it is meant to hijack Bishop's public lands bill and notably is designed to upend any of the concessions reached in San Juan County.

Under Bishop's bill, which he concedes has taken far longer to construct than he anticipated — land uses for some 18 million acres in the eastern half of Utah would be designated or carved out in a landscape style approach to zoning. The idea behind the public lands bill is to forge a coalition of support from county leaders, outdoor industry representatives, environmental groups, the grazing community and extractive industries on what land is best suited for what use, and settle contentious disputes among the land's users.

His bill, in addition to protecting high-value recreation areas and designating new wilderness areas, calls for transforming and improving Dinosaur National Monument into national park status and creating a new national monument at the Cleveland-Lloyd Dinosaur Quarry.

The process to arrive at a draft has been tedious, involving meetings among thousands of stakeholders and dozens of road trips to eke out a compromise that Bishop has promised will be "grand" but ultimately will leave everyone getting something, but not everything.

The coalition has complained that the San Juan County process to arrive at land use designations cut them out and was manipulated to eliminate the coalition's Bears Ears proposal. That, coupled with the Utah delegation's attitude, now has them pinning their hopes on President Barack Obama.

"We don't feel we can wait any longer before engaging with the Obama administration concerning our proposal in the hope they will advance our proposal via the Antiquities Act," the letter said.

San Juan County officials have insisted that their land use proposal represents the majority of Native Americans who live there.

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Unhappy with ‘lip service’ from Utah delegation, tribes to take request for Bears Ears monument straight to Obama

By BRIAN MAFFLY | The Salt Lake Tribune
First Published 12-31-15

The multi-tribal coalition pushing the Bears Ears conservation initiative has cut off discussions with Utah's congressional delegation after months of what it characterizes as inauthentic lip service to its interests, non-committal assurances, refusal to engage its representatives and failures to meet deadlines.

The five-tribe group is now focusing its national monument case exclusively on the White House as President Obama's tenure enters its final year, according to a letter it sent Thursday to Republican Reps. Rob Bishop and Jason Chaffetz.

The tribal group is incensed by the Utah delegation's apparent refusal to incorporate a conservation vision for the scenic and sacred landscape bound by San Juan County's Cedar Mesa and Abajo Mountains into the public lands initiative (PLI) Bishop and Chaffetz are leading. After nearly three years of work gathering input from several eastern Utah counties, the congressmen have yet to introduce legislation, blowing one deadline after another.

The delegation's failure to releases a draft bill by a Dec. 30 deadline was the last straw.

"Our strenuous efforts to participate in the PLI, and related proceedings before that over the course of the past six years, have been consistently stonewalled. We have never been taken seriously," the Bears Ears Inter-tribal Coalition wrote. "Our five sovereign tribal nations, and our carefully drafted comprehensive proposal, deserve far more than that."

Instead of working with Congress to establish a conservation zone around this 1.9 million-acre area, the tribal group, co-led by the Navajo and Hopi tribes, will seek a monument designation under the Antiquities Act. Such a "unilateral" action would inflame many rural Utahns, but the tribes contend state and local indifference to their proposal has given them no choice but to petition the president.

A spokeswoman for Chaffetz, whose district covers San Juan County, did not immediately respond to email and text messages.

Bishop, Chaffetz and their staffers have convened dozens of meetings with local stakeholders to craft proposals that were hoped to resolve long-standing land-use conflicts on Utah's large tracts of public domain. The idea was to get rural counties to agree to some wilderness and other conservation designations in exchange for lifting barriers to development in other less sensitive areas.

But the longer the Utah delegation takes to introduce public lands legislation, the more likely it will lose relevance. That's because the seven counties participated with the aim of forestalling a presidential monument designation in eastern Utah. With Obama leaving office in a year, the door for a deal is closing fast.

In a Dec. 22 appearance on The Salt Lake Tribune's online video chat Trib Talk, Chaffetz acknowledged time is running out.

"We are very close to an introduction. I wish it happened earlier. It's a highly technical bill, blazing some new territory, but Rob Bishop has done a great job leading us, and hopefully we've got something
everybody can buy into," Chaffetz said. He gave no new timeframe for when legislation will be unveiled, but agreed it would have to pass in 2016.

"The only reason we haven't had a monument designation in Utah is we have shown promise in a collaborative way. This bill will get more designation than the president could ever do unilaterally," he continued. "There is optimism on all sides. Nobody gets everything they want, but we are really trying to provide certainty, and do so in a bottom-up process."

But the tribes are anything but optimistic. Their letter says they do prefer a congressional route, but can no longer wait for that. Meanwhile, the Obama administration has already demonstrated a willingness to designate Western monuments proposed by local conservation and tribal groups.

Few unprotected landscapes are more deserving of monument status than Cedar Mesa, backers say. A nonprofit group called Utah Dine Bikeyah launched the Bears Ears campaign in 2010, and has sent delegates to Washington, D.C., eight times and attended numerous PLI meetings.

The region they seek to protect is the highlands west of Blanding and Bluff, inhabited centuries ago by Ancestral Puebloans, or Anasazi, who left behind an archaeological record unparalleled in North America. The Navajo later lived there, but were forcibly removed to make way for white settlement in the 19th century. Ever since, tribes have grieved over what they regard as abuses of their ancestral homeland, according to the letter to the Utah delegation.

"The looting and grave-robbing has been extensive, despicable, and continuous. Irresponsible mining and off-road vehicle use have torn up the ground," states the letter, signed by Hopi Vice Chairman Alfred Lomahquahu and Eric Descheenie, who serves as executive assistant to the Navajo Nation president.

"Generations of misuse and other bad conduct have interfered with, and sometimes nearly destroyed, our gathering of medicines and herbs, sacred ceremonies, family gatherings, and individual prayers and offerings, all the things that heal us and the land."

The coalition letter says that didn't stop the tribes from waging a write-in campaign when the county solicited public comment on various alternatives. Nearly two-thirds of the 457 comments favored Bears Ears, while the county's preferred "heavy development, low conservation" alternative received only two favorable comments, the coalition letter says.

The county's proposal does call for two conservation areas covering 700,000 acres and another 537,000 acres of wilderness, but it also designates a vast "energy zone" where mineral development would receive the highest priority.

County leaders contend they were obligated to consider input only from county residents, and just two tribes have reservations in San Juan County. Additionally, many Utah Navajo, including San Juan County Commissioner Rebecca Benally, oppose a national monument, claiming it would lock Navajo out.

Bears Ears backers say their proposal calls for tribal participation in management and will actually ensure access for traditional activities. Navajo opposition is largely limited to the Aneth Chapter House, one of seven in Utah, which has historically embraced mineral development, according to Herman Daniels Jr., a Navajo Nation delegate representing the Shonto, Naa\'tis\'Áán, Oljato and Ts\'ah Bii Kin chapters. The other six chapters have endorsed Bears Ears by wide margins.

"If Bishop agrees to give precedence to the Native Americans who live in Utah, then he should understand that we have already spoken, and with overwhelming unity, we have asked for Bears Ears to
be protected," Daniels wrote in a Nov. 28 op-ed. "What we have said, and continue to say, is this: It is time to protect Bears Ears, and if it can't be passed in the coming months through the Public Lands Initiative, then the president should declare this living cultural landscape as a national monument for all."

Brian Maffly covers public lands for The Salt Lake Tribune. Maffly can be reached at bmaffly@sltrib.com or 801-257-8713. Twitter: @brianmaffly

Inter-tribal coalition breaks off negotiations over Bears Ears monument

• By Staff report 1/1/16, Logan, UT Herald Journal

Members of the Bears Ears Inter-Tribal Coalition sent a formal letter to Congressmen Rob Bishop and Jason Chaffetz stating they are discontinuing discussions over including objections from the tribes in the Congressmen’s Public Lands Initiative. The PLI, which began in 2013, is an attempt to resolve disputes over the conservation of federal land in eastern Utah. The coalition has been attempting to create the Bears Ears National Monument, and in October, submitted a proposal to President Barack Obama.

Obama has the broad authority to create a national monument under the Antiquities Act of 1906. The coalition decided to first try working with the congressmen using a PLI to help satisfy recommendations of the Utah delegation.

“Our proposal confirms tribal cooperation and support and is at its core a process of healing, not only for our people, but our land,” Zuni Councilman Carleton Bowekaty said in a statement.

The land is currently used for development by the School Land Trust program, the earnings of which are used to fund public education.

The coalition states that the PLI has not taken the concerns of the tribes seriously, citing instances where representatives did not respond to specific questions about what the PLI is intended to do.

Now that the coalition has chosen to cut ties with the congressional PLI, it will now turn to the Obama Administration for the monument designation.

“The President has a responsibility to think and act to take care of her because we all share one mother, and that’s Mother Earth,” Ute Mountain Ute Councilwoman Regina Lopez-Whiteskunk said in a statement shared with the media.

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AP Story - Picked up by Washington Times, Houston Chronicle, Daily Journal (Scotland)

Tribes criticize Utah delegation on monument proposal
SALT LAKE CITY (AP) — Tribal leaders in the Southwest said that they will no longer meet with Utah's congressional delegation on a proposal to designate a section of southeastern Utah as a national monument, and instead take their interests to the White House.

A five-tribe coalition has accused Utah representatives of lip service and a failure to engage. A failure to release a draft bill by a Dec. 30 deadline was the last straw, tribal officials said in a letter sent late last week to Republican Reps. Rob Bishop and Jason Chaffetz.

"Our strenuous efforts to participate in the (Public Lands Initiative), and related proceedings before that over the course of the past six years have been consistently stonewalled. We have never been taken seriously," the Bears Ears Inter-tribal Coalition wrote. "Our five sovereign tribal nations, and our carefully drafted comprehensive proposal, deserve far more than that."

The group said Utah delegates are refusing to include a conservation vision for the landscape bordered by San Juan County's Cedar Mesa and Abajo Mountains into the public lands initiative. They will now focus on petitioning President Barack Obama directly in regards to the proposed Bears Ears National Monument, The Salt Lake City Tribune reported (http://bit.ly/1ZIN8wa).

Other grievances include insincere lip service to their interests, noncommittal reassurances and a refusal to engage tribal representatives.

Chaffetz told The Associated Press on Sunday that the group's assertions were "hollow in nature and void of fact."

"We've had over a thousand meetings, literally a thousand meetings," Chaffetz said. "I spent an hour with them in Washington, D.C. just 30 days ago."

Chaffetz said he doesn't understand why tribal officials are giving up discussions when a bill hasn't even had a chance to be introduced.

"I don't know why they would walk away from the table when we haven't finished the process. But it's their choice," Chaffetz said.

Bishop said the coalition's agenda doesn't incorporate the wishes of Utah Navajos.

"One of our efforts has been to reconcile this proposal with what Utah Navajos want, and a monument is not the solution," Bishop said in a statement. "A structured conservation area would allow Native Americans who live in the area to use this land, and have the ability to maintain their traditional activities with the least amount of federal interference."

The proposed Bears Ears National Monument is named for twin buttes that overlook Cedar Mesa. The 1.9 million-acre area would be bordered to the south by the Navajo Nation and to the west by Glen Canyon National Recreation Area and Canyonlands National Park. The Manti-La Sal National Forest would make up part of the eastern boundary.

American Indian and conservation groups say the area is under constant threat. A handful of tribes want Obama to use his power under the Antiquities Act to proclaim the area a national monument and honor the tribes' inherent connection with the land.

Tribal group abandons Bishop-led Utah initiative (subscription required to access link)

Phil Taylor, E&E reporter

Published: Tuesday, January 5, 2016

A key tribal group has abandoned a public lands effort led by Utah's congressional delegation and plans to ask President Obama to designate 1.9 million acres of the Beehive State as a national monument.

The Bears Ears Inter-Tribal Coalition said last week that its efforts to participate in the Public Lands Initiative led by Republican Reps. Rob Bishop and Jason Chaffetz "have been consistently stonewalled."

"We have never been taken seriously," the group said in a Dec. 31 letter to the congressmen.

The decision could mark a major blow in the lawmakers' effort to pass legislation setting aside roughly 18 million acres in several eastern Utah counties for conservation, recreation and energy development.

The tribal coalition, which consists of the Hopi, Navajo, Ute Indian, Ute Mountain Ute and Zuni tribes, has been lobbying to designate a 1.9-million-acre conservation area in San Juan County called Bears Ears, which refers to a pair of buttes that rise thousands of feet above the juniper-speckled Cedar Mesa.

The area is chock full of Native American cultural and sacred sites and abuts both the Canyonlands National Park and Glen Canyon National Recreation Area.

The coalition's proposal is about twice the size of a plan adopted in August by the San Juan Commission that would zone some lands primarily for energy development -- which was historically a significant economic driver in San Juan -- while releasing wilderness study areas into multiple use and securing access for motorized travel, among other provisions.

The three-member commission includes Rebecca Benally, a Navajo who has said "grass-roots Utah Navajos" oppose a national monument designation.

Bishop and Chaffetz have said they plan to largely defer to county officials when crafting their lands bill.

"The Native Americans who live in Utah and who would be most impacted by a national monument do not support the proposal of this group," Bishop said.

In October, Bishop, Chaffetz and Utah's two Republican senators said the coalition is "an important stakeholder" and is among 65 entities that submitted proposals for public land management in eastern Utah.

"We remain committed to reviewing each proposal and producing a final PLI bill that is balanced and broadly supported," the delegation said at the time.

Bishop yesterday said a "structured conservation area" would ensure tribes in the area can continue to use the land for traditional activities "with the least amount of federal interference."

"It is clear this self-appointed coalition has an agenda that we need to reconcile with the wishes of those who actually call Utah home," he said.
Yet the longer Bishop and Chaffetz wait to introduce a public lands bill, the more leverage the coalition will have to push a presidential monument designation under the Antiquities Act. The PLI began in earnest in early 2013, but the release of a map or legislation has already been pushed back a handful of times.

The tribal coalition said PLI representatives promised a draft proposal by the end of last November and later promised a report by year's end, but nothing was delivered.

Tribes say they've made two dozen presentations at PLI meetings and made eight trips to Washington, D.C., to meet with Utah's congressional delegation.

"It was to no avail," they said in the letter. "In no instance did anyone from the Utah delegation or the PLI make a single substantive comment, positively or negatively, on our proposal."

In a statement provided to E&E Daily last night, Chaffetz said he was confused by the coalition's criticism.

"This letter is unexpected and confusing," he said. "The Coalition spent more than an hour in my Washington D.C. office just weeks ago where we discussed a timeline for legislation. This timeline extended well into the New Year and the December 30th date amounted to nothing more than a scheduling conflict. Regardless of the Coalition's decision to walk away, the delegation will present a proposal that preserves sacred sites and protects historical access and use of the Bears Ears."

The coalition certainly has the ear of the Obama administration.

Last July, tribal officials hosted an open-air meeting at Bears Ears with Assistant Secretary for Indian Affairs Kevin Washburn, National Park Service Director Jon Jarvis, BLM Deputy Director Steve Ellis, and the Agriculture Department's deputy undersecretary for natural resources and environment, Butch Blazer. It's a strong sign that the lands are on the president's radar for executive protections.

The coalition proposal is endorsed by an additional 19 tribes and the National Congress of American Indians, as well as conservation groups including the Conservation Lands Foundation, Grand Canyon Trust, National Trust for Historic Preservation, Friends of Cedar Mesa and Utah Diné Bikéyah, a Navajo nonprofit.

The San Juan Commission's proposal falls short of what's needed to protect a region that contains an estimated 100,000 cultural sites that have been plundered by a century of looting and vandalism, the tribal coalition has said.

"Ever since the 1800s, when all Indian people residing in the Bears Ears area were forcibly removed, we have grieved and suffered great pain over the treatment of these ancestral lands," the coalition wrote.

Conservation groups have supported the PLI since its inception, yet some key stakeholders have privately become doubtful over whether the effort will ever bear fruit.

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**Native American Tribes To Pursue Bear Ears National Monument With President Obama**

By Kurt Repanshek on January 4th, 2016, National Parks Traveler (blog)

A coalition of Native American tribes, frustrated with trying to work with Utah congressmen and county officials, says it will turn to President Obama to designate the Bears Ears National Monument.
Five Native American tribes pushing for a national monument in southern Utah that would protect their ancestral homelands have abandoned efforts to achieve the goal with help from U.S. congressmen Rob Bishop and Jason Chaffetz, both Utah Republicans, saying they have "been consistently stonewalled. We have never been taken seriously."

Instead, the tribes -- Hopi, Navajo, Zuni, Uinta and Ouray Ute, and Ute Mountain Ute -- say they will seek President Obama's use of the Antiquities Act to create the 1.9-million-acre monument by presidential decree.

In a letter sent Dec. 31, the tribes said their contributions to the Public Lands Initiative process overseen by the congressmen have been ignored by the San Juan County (Utah) Commission, which they were told to work with, and by the delegations themselves. Along with presenting their proposal during more than two dozen meetings in Utah, the tribes made eight trips to Washington, D.C., to meet with the representatives' staffs.

"At all of these meetings, both in the field and in Washington, D.C., we asked for comments on our proposal. Our extensive and unwavering efforts to engage in the PLI process are cataloged in great detail in Exhibit One of our proposal," read the letter, which was signed by Alfred Lomahquahu and Eric Descheenie, co-chairmen of the Bears Ears Inter-tribal Coalition. "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 proposed monument envisioned by the tribes would protect a landscape that was once their homeland, where "looting and grave robbing has been extensive, despicable, and continuous. Irresponsible mining and off-road vehicle use have torn up the ground. These and other actions have violated and despoiled our ancestors' homes and other structures."

The lands the tribes would like to see included in the monument currently are governed by entities including the National Park Service, the U.S. Bureau of Land Management, and the U.S. Forest Service.

The Bears Ears land is a unique cultural place where we visit and practice religious traditional rights for the purpose of attaining or resuming health for ourselves, human communities, and our natural world as an interconnected and inextricable whole. When we speak about health, we are not only talking about an individual, we are talking about one’s health in relation to others around us and that of the land.

Our traditional ways of ceremony using Bears Ears medicinal herbs and place, when conducted, negotiate ailing life or communities to health. Ruining the integrity of these lands forever compromises our ability to heal. Western medicine is not the only means to health, as shown in other cultures across the globe. The continuity of indigenous traditional medicine is in peril so long as lands like the Bears Ears are not protected.

Characterized by topographic diversity and striking landforms, Bears Ears ranges in elevation from 3,700 feet to more than 11,300 feet. 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 proposal area represent federally owned public lands, which are currently managed by the Bureau of Land Management (BLM), Forest Service, and National Park Service. Much of this land is comprised of BLM Wilderness Study Areas and Forest Service Inventoried Roadless Areas.
'Ranchers' Demand Less Protected Lands; Native Tribes Call for More

Posted: 01/05/2016 12:35 pm EST Updated: 01/05/2016 1:59 pm EST
HuffPost Politics Blog

The first time we saw the Sandhill Cranes, Frank and I felt like we were in heaven. Rounding a corner in a residential neighborhood in Kissimmee, Florida in 1996, we came upon a flock of these elegant, statuesque birds, almost five feet tall, their gray bodies capped with a bright red patch on their head. They were in the median dividing two lanes, leaping up and flapping their wings, displaying and calling to each other in a fascinating mating ritual. We watched in delight from the curb, and wrote rapturously about the experience in the next issue of our environmental newsletter.

Thus began our love affair with Sandhill Cranes, and units of the National Wildlife Refuge System where they live in large numbers. We're wildly anticipating fulfilling our dream this March and seeing the Great Sandhill Crane Migration in Nebraska.

So when I learned that one of our country's National Wildlife Refuges had been seized by armed militia challenging the federal government to reduce the amount of land it protects, I found the idea shocking and preposterous on multiple levels. It strikes me as a dangerous escalation in a movement that seeks to seize and sell off our publicly owned lands.

First, the 630-plus million acres of land that we have in protection belong to the entire American population - not to any one segment or interest group. The wildlife refuges in particular are set aside for the propagation of wildlife species. The Malheur National Wildlife Refuge where the siege is underway was established after a wide-scale slaughter of birds in the region was brought to the attention of President Theodore Roosevelt. The President used his executive authority to set aside the area "as a preserve and breeding ground for native birds." Takeover by an armed militia is definitely inconsistent with that purpose.

Secondly, this insurrection disrupts the rhythm of life for the animals in the preserve, and deprives the workforce and visitors of the right to use the facilities that all Americans collectively pay for with our tax dollars.

But in a stark demonstration of contrasting values, while this faction of extremist 'ranchers' flout our laws and demand that the federal government reduce the land set aside for public use, the original inhabitants of the American landscape are petitioning President Obama to protect MORE land for the benefit of this and future generations.

Members of the Hopi, Navajo, Utes, Ute Mountain Utes and Zuni and others in the Bears Ears Intertribal Coalition are calling on President Obama to use his executive authority to protect their sacred lands in the Bears Ears, Utah, as a national monument. The area includes the ancestral homelands of their forebears going back many millennia, and monument status would protect these lands from continued destruction and save the archeological and cultural records they contain for this and future generations.

I can't help chuckling at what it means when extremist 'ranchers' who are relative newcomers to the land want less of it to be saved for the American public, but the Natives to whom all the land originally belonged want more to be protected for posterity.
I expected 2016 to be The Year of Public Lands as it marks the much-anticipated Centennial Celebrations of the National Park Service. I felt our forests and national wildlife refuges would get a much needed boost of national attention from the overflow of media attention. I was confident things were on track when the National Parks headlined the Rose Parade in Pasadena New Year's Day, and the venerated CBS Sunday Morning Show January 3 closed with a salute to the Centennial, its Moment of Nature featuring Yellowstone National Park.

How could I have known that our wildlife refuges would be topping the national news because of a siege? I am trusting that law enforcement will safely and speedily restore the rule of law and bring those responsible to justice.

For the integrity of our protected lands system and the web of life represented by the Sandhill Cranes and other wild creatures in our national parks, refuges and forests, we the people need to step up. Let the media and our elected officials know that we value our protected lands and we want more, not less of our nation's resources to be conserved for our future.

Follow Audrey Peterman on Twitter: www.twitter.com/Audreypete

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**As 2016 begins, deadline nears for Public Lands Bill**

San Juan Record - Jan 06, 2016

With less than one year remaining in the Barack Obama presidency, time is beginning to run short for the Public Lands Initiative sponsored by Utah Congressmen Jason Chaffetz and Rob Bishop.

The two members of Congress have worked for the past three years on a “Grand Compromise” bill to settle many of the public lands issues in southeast Utah. The bill, which was expected to be introduced in the House of Representatives several months ago, is an attempt to find room around the table for all of the interested parties and find a compromise agreement.

As 2016 begins, there is still no sign of the bill and supporters of the effort are beginning to become nervous. A looming deadline is the close of the Obama administration at the end of the year.

In his 2014 State of the Union Address, President Obama threatened the use executive action under the Antiquities Act to unilaterally declare national monuments. It is thought that Obama may act if Congress fails to proceed.

Supporters of the proposed Bear Ears National Monument announced on December 31 that they have lost patience and are discontinuing discussions with the Congressmen over including tribal objectives in the proposed bill.

The Bears Ears proposal is to create a 1.9-million acre national monument on a massive section of public land in and around the Bears Ears in central San Juan County. The proposal has the support of Native American tribes, including the Hopi, Navajo, Ute and Zuni tribes.
The proposal was first introduced to the public this summer, just as San Juan County was finalizing an exhaustive multi-year process to develop its own recommendation.

The county created a Public Lands Council that worked behind the scenes to develop a recommendation for the bill. After dozens of meetings and several series of public hearings, the county submitted a proposal that included the support of all three Commissioners.

County officials state that the local process was exhaustive and as inclusive as possible. “We needed to balance the requests of everyone,” said one county official. “Our recommendation includes Native American interests, as well as grazing, recreation, mining, and wilderness. We invited participation and input from every party and tried to get everyone to the table.”

The Bears Ears Coalition tells a different story, stating that “the tribes also faced outright discrimination by the San Juan County Commission. The Commission promised to include the tribal proposal in its citizen survey, but then reneged.”

Bears Ears supporters claim that “a write-in campaign ensued and the tribal proposal received an overwhelming 64 percent of the votes. The Commission then recommended an industry-supported proposal which received less than one percent of the votes.”

“There was no ‘tally of votes,’” said the county official. “In fact, the tribal proposal hadn’t even been released yet.”

Prior to the release of the Bears Ears proposal, Dine Bikeyah supported a plan that would have created National Conservation Areas (NCA) in portions of the county. The county official said that the two proposals supported by the tribal groups are significantly different from one another.

“We integrated the Dine Bikeyah concepts into much of what we did,” said the official. “In fact, our final proposal includes two NCAs and 17 wilderness areas.”

Outdoor Retailer Daily 1/6/2016

Q&A. Terry Tempest Williams, author, conservationist, icon, OIA Industry Breakfast speaker

How can we save our national parks and meet the miraculous? Terry Tempest Williams is more than an author, more than a conservationist. Her work — which explores the personal and political in relationship to the pure beauty of the landscape in groundbreaking books like *Refuge* and *Finding Beauty in a Broken World* — sets her apart as one of the great nature writers of our era. But, as she showed when she spoke to show attendees at yesterday’s OIA Industry Breakfast, she is also a moral compass, a voice that can help us find a better way to live and protect the wild.

WHAT WAS THE INSPIRATION FOR YOUR UPCOMING BOOK, THE HOUR OF LAND: A PERSONAL TOPOGRAPHY OF AMERICA’S NATIONAL PARKS? We, the people, have made
mistakes. We have made mistakes in our relationships with those who came before us and the land that holds their histories. We have made mistakes in how we have managed and misunderstood the wild. But after spending a lifetime immersed in our national parks, I believe we are slowly learning what it means to offer our reverence and respect to the closest thing we as American citizens have to sacred lands. Our national parks are places of recognition. When I see a mountain lion’s tracks on pink sand in the desert, I am both predator and prey. When I see the illusive Everglade kite hovering above sawgrass, I am that manifestation of hope and survival. And when I visit the Women’s Rights Historical Park in Seneca Falls, New York and listen to Sojourner Truth’s speech, “Ain’t I A Woman,” her voice becomes the voice of courage I want to cultivate. We are at a crossroads. We can continue on the path we have been on, a path that privileges profit over people and land; or we can unite as citizens with a common cause — the health and wealth of the Earth that sustains us. 2016 marks the centennial of the National Park Service, I wanted to explore these ideas that honor our public lands.

WHAT IS THE BIGGEST THREAT TO OUR NATIONAL PARKS? Forty-two of our national parks are threatened by oil and gas development. In 12 national parks oil and gas extraction is already happening. And 30 more national parks and monuments are vulnerable to future drilling. In my mind, this is the biggest risk threatening the integrity of our national parks today. Canyonlands National Park has become an annex for an oil field. Add to this fact, that our national parks are seriously underfunded by Congress. They are being loved to death with close to 300 million visitors last year breaking all previous records. They have a collapsing infrastructure in need of repairs. And our big wilderness parks like Grand Canyon and Yellowstone are becoming ecological islands, because we are not protecting and paying attention to issues of connectivity linking larger adjacent wild areas to parklands so species such as grizzly bears, wolves and lynx can survive. Looking at all that, we begin to see how fragile our beloved national parks have truly become. On top of it all, climate change is the overarching umbrella affecting every national park, whether it’s with drought or fires or the vulnerability of species like pikas in Rocky Mountain National Park. Our vigilance is required.

HOW DO YOU SEE YOUNGER GENERATIONS AND PEOPLE OF DIVERSE BACKGROUNDS EMBRACING THE PARKS? Traditionally, people of color have not been well represented in our national parks and our parks certainly have a shadowy history regarding Native Americans. The Park Service is making an effort to expand their audience and right historical wrongs. Grand Teton National Park has initiated an outreach program called “Pura Vida” with the Teton Science School that both engages and educates Latino youth on our public lands. It is in its sixth year and is having a big impact on the local Latino community in Jackson and their sense of ownership in the park. Over the past few years, President Obama has established Cesar E. Chavez National Monument to honor the Latino leader and organizer of the United Farm Workers of America, and he has also established Pinnacles National Park located near Los Angeles, which offers much greater access to wilderness for urban dwellers. The Bears Ears National Monument proposal in Utah is another example of how the National Park Service might broaden its base. Twenty-five tribes are standing behind this initiative, including the National Congress of American Indians. The tribes are asking for permanent protection of two million acres of ancestral lands through the Antiquities Act. Willie Greyeyes, chairman of Utah Dine Bikeyah, said in an opinion piece in the Salt Lake Tribune, “The tribes are determined to see the cultural values in this landscape protected for the future of all Americans.” These lands adjacent to Canyonlands National Park house thousands of sacred sites including native burial grounds that have been robbed and pillaged over time. “Prayers have to be walked, not just talked,” Regina Lopez-Whiteskunk said.
WHAT GIVES YOU HOPE? What gives me hope is seeing that 195 countries signed on to the Climate Agreement in Paris (COP21) on December 12, 2015, with millions of people all over the world committed to climate justice through direct actions. What gives me hope is to see the “Keep It In The Ground” movement gaining momentum to ensure that there will be no more fossil fuel development on our public lands. On February 16, right here in the Salt Palace in Salt Lake City, the BLM will be holding its oil and gas lease sale, and there will be thousands of us here to see that the lease sale will not happen — even if that means being arrested. I believe we are seeing the beginning of the end of the fossil fuel era. And that will have an enormous impact on the American West where most of our large national parks reside. What gives me hope is that those in attendance at the Outdoor Retailer Show care deeply about America’s public lands and national parks, not just as consumers, but as conservationists who recognize our parks not just as places for recreation, but as places where we restore our minds, bodies, and spirits in the name of wholeness, where we can remember what it means to be human. Never have we needed this kind of empathy born out of the wild more than we do now. Each time, I enter a national park, I meet the miraculous.

Bears Ears Coalition Going Straight to White House

January 7th, 2016 - print edition (subscription only)

Navajo Times

By Alastair Lee Bitsoi

WINDOW ROCK – With no real progress for a tribally--led monument to protect 1.9 million acres in southeastern Utah, the Bears Ears Inter--Tribal Coalition has ended “lip service” talks with Rep. Rob Bishop and the Public Lands Initiative.

Now, the coalition’s next step is direct engagement with the White House, an announcement it made New Year’s Eve. The proposal has already been submitted to U.S. President Barak Obama, back in October 2015, according to a December 31, 2015 press release from the coalition.

Under the Public Lands Initiative, coalition members claim that Bishop as well as the congressional Utah delegation of Rep. Jason Chaffetz, and Sens. Mike Lee and Orrin Hatch only provided lip service and failed to engage with the coalition on numerous occasions with their plan to tribally manage 1.9 million acres that includes the Bears Ears Buttes and Cedar Mesa in Utah.

“When we sat back and really took a look at the whole effort, it just felt like they were not taking our conversations seriously,” said Regina Lopez--Whiteskunk, councilwoman for the Ute Mountain Ute and member of the inter--tribal coalition.

The Bears Ears proposal calls for a “U.S. Presidential proclamation under the Antiquities Act of 1906 to protect historical and scientific objects in an area of 1.9 million acres of ancestral land on the Colorado Plateau,” according to the coalition’s website. The
The proposal has support from 25 tribes and pueblos, and the National Congress of American Indians, and includes the protection over 100,000 archeological sites and 18 wilderness study areas and inventoried roadless areas.

To achieve national monument status, the coalition attempted the PLI route, as recommended by the congressional leaders, but has received no response, the coalition claims.

The coalition adhered to the tight deadlines required under the Public Lands Initiative, or PLI, and expected the same effort from the congressional leaders, but to no avail, Lopez-Whiteskunk said.

One of the last straws for the coalition to discontinue talks with the congressional leaders comes after a “promised, guaranteed draft” of the Bears Ears proposal being produced prior to December 30, 2015, Lopez-Whiteskunk said.

Unsuccessful attempts from Bishop, his staffers and other members of the Utah delegation to meet with the coalition for several meetings also contributed what the coalition deems red flags to their proposal.

“This is important on a tribal level and more so on a spiritual level,” Lopez-Whiteskunk added. “They expect us to adhere to deadlines in (Washington) DC. The expectation was not returned.”

Since the summer, when the coalition officially formed, tribal leaders from the Hopi, Navajo, Ute Mountain Ute, Unitah Ouray Ute and Zuni have convened to discuss their proposal, including hosting Obama officials at the Bears Ears Buttes in July 2015.

“Time is of the essence,” explained Lopez-Whiteskunk, whose Ute Mountain Ute people consider the Bears Ears region sacred, ancestral lands. It is a place where Ute Mountain Utes collect herbs for medicinal purposes, hunt, ranch and also conduct ceremonies, she said.

According to Bishop, in an emailed statement to the Navajo Times, the Native Americans that live in Utah do not support the coalition’s effort of a national monument. The monument is not what Utah Navajos want, Bishop said, citing how the Aneth Chapter opposes the Bears Ears proposal.

Unlike Aneth Chapter, the other six Navajo chapters in the Utah portion of the reservation support Bears Ears. Those chapters are Oljato, Naa’tsis’Aán,

Instead, Bishop said, “A structured conservation area would allow Native Americans who live in the area to use this land, and have the ability to maintain their traditional activities with the least amount of federal interference.”

Bishop also stated that the “self-appointed” members of the coalition have an agenda that needs to be reconciled with those that live in the Bears Ears proposal area.

Rebecca Benally, a commissioner for San Juan County, said the coalition’s latest move does not hinder the work of the county’s Public Lands Council, which also has a plan of its own. The Public Lands Council proposal, also going through the Public Lands Initiative, features a conservation area idea.
Under this proposal exist protections for historical, cultural sites like Anasazi ruins, Benally said. The county commissioner added that a national monument, as proposed by the Bear Ears Inter-Tribal Coalition, would restrict Utah Navajos access to the area. Benally also did not understand why the coalition was moving forward, when some of its members had initially been part of the conversation under the county’s Public Lands Council.

“They were every bit of that planning process,” she said, adding that Utah Navajos prefer the county’s bill, which would be a conservation area protecting the same sites highlighted under Bears Ears.

The only difference, she said, is the size of proposals, which is smaller and more realistic under the county’s Public Lands Council. But, according to Eric Descheenie, co-chairman of the coalition, the latest move by coalition members captures not only the voice of local Navajo leadership in Utah, but of other tribes as well that goes back six years, prior to the PLI process.

“The tribes assert they want to be taken seriously,” Descheenie added.

Descheenie went on to say that Bishop’s statements of the coalition being “self-appointed” members is offensive because the coalition consists of sovereign nations, meaning they’re not stakeholders like San Juan County’s Public Lands Council. In fact, he said, the sovereignty of the tribes weighs heavier because of a nation-to-nation relationship.

“Tribes certainly do not see themselves as stakeholders,” Descheenie said, adding that Bishop’s rationale is further evidence of why the coalition will now engage with the Obama Administration. “He does not take tribes seriously.”

“We are asking the Obama Administration to talk with us sufficiently as we had thought would happen with the Utah delegation,” Descheenie said.

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**Tribal coalition pulls out of Utah legislative process**

January 7, 2016

Four Corners Free Press

Sonja Horoshko

Bears Ears Inter-Tribal Coalition Co-Chair Alfred Lomahquahu speaks at an Oct. 15 press conference at the National Press Club in Washington, D.C. A delegation from the Inter-Tribal Coalition met with Utah congressional representatives and the Obama administration to present the Bears Ears National Monument proposal.

In a surprise development, the Bears Ears Inter-Tribal Coalition says it is pulling out of negotiations with the Utah congressional delegation charged with developing recommendations for a massive public-lands bill.
In a Dec. 31 letter to Utah congressmen Rob Bishop and Jason Chaffetz, the Inter-Tribal Coalition alleges their proposal regarding lands management has been ignored by the county commissioners of San Juan County. They also charge that their ideas were met with a long and callous pattern of disregard from the congressional delegation after it was agreed that the coalition could submit the proposal directly to the Public Lands Initiative, by-passing the San Juan County Commissioners.

At issue is a proposal for a Bears Ears National Monument on 1.9 million acres of land in southern San Juan County.

“In numerous meetings, the tribes put forward compelling, specific reasons for protecting Bears Ears,” says the letter signed by the two co-chairs of the coalition. “But the Coalition never received any responses to the proposal, positive or negative, just continuing delay. This has been a problem with the PLI, which has been consistently plagued by missed deadlines. PLI representatives promised a draft proposal by November 30th, and then guaranteed delivery of a report by December 30th, but the draft report has never been delivered.”

The coalition still has not received any idea of what the PLI intends to do, the letter alleges.

The Public Lands Initiative, begun in 2013 by Bishop, a Republican, has been an ongoing and much-delayed effort to reach a grassroots consensus among a host of differing interest groups about public-lands management in eastern Utah. The impetus for the effort is the pending end of President Obama’s time in office, as it is widely expected he will designate new national monuments under the Antiquities Act. The PLI is designed to avoid unilateral designations in Utah through a “ground-up” legislative approach that has for years been gathering input from local residents and special interests in eastern Utah counties, which contain large swaths of federal public lands.

It was hoped there would be a bill introduced in Congress by last March, according to prior deadlines set by the organizers, but no legislation has been developed yet.

After the many delays, they have had enough, the coalition said in the letter. “Time is of the essence.”

In an email, Fred Ferguson, an aide to Chaffetz, wrote the Free Press, “The letter we received was unfortunate and unexpected. We met with the Bears Ears Coalition on November 30 and created a working timeline that went well into the new year. It was puzzling to see them walk away from the table before we even made it to 2016. As we told the Bears Ears Coalition when we met on November 30, the bill remains in the drafting phase and that the text would be shared before the next meeting. Unfortunately, a meeting did not occur on December 30, so text was not shared. Despite the conflicts on 12/30, we were working with the Coalition to find a new meeting time in January, consistent with the timeline discussed in our 11/30 meeting. Regardless of the Coalition walking away, we remain committed to working with Native Americans that have an interest in land designations and management in San Juan County, just as we always have.”

Pulling out of the legislative process opens the door for the coalition to work directly with the Obama administration, government to government, as the sovereign native tribes seek to protect the Bears Ears region they contend is sacred land.

Tribal interests in the PLI have been represented from the beginning, especially in San Juan County, Utah, where the Native American population hovers slightly over 50 percent and is a key player in discussions concerning the land known by the prominent landmarks resembling its moniker, Bears Ears. Although the initial proposal was developed by the Navajo grassroots organization Utah Diné Bikéyah, the group gained a broad base of support from tribes with historical, cultural and archaeological records of their cultural presence at Bears Ears.
The tribes formally united in July 2015 as the Bears Ears Inter-Tribal Coalition, which now represents the Bears Ears National Monument proposal. The tribes include the Hopi, Navajo, Ute Indian, Ute Mountain Ute, and Zuni tribes, unified by a mission to protect and preserve the region. The proposal is formally supported by an additional 19 tribes as well as the National Congress of American Indians.

It includes a co-management component giving the tribes authority over the administration and supervision of the 1.9 million acres. The 66-page proposal can be found at http://www.bearsearscoalition.org/ where the document clearly details responsibilities, plans for education programs, guidelines for visitors, fuel wood and herb gathering, road and trail access and the role of collaborating federal entities, such as the Bureau of Land Management, and the National Park Service.

The Bears Ears National Monument proposal was submitted by every deadline set by the congressional staff and the San Juan County commissioners over the six-year project. The group maintains that they attended every meeting called by the San Juan County Lands Council to assemble the differing proposals in San Juan County.

Alfred Lomahquahu (Hopi) and Eric Descheenie (Diné), coalition co-chairmen, said they were promised a look at Bishop’s draft bill as early as November so they could compare the two proposals and determine the next steps forward. At a Nov. 30 meeting of the coalition and the PLI, it was clear that the deadline would be missed. The coalition was promised a draft of the legislation at the latest by Dec. 30.

In their letter, the tribes allege they faced outright discrimination from the San Juan County Commission. The commission promised to include the tribal proposal in an non-scientific citizen survey of differing proposals, but then reneged, the letter says.

A write-in campaign ensued and the tribal proposal received an overwhelming 64 percent of the votes. However, the commission then chose to recommend an industry-supported proposal that had received less than 1 percent of the votes, according to the letter.

The coalition’s letter described this as “extraordinary unfairness” and “the kind of raw, heavy-handed political overreaching rarely seen in America today.”

In mid-October, the Inter-tribal Coalition brought its proposal directly to the Obama administration. That move and the simultaneous press conference in Washington, D.C., garnered national attention and support for the monument designation. The coalition is hopeful that the president will grant Bears Ears monument status, but decided to first try the congressional route of the PLI to satisfy recommendations of the Utah delegation.

“Our proposal confirms tribal cooperation and support and is at its core a process of healing, not only for our people, but our land,” stated Zuni Councilman Carleton Bowekaty in a statement.

The letter describes in detail the promises made by PLI staff, the delays and the non-replies to the proposal during November and December, as well as the prior project history with the San Juan County commissioners. All the meetings between the coalition and the PLI congressional delegation included setting timelines for the work needed to complete the final draft bill.

The meetings and deadlines set for the work were numerous and strenuous, including eight in Washington D.C., and, according to the coalition, were conducted in a polite and cordial atmosphere by all in attendance.

“Hopi has been instructed to speak and act with the full authority as a sovereign tribe in order to protect all Tuwakatsi, which includes Bears Ears,” stated Lomahquahu.
In a Dec. 30 meeting the Inter-tribal Coalition discussed the state of the proposal and concluded that the coalition had “no choice” but to discontinue PLI negotiations. Now the tribes will turn to the Obama administration for monument designation.

Former Interior Secretary Salazar: Bundys 'out of touch' on lands issues

By Amy Joi O'Donoghue, Deseret News
Published: Monday, Jan. 11 2016 10:45 p.m. MST

Summary

Former Interior Secretary Ken Salazar was among speakers addressing Western public lands issues as part of a Monday teleconference to detail results from a new poll. The poll looked at attitudes of voters in seven Western states, including Utah.

SALT LAKE CITY — Former Interior Secretary Ken Salazar said the Bundys, who are at the center of a 10-day siege of a national wildlife refuge in Oregon, don't represent the views of Western residents and are merely jockeying for attention.

"The Bundys and those who sympathize with them are far out of touch with most folks living in the West. By and large Westerners do not agree with the policies or sentiments being advocated in Oregon," Salazar said in a Monday teleconference. "Bundy and his ilk are just squeaky wheels getting the grease."

Salazar, a Colorado native who was a U.S. senator and served as Interior secretary from 2008 to 2013, spoke to 2016 poll results on public lands issues released by the Colorado College State of the Rockies Project.

The annual Conservation in the West survey — which included Nevada residents for the first time — tapped opinions of 400 registered voters in seven Western states, including Utah.

Salazar said the showdown at the Malheur National Wildlife Refuge outside of Burns, Oregon, led by Ammon Bundy — son of Cliven Bundy who had an armed confrontation with the federal government over ranching — does not reflect top concerns among residents of Western states.

"What Westerners are actually concerned about is drought and water scarcity, our dependence on foreign oil, climate change and the outdoor recreation economy. Westerners want our public lands to stay public," he said. "We may not all agree precisely on how to strike the right balance between conservation and development, but anyone who tells us we should hand our American lands over to private owners and to the states are telling us a story that will not stand the test of time."

Interestingly, Utah residents — more than those in any other state involved in the poll — are likely to disagree with Salazar on that point.

When asked if they support or oppose turning national public lands over to the control of the state, only a slight plurality of Utahns said they opposed the move, 47 percent to the 41 percent who said they were in favor of the transfer. The poll has a margin of error of plus or minus 4.9 percent and involved 400
residents who were close to evenly split among those who identified themselves as Republican and those who said they were "Independent." Fourteen percent said they were Democrat.

West-wide, 58 percent of those polled said they were opposed to handing over national lands to the states, compared to 33 percent who said they were in favor. In a separate question, 66 percent of Utah residents, compared to 22 percent, said they support future presidents' ability to create national monuments.

Utah residents, specifically, said they are in favor of the creation of the Bears Ears National Monument, with 66 percent who signed off on the idea.

Of those residents who took part in the poll, a significant majority said they lived in a big city or the suburbs — 63 percent — compared with 12 percent of those who said they lived in a rural area.

Poll results also indicate that the angst over the 1996 designation of the Grand Staircase-Escalante National Monument has tempered, with only 25 percent of Utah residents who insist it was a "bad thing," in contrast to 45 percent who say it was a good thing. Another 30 percent remain undecided.

Mark Ward, senior policy analyst with the Utah Association of Counties, said rural voters and urban voters differ distinctly when it comes public lands, something that should be kept in mind with this poll's findings.

"If you don't live in rural Utah you are prone to think of public lands as totally iconic, these vertical up and down, spectacular-every-acre view," he said. "But the reality is while all of Utah is beautiful, the vast majority of the acreage is quite ordinary by everyday standards. It is rangeland, it is desert and it is slopes."

They survey also shows that the majority of Western voters, 52 percent, indicate they support continued oil and natural gas production on public lands, but want stronger safeguards to protect water and the land. Water, in fact, resonated with Utah voters, with 88 percent of those polled indicating drought is a serious issue and 75 percent who felt conservation should have higher priority than diversion of water of water from rivers in less populated areas.

Another 56 percent of Utah voters said they would be "very willing" to make changes in their household use of water to reduce water by 20 percent, while 35 percent said they would be somewhat willing.

In its sixth year, the State of the Rockies Project explores bi-partisan opinions in the West on conservation, environment, energy and the role of government. For its polling, it uses a national Democratic opinion research firm and the largest Republican polling firm in the country.

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For Immediate Release

Contact: Natasha Hale at 505-906-8303 or BearsEarsPress@gmail.com

Bears Ears Inter-Tribal Coalition Statement on Colorado College Poll

**Strong Majority of Utahns Shown to Support Bears Ears National Monument**

Monument Valley, UT (January 11, 2016) – The Bears Ears Inter-Tribal Coalition issued the following statement regarding the newly released polling results from the highly regarded "State of the Rockies" report
issued annually by Colorado College. This year’s poll shows 66% of Utahns support the creation of a Bears Ears National Monument, while a mere 20% oppose.

“The Bears Ears Inter-Tribal Coalition is thrilled to see overwhelming support from our neighbors across the state of Utah. Our local tribal members that have long been calling for protection for Bears Ears have inspired this new truth for all of us to believe in. Our stance on permanent protection of this special landscape as a national monument is clear,” said Eric Descheenie, Co-Chair of the Bears Ears Inter-Tribal Coalition in response to newly released polling commissioned by Colorado College. “While the Bears Ears area is home to more than 100,000 Native American cultural sites, and is sacred to the many tribes supporting our proposal, it is also treasured by citizens across the state.”

“We were heartened to see that 66% of Utahns support the permanent protection of a Bears Ears National Monument,” added Coalition Co-Chair, Alfred Lomahquahu. “While some continue to spread misinformation about the local support for our proposal, the Colorado College poll makes clear that Utah residents overwhelmingly support Tribes’ efforts to protect Bears Ears.”

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The Bears Ears region in Southeastern Utah is home to more than 100,000 Native American cultural sites. An historic consortium of sovereign tribal nations has united in the effort to conserve the Bears Ears landscape. For more information about the region and the Bear Ears Inter-Tribal Coalition, visit www.bearsearscoalition.org.

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**2016 Conservation Poll Finds Support For Public Lands**

Colorado College (blog)

Published on January 11, 2016

Voters in seven Mountain West states represented

Despite an uptick in anti-public lands rhetoric from militant extremists, Colorado College’s recently released State of the Rockies Project Conservation in the West Poll shows strong public support for efforts to protect and maintain national public lands.

The poll, for the first time in its six-year history, asks voters about efforts to turn national public lands owned by all Americans over to state or private control. The poll also breaks new ground in examining public views on the creation of new national monuments—a topic that has often been viewed as controversial and unpopular in the West.

Among the poll’s findings: In Utah, a tribal proposal to protect nearly two million acres of existing public lands surrounding the Bears Ears Buttes as a national monument received 66 percent support from respondents. In Arizona, 73 percent of respondents approve of a proposal to protect 1.7 million acres of existing public lands in the Grand Canyon Watershed as a national monument. And across the West, the poll showed 80 percent of respondents in favor of future presidents protecting public lands with a national monument designation.
“These results make clear Western communities care deeply about the public lands that embody the best of our nation’s culture, spirit, and beauty,” says former U.S. Interior Department Secretary Ken Salazar ’77.

The bipartisan poll, conducted in December, surveyed registered voters in Arizona, Colorado, Montana, Nevada, New Mexico, Utah, and Wyoming on key public lands issues affecting the region, including proposals to designate new national monuments in the West, establish new environmental and safety standards for oil and gas drilling, and prioritize renewable energy production on public lands.

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**Westerners Overwhelmingly Support National Public Lands and Reject State Control, New Poll Highlights**

NRDC Switchboard (blog) Posted January 11, 2016

This year the nation celebrates the centennial anniversary of the creation of the National Park Service. Established 100 years ago this August by President Woodrow Wilson, the creation of the National Park Service was an audacious and unprecedented commitment by the federal government to protect our nation's unique and spectacular landscapes.

A hundred years later, that commitment to the protection of our "glorious heritage" by the federal government continues to be a collective national priority, according to a poll released today by Colorado College.

The 2016 Conservation in the West Poll, surveying Americans in seven Western states on a range of public lands topics, shows overwhelming support for continued—and even increasing—federal protection of the landscapes we treasure, with a vast majority of Westerners rejecting the proposals that would sell significant public land holdings or transfer control of public lands to state governments.

These results are particularly pertinent today, given the heightened state of discourse around land ownership in the West, and they strongly rebut the claim that federal land management impedes rural economic growth and development. Indeed, 72 percent of Westerners think—and studies confirm—that having public lands benefits the economy.

The Antiquities Act, granting the president authority to designate national monuments for protection, also fares well in this poll. In fact, a staggering majority of respondents indicated that they consider conservation issues an area where leaders should seek common ground, rather than staking out extreme positions such as repealing the Antiquities Act. A full 80 percent of Westerners support future presidents having the ability to designate national monuments, and only 11 percent oppose it.

These results bode well for current monument proposals that seek to protect southern Utah's spectacular Bears Ears landscape and northern Arizona's Grand Canyon region. Proposals like these make good sense, and today's poll results show that support for such designations would only grow over time.

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Letter: Bishop misstates facts on Bears Ears

Salt Lake Tribune
First Published 1/14/16

In a Dec. 31 article "Tribes cut off talks with Utah delegation over public lands bill," Rep. Rob Bishop declares that the Bears Ears Inter-Tribal Coalition is a "self-appointed coalition [that] has an agenda that we need to reconcile with the wishes of those who actually call Utah home."

First, the Bears Ears Inter-Tribal Coalition is not "self-appointed." The Bears Ears Coalition is comprised of five sovereign nations that each appointed one official representative to engage in negotiations with Bishop's office. The appointment of each person was done officially under the full authority of each tribal government. Our authority to exist as governments comes through treaties signed between our ancestors and Bishop's predecessors in the U.S. Congress.

Second, we have called Bears Ears home since time immemorial, since before Utah was a state. My tribe, the Ute Mountain Ute, has lands within the proposal. We still live here in Utah, and the Ute and Navajo community members who make up the majority of San Juan County citizenry have spoken and have been ignored by Utah officials.

This is why as sovereign nations we are asking the president to act multi-laterally (not unilaterally) on our behalf.

Regina Lopez-Whiteskunk
Ute Mountain Ute tribal representative on the Bears Ears Inter-Tribal Coalition

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Tribes quit lands initiative process

Eric Trenbeath Moab Sun News

Story Highlights
Group instead urges president to declare 1.9-million-acre monument

“What we would like to see is not just a national monument, but something that inspires a whole community, something that can make this a better place for the American people.”
- Eric Descheenie

Frustrated by the pace of the Public Lands Initiative process, the Bears Ears Inter-Tribal Coalition has ceased negotiations with Utah's congressional delegation, and will instead encourage the Obama administration to designate a national monument in southeastern Utah.
In a letter to GOP Reps. Rob Bishop and Jason Chaffetz, the coalition cites missed deadlines, a lack of substantive comments to its proposal and “raw, heavy-handed, political overreaching,” as reasons for its withdrawal.

“We have come to the conclusion that we have no choice but to discontinue these discussions,” the letter says. “Our strenuous efforts to participate in the (Public Lands Initiative), and related proceedings before that ... have been repeatedly stonewalled. We have not been taken seriously.”

Proponents of the initiative call it a “bottom-up” process that seeks to reconcile, through legislation, various land-use designations on millions of acres of federal public land in southeastern Utah. They see it as a way to resolve competing interests of preservation versus development, while averting the presidential proclamation of a national monument.

The Bears Ears Inter-Tribal Coalition, which includes members of the Hopi, Navajo, Ute and Zuni Pueblo tribes, became a stakeholder in the initiative process in July 2015. It is seeking the protection of 1.9 million acres of federal public lands in San Juan County that the U.S. Bureau of Land Management (BLM) and the U.S. Forest Service currently administer.

The area contains diverse ecosystems, vast scenic landscapes and is rich in archaeological resources dating from prehistoric to historic times. It is also home to modern traditional land uses such as grazing, uranium mining and wood harvesting.

The coalition presented a formal proposal to Bishop and Chaffetz in October 2015.

“Now, two and a half months after submitting our proposal to you, we have received no reactions at all,” the letter says. “The promised PLI draft was never delivered. All of this is consistent with PLI's repeated failures to meet deadlines.”

In response, Chaffetz told the Moab Sun News that the letter was “unexpected and confusing.” Chaffetz said that only weeks ago, he discussed a timeline with the coalition that extended well into January, and that a missed meeting on Dec. 30, 2015, was merely the result of a scheduling conflict.

“Regardless of the coalition's decision to walk away, the delegation will present a proposal that preserves sacred sites and protects historical access and use of the Bears Ears,” Chaffetz said.

Eric Descheenie, senior adviser to the Navajo Nation President Russell Begaye, said that the coalition gave the congressmen every opportunity to respond to its proposal, but that tribal leaders eventually realized that the conversation was going nowhere.

“You have to ask if they are going to take themselves seriously if they can't honor their own words,” Descheenie said. “We asked ourselves this when, early in the coalition, statements were made that were political. But with this particular vision, we have been able to set those things aside.”

Bishop said in a prepared statement that such a large monument designation would be a bad thing for the area, and that the views of the coalition don't represent those of Navajos who live in San Juan County.

But he said that protections of land surrounding the Bears Ears would be provided under the designation of a National Conservation Area.

"A structured conservation area would allow Native Americans who live in the area to use this land, and have the ability to maintain their traditional activities with the least amount of federal interference,” Bishop said. “It is clear this self-appointed coalition has an agenda that we need to reconcile with the wishes of those who actually call Utah home.”

Bishop has vowed to introduce the initiative as legislation before the end of President Barack Obama's final term, but with less than a year left, many are concerned that all will come for naught, and that a monument designation is looming.
Moab resident Jason Keith of Public Land Solutions, a nonprofit that advocates for the protection of recreational resources on public lands, said that he still supports the initiative. But he added that time is running out.

“Many of us in the recreation community have spent the last few years working hard on the initiative to support a balanced solution for multiple uses in eastern Utah,” Keith said. “We prefer legislation, but many stakeholders are getting impatient with the repeated delays.”

Keith said that at the Outdoor Retailer show in Salt Lake City on Jan. 7, some industry leaders said they are losing faith in the initiative process and are considering the possibility of throwing their support behind a monument.

Grand County Council member Mary McGann said that the council hadn't received any updates for some time.

“It is as though all our work has been dismissed,” McGann said. “In my opinion, it is irresponsible of Bishop and Chaffetz to demand so much of the counties, then not to follow through with the process. It is at least a half year behind schedule.”

But on Tuesday, Jan. 12, Chaffetz spokesperson MJ Henshaw said that Chaffetz' staff is scheduled to meet with Grand County Council chair Elizabeth Tubbs later this week to discuss the progress to date.

“Make no mistake, (the initiative) is a top priority for Congressman Chaffetz,” Henshaw said. “We plan to release a discussion draft in the near future.

Tubbs confirmed that Chaffetz' staff has contacted her, and that she expects to be presented with a draft proposal.

Tubbs said that regardless of the outcome, the initiative process, though painful, has been a positive thing for the community.

“I always believe a community is bettered when citizens get more involved – and that certainly occurred during the meetings,” she said. “I believe there has been a 'bump' in involvement since then on other issues.”

Tubbs said she thinks that an executive proclamation for a national monument is a very real possibility, given that one of the initiative's main goals is to thwart such a designation, and to do away with the authority of the Antiquities Act.

“We are drawing close to the end of this president’s term, and I would expect him to do something in the absence of any other steps toward resolution of public lands issues,” she said.

Descheenie said that the primary objective of the coalition is to protect the region for its spiritual and religious significance.

“It boils down to healing,” he said. “And that healing goes beyond the individual. What we would like to see is not just a national monument, but something that inspires a whole community, something that can make this a better place for the American people.”

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**Bishop plan for public land in eastern Utah to be unveiled Wednesday**

By BRIAN MAFFLY | The Salt Lake Tribune

First Published Jan 15 2016 06:27PM
Utahns will finally get to see the fruits of Rep. Rob Bishop's three-year Public Lands Initiative next week in Salt Lake City.

On Wednesday morning, Bishop, who chairs the House Natural Resources Committee, will unveil his draft legislation affecting 18 million acres of public land in seven eastern Utah counties, according to an announcement released Friday.

The initiative has been billed as a "grand bargain" designed to resolve long-running disputes over uses of Utah's public lands. The goal is to designate landscapes for conservation and others for mineral development, in hopes of putting an end to these fights and lift much of the uncertainty that surrounds the future of Cedar Mesa, Greater Canyonlands, San Rafael Swell, Book Cliffs and other areas where scenic vistas overlap with rich mineral deposits.

Rep. Jason Chaffetz, whose Utah district covers much of the land in question, and Utah Gov. Gary Herbert will be present at the event at the Capitol to help explain the bill's contents.

In a string of meetings, Bishop's staff brought dozens of stakeholders, including sportsmen, industry representatives and environmentalists, together to craft county-by-county proposals. The congressman made it clear all sides would have to give up ground in the process and that his eventual bill would be sure to contain elements that would upset some interest groups.

One of the initiative's main goals was to forestall President Barack Obama's use of the Antiquities Act to designate a national monument in Utah before he leaves office in a year. Many believe he is poised to designate one in San Juan County, where thousands of ancient American Indian sites are at risk from looting and ATV use.

Bishop had hoped to release draft legislation months ago, but the process took longer than expected. Now he has less than a year to marshal the political consensus needed to get a complex lands bill through Congress.

Seven eastern Utah counties last year submitted plans, but Bishop made no promises to incorporate these proposals verbatim into his bill.

San Juan County's proposal generated the most controversy after leaders declined to consider input from out-of-county residents, even though many nearby American Indian tribes consider public lands located in the county to be their sacred ancestral homelands. An intertribal coalition, which is proposing a 1.9-million-acre conservation area around Cedar Mesa and named for Bears Ears Buttes, cut off talks with Bishop last month, complaining that its representatives were denied a chance to participate in the process.

Brian Maffly covers public lands for Salt Lake Tribune. Maffly can be reached at bmaffly@sltrib.com or 801-257-8713.

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**Bishop set to unveil 'Grand Bargain' bill on public lands for Utah**

By Amy Joi O'Donoghue, Deseret News

Published: Friday, Jan. 15 2016 7:00 p.m. MST

Summary
The much awaited public lands bill by Rep. Rob Bishop, R-Utah, will be unveiled Wednesday at the Utah State Capitol. The "Grand Bargain" is more three years in the making and carves out land uses for 18 million acres in eastern Utah.

SALT LAKE CITY — Rep. Rob Bishop is set to unveil his "Grand Bargain" Wednesday at the Utah State Capitol, a measure that is touted as one of the most ambitious public lands bills to chart a course for recreation, conservation and industry in Utah.

Bishop's office on Friday made the announcement for the Wednesday event, which will also include Rep. Jason Chaffetz, R-Utah, and Gov. Gary Herbert.

More than three years in the making, the Public Lands Initiative process has tapped more than 100 stakeholders interested in the destiny of some 18 million acres in eastern Utah, carving out landscape level designations that aim to put an end to contentious land disputes.

The process has involved elected leaders from seven counties — Summit, Grand, San Juan, Emery, Carbon, Uintah and Duchesne — as well as multiple conservation and environmental groups such as the Southern Utah Wilderness Alliance, the Friends of Cedar Mesa, the Wilderness Society and the Nature Conservancy.

Bishop also brought together multiple industry representatives from the oil and gas sector, grazing, mining and other sectors, and more than a dozen field trips were held to see public land issues from the ground up.

From the outset, Bishop has promised that no one will be completely happy with his proposal — that everyone gets something and no one gets everything — but he has said he believes the legislation will put an end to the bitter fights over how Utah land should be best used.

The bill will establish "energy" zones where it is appropriate to extract oil and gas, mine for potash and other minerals, and protect high-value recreation areas from industry encroachment. It sets aside wilderness, but it is also designed to give industry some certainty, Bishop has said.

Bishop and his staff worked with San Juan County leaders and Navajo representatives in Utah to set up a National Conservation Area to implement protections for the Bears Ears Butte — an area of spiritual healing and sacred significance to tribes.

The National Conservation Area designation, however, does not go far enough for some Native American tribes, who have pushed the Obama administration to create a nearly 2-million-acre national monument through use of the Antiquities Act. The Bears Ears Inter-Tribal Coalition has since pulled out of the Bishop process.

For his part, Bishop has said that a monument designation is the wrong move for both the state and the tribes, since it would put so many uses of the land — including Native American activities — off limits. The Public Lands Initiative process has not been without its detractors, and the repeated delays have caused some to question if Bishop would ever deliver.

Bishop has said the process dragged on longer than he anticipated because of fine-tuning the language.

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No one will be completely happy with Utah Public Lands bargain

Examiner.com
January 16, 2016 11:15 AM MST

According to yesterday's January 15th post in The Deseret News, Republican Bob Bishop has promised all along that "No one will be completely happy" with his proposal to please everybody - and no one - in the 'Grand Bargain' to be unveiled Wednesday. And it seems he is right.

The initiative rehashes the battle between conservation, indigenous rights and whether or not damaging, extractive, for-profit industries should be given priority use on public lands over and above the rights of non-consumptive users. The current initiative, to be officially unveiled Wednesday, firmly tips the hat in favor of industry over other stakeholders. As history sadly shows, industry is a poor steward of wildlife and the environment.

The project involves 18 million acres in eastern Utah. In this proposal, business interests such as oil, gas, grazing and mining will be permitted in designated 'energy zones'. The initiative also gives priority to 'high value' recreational activities and, perhaps most troubling, leaves the door open for industry, even in so-called 'wilderness areas'. Public lands are supposed to belong to all Americans, including millions of citizens who value this beautiful and fragile landscape for its own sake, and who absolutely don't want any damage done to the unique landscape or wildlife. Millions have an interest in the fate of these lands, and an intrinsic and moral right to have these public areas protected and preserved in perpetuity.

One of the places in Eastern Utah of most concern to environmentalists and representatives of the Navajo tribe is the sacred Bears Ears Butte area, a spiritual place of healing for native American peoples, which has not been protected in this initiative. According to The Deseret News,

"Bishop and his staff worked with San Juan County leaders and Navajo representatives in Utah to set up a National Conservation Area to implement protections for the Bears Ears Butte and Cedar Mesa areas — places of spiritual healing and sacred significance to tribes.

"The National Conservation Area designation, however, does not go far enough for some Native American tribes, who have pushed the Obama administration to create a nearly 2-million-acre national monument through use of the Antiquities Act. The Bears Ears Inter-Tribal Coalition has since pulled out of the Bishop process.

"For his part, Bishop has said that a monument designation is the wrong move for both the state and the tribes, since it would put so many uses of the land — including Native American activities — off limits."

That begs the question, is this really to protect indigenous people's rights, or in actuality an excuse to protect industry interests? Why shouldn't sacred or sensitive natural areas be 'off limits' to industry? Should private, for-profit industry be permitted to run ramshod over the rights of non-consumptive stakeholders? And don't sacred, unique, beautiful or biologically sensitive lands, which belong to all the people, and which have both intrinsic and ecological value just as they are, deserve to be taken 'off the table' in order to protect and preserve them? Not, it seems, according to Bishop's 'Grand Bargain' for Utah's Public lands.
The article goes on to say "The process has involved elected leaders from seven counties — Summit, Grand, San Juan, Emery, Carbon, Uintah and Duchesne — as well as multiple conservation and environmental groups such as the Southern Utah Wilderness Alliance, the Friends of Cedar Mesa, the Wilderness Society and the Nature Conservancy." The process may have involved 100 stakeholders, including those who fought ranching and industrial-development activities, but from the results, it doesn't seem the 'best use' of any of these lands included just leaving them alone. In their blog from December 2015, Friends of Cedar Mesa expressed surprise. "We know, it surprised us as well. FCM was astounded by the contention that industrializing Cedar Mesa through energy development should be prioritized over preserving sacred cultural sites, Native American traditions, and a breathe-taking natural landscape that draws visitors from around the world."

Disgusted with how negotiations were going, the Bears Ears Inter-Tribal Coalition quit trying to work with Bishop's team at the end of 2015, focusing instead on appealing to the Obama administration. "Fed up with what it says are constant blown deadlines and not being taken seriously, the Bears Ears Inter-Tribal Coalition said it will pursue a new monument designation with the Obama administration and is bowing out of discussions on the Public Lands Initiative process," reported Myinforms in December.

While they were hopeful of Presidential intervention, time will tell if Obama can swoop in and save these fragile and sacred lands from ruin.

Food for thought; here is a post from July 2, 2015 High Country News, contemplating the battles over Utah's Cedar Mesa country, from their Senior Editor Jonathan Thompson. "As Earth’s shadow spread across the land that night, I left my perch on the rock and headed toward the tent, ambivalent about these efforts to protect this place. But that ambivalence vanished when I noticed an odd silhouette protruding unnaturally above the shadows of the forest. It was an exploratory oil drilling rig, on the other side of the canyon, on land abutting a Wilderness Study Area."

For candid thoughts from a tribal perspective, this is from Tribes Unite called The Land is What I'm Here For.

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**Letter To The Editor: Bears Ears National Monument?**

Los Alamos Daily Post

Submitted by Carol A. Clark

on January 19, 2016 - 7:47am

Here in Los Alamos, we prefer data to anecdotal (so-called) information, and the data about public support of public lands as presented in the recent letter in the Los Alamos Daily Post about Colorado College’s Poll on Conservation in the West is heartening: 78 percent of New Mexicans value conserving public lands.

Los Alamites with access to the mesas and canyons appreciate the quality of life open space provides. In fact, 16 years ago, many of us put those values into action as we worked diligently for two years to save our beautiful Valles Caldera from development as an Angel Fire-style resort (complete with hotel, mini
mall, condos, and a race track). We then worked for fourteen more to ensure that this new public land would actually be open to the public who purchased it.

Maybe you were at the celebration of the October transfer from the failed for-profit Valles Caldera National Preserve to the newly accessible Valles Caldera National Park Preserve. Maybe you stood in the monsoon green under the dome of sapphire sky as prairie dogs stood watch within the tall grass and a red-tailed hawk wheeled over the group. Maybe you felt within all that grandeur your own spirit’s connection to its magnificent wildness.

And if you were there, you would have heard mention of the proposal to create a new National Monument, Bears Ears, in SE Utah. Bears Ears is yet another spectacular, unspoiled and diverse landscape that is facing resource extraction and development.

Why should we be interested in some place in SE Utah? Well, because many of us have explored this special area, and because we know the value of protecting this rare resource for everyone rather than just the few who profit from its development.

In addition, Bears Ears is the most significant unprotected cultural and archaeological area in the US. Los Alamites understand the irreplaceable value of cultural resources since we live within the evidence of 10,000 years of occupation. Don’t most of us love to explore the archeological inspiration of Bandelier?

Like Bandelier, Bears Ears is sacred ground to Native peoples who trace their ancestry to those who built the dwellings and created the rock art that grace these lands, Bears Ears remains vital to tribal communities as a place of ceremony, subsistence and healing.

As such, many New Mexicans support protecting these resources. Thus, Bears Ears is, in fact, a local issue. Our neighbors over the hill in Jemez Pueblo and all up and down the Rio Grande support it.

The New Mexico coalition to save Bears Ears includes the Pueblos of: Ohkay Owingeh, Picuris, Nambe, Pojoaque, San Ildefonso, Jemez, Santa Clara, Taos, and Tesuque, as well as Santo Domingo, Cochiti, Isleta, Laguna, Sandia, San Felipe, Santa Ana, Acoma, Ysleta Del Sur, Zia and Zuni.

That’s a lot of people who want this place protected as a National Monument.

Because Los Alamos cherishes our local VCNPP, let’s ask President Obama to add Bears Ears National Monument to the newly designated Monuments of VCNPP, Rio Grande del Norte, and Organ Mountains Desert Peaks.

This land is your land; this land is our land. Let’s keep it for the descendants of all Americans.

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**Bishop public lands proposal unveiled, already sparking criticism**

By Amy Joi O'Donoghue, Deseret News

Published: Tuesday, Jan. 19 2016 7:45 p.m. MST

Tom Smart, Deseret News

Summary
Amid much fanfare and early criticism, Reps. Rob Bishop and Jason Chaffetz, R-Utah, are set to unveil the Public Lands Initiative discussion draft on Wednesday. One group that obtained an early copy is already slamming the proposal.

SALT LAKE CITY — Rep. Rob Bishop's Public Lands Initiative bill, due to be officially released Wednesday, promises new conservation areas, new wilderness designations, protection for prime hunting and angling areas, as well as energy and recreation zones.

Among its many provisions, built over three years of collaboration with conservationists, sportsmen, county and Native American leaders, energy and mining industry representatives, recreationists and agricultural interests, are:

• Establishes 40 new wilderness areas in Utah covering 2.2 million acres.
• Establishes up to 375,000 acres in Grand and San Juan counties as “recreation zones.”
• Expedites mineral leasing and development on certain public lands.
• Expands Arches National Park
• Creates a new national monument at the Cleveland-Lloyd Dinosaur Quarry.
• Establishes 14 National Conservation Areas — including Bears Ears in San Juan County, and aims to exclude the seven eastern Utah counties from any large-scale monument designation, a component Bishop has pushed from the outset.

But one group is already lashing out at the proposal based on components of a Jan. 8 draft they obtained and began distributing Tuesday. Aaron Weiss, spokesman for the Center for Western Priorities, said the proposal represents an "insidious attack" on public lands and does little for conservation.

"The number of strings he attaches there makes it nothing like a wilderness designation," Weiss said. "It is a designation in name only, and that alone makes the bill a nonstarter."

The 63-page discussion draft is to be unveiled at the Utah State Capitol by Bishop and Rep. Jason Chaffetz, R-Utah, at a press conference with Utah Gov. Gary Herbert Wednesday morning, but the center distributed its copy early, accompanied by harsh language designed to temper any enthusiasm.

Lee Lonsberry, Bishop's spokesman, said there would be no comment Tuesday, adding that Bishop will address any concerns at the press conference and not in reaction to the center's press release.

"Congressman Bishop will make himself available to any questions at the press conference on Wednesday and will address any concerns when he unveils the discussion draft," Lonsberry said.

Weiss said that the Bishop proposal mandates grazing continue in wilderness areas at current levels, ignores Native American tribes' request for a Bears Ears National Monument and opens up disputed roads or routes to motorized travel.

He also criticized what he characterized as a "giveaway" to the state in the form of a new state forest and accelerates the timeline for the oil, gas and mining industries by narrowing the windows for protests and appeals.

Bishop has said all along that no one will be completely happy with his bill — that everyone will get something and no one will get everything they asked for.

Other supporters have cautioned, too, that groups unwilling to compromise should not be allowed to derail the effort before the bill is released and its provisions thoroughly analyzed.

According to the Colorado-based center — which describes itself as a nonprofit nonpartisan organization devoted to Western lands' issues — Bishop's bill preserves grazing numbers under a status quo —
regardless of environmental impacts complicated by drought — and allows for energy development on those lands not currently protected or covered under protections in the bill.

Bishop, a Utah republican who is chairman of the House Committee on Natural Resources, has been working on the Public Lands Initiative proposal for three years, sifting through dozens of detailed proposals for various land uses in Carbon, Duchesne, Emery, Grand, San Juan, Summit and Uintah counties covering 18 million acres.

The land uses Bishop has said will be tackled in the legislation include grazing, oil and gas development, recreation, such as off-highway trails and mountain climbing, and outdoor sporting activities, such as big-game hunting and angling.

Some environmental groups have noted that Bishop's plan to exclude new monument designations by use of the Antiquities Act by the U.S. president will doom the proposal, while others have questioned what "form" Bishop's proposed protections will take.

Counties, too, have been watching the process with anticipation and some wariness over fear fragile agreements might crumble — or be modified to their detriment — as the process plays out.

The draft bill obtained by the Center for Western Priorities sets up 14 National Conservation Areas, including nearly 1.2 million acres for the Bears Ears area in San Juan County.

Bishop pushed for the conservation designation rather than a national monument sought by a coalition of Native American tribes because he said it offers greater flexibility for multiple uses, including access by tribes to participate in sacred ceremonies and gather firewood and herbs.

The Bears Ears Inter-Tribal Coalition, which lobbied in Washington, D.C., for monument designation, pulled out of the Public Lands Initiative talks in December, citing lack of communication and not being taken seriously by Utah's congressional delegation.

According to the copy released by the center, the draft does attempt to solve a number of long-standing disputes involving public land issues that have dogged agencies for decades, if not centuries.

The School and Institutional Trust Lands Administration, according to the leaked copy, gets to trade out lands and consolidate its holdings. SITLA officials have said more than 300,000 acres will be put into one block in an exchange that will trade the revenue-building agency into more optimal lands for energy development and out of acreage valued for its recreation or scenic qualities.

That trade component also brought the ire of Weiss' group, which they said lacked a "valuation clause," giving rise to the assertion that the state will get the better end of the bargain.

Cabin owners in a dispute with the U.S. Bureau of Reclamation over shoreline property adjacent to Scofield Reservoir are promised relief in the leaked bill in a provision that gives them title to their property as long as they absolve the federal government of any flooding liability.

There are a number of other provisions — an expansion of Arches National Park to protect Delicate Arch, the creation of a 93-mile Red Rock Country OHV trail and an expansion of Goblin Valley State Park by 10,000 acres, according to the leaked draft. It also sets up a co-managed area in the San Rafael Swell area of 156,000 acres to be run by the BLM and the state to better manage the visitor experience and protect natural resources in the heavily visited region.

Despite the early criticism, one group issued a press release late Tuesday expressing its encouragement at the draft being made public after years of collaboration and "building consensus."

"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.”

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**Utah Rep. Rob Bishop’s “Public Lands Initiative” is an Insidious Attack on Our Public Lands**

By center for western priorities  (press release) 1/19/16

**Commentary:** A draft version of Congressman Rob Bishop’s long-awaited Public Lands Initiative (PLI) bill—which will be publicly released tomorrow—has been circulating for days. Early reporting already shows Congressman Bishop trying to spin his bill as a balanced and collaborative success story, even before the public has an opportunity to review the legislation.

**Don’t be fooled:** The draft Public Lands Initiative bill is an extreme and deceptive attack on our nation’s public lands that does little for conservation. The legislation is another ideological vehicle for Congressman Bishop to express his disdain for national public lands, rather than a true attempt at addressing diverse stakeholder needs.

Rep. Bishop stated recently that “people will win and people will lose” in his bill. There’s no doubt that the winners Bishop picked are big oil and gas companies and Utah’s misguided public lands policy, while the losers include hikers, campers, sportsmen and women, Native American tribes, and the American people.

Here are six major shortcomings we’ve identified in the draft bill:

1) *It Creates Wilderness in Name Only*

Congressman Bishop will tout the millions of acres that his bill would protect as wilderness, national monuments, or national conservation areas. But within these designations Rep. Bishop has hidden unprecedented loopholes for special interests that would significantly diminish any protections. For example, the bill legislates that new wilderness areas—even those in national parks—cannot be designated as a “Class I airshed” to protect visibility and air quality. This means drilling and industrial development could happen right up to the newly “protected” areas.

Another major concern is that the bill takes science-based management out of land management decisions. The proposal, for example, mandates that grazing continue at current levels within protected areas in perpetuity, regardless of drought or condition of the range. And lands that are currently set aside as Wilderness Study Areas would be given up forever and “released” for industrial uses.

**What Congressman Bishop’s bill calls “Wilderness” is not wilderness as it’s been understood since the passage of the Wilderness Act over 50 years ago.**
2) It’s an Unprecedented Giveaway to the Oil and Gas Industry
Congressman Bishop designates all Bureau of Land Management land in six counties not currently protected or not protected by the legislation as “energy zones,” i.e. areas open to expedited oil, gas, and other mineral leasing and development.

The rapid timeline for leasing would preclude even the most minimal review of environmental impacts or potential destruction of irreplaceable cultural, historic or natural resources, turning much of Utah into an oil and gas free-for-all.

3) It Shows a Disregard for Utah’s Tribes
A coalition of 25 Native American tribes have asked President Obama to protect Utah’s Bears Ears region by designating the area as a new national monument. Their request includes 1.9 million acres of currently unprotected lands, encompassing more than 100,000 archaeological sites.

But Congressman Bishop’s legislation wouldn’t create a monument at all, and instead would create a much smaller “conservation area” with a four-person “management commission.” Half of that board would be made up of representatives from the Utah 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.

By stacking the deck with representatives who have already shown no interest in protecting native sites or history, Bishop’s PLI reveals a stunning disregard for Utah’s tribes.

4) It Allows Motorized Vehicles Throughout Utah’s Roadless Areas
The bill would open thousands of miles of dirt trails to motorized vehicles in eastern Utah, paving the way for vehicles to crisscross national monuments, national parks, and other conservation areas. As written, any county covered by the legislation could claim an historical right-of-way under an old law from 1866 called “Revised Statute 2477” and those “right-of-ways” would be opened to motorized traffic.

5) It Kneecaps the Land and Water Conservation Fund
Congressman Bishop just waged a vicious and ultimately unsuccessful battle against America’s most successful parks program, the Land and Water Conservation Fund. Fresh off his defeat, Bishop is now trying to gut LWCF in his own state by banning land management agencies from using LWCF funds to protect land inside new wilderness and conservation areas.

In other words, if the owner of private land inside a wilderness area wants to protect his or her land forever, their only options are to give that land away or arrange for a land swap. Usually, the National Park Service or Forest Service must pay fair market value to a willing seller to obtain lands, but this bill makes fair compensation impossible inside Utah’s newly “protected” lands.

6) It Helps the State with its Bundy-Inspired Land Grab
Congressman Bishop proposes an outright giveaway of almost 10,000 acres of national public lands to the state of Utah. The bill also disposes of large swaths of Emery County, an apparent gift to unnamed private interests. There is also a land “exchange” provision with no valuation clause, which could mean that the American people will receive lands of low value while the state gets high-value acreage.

Congressman Bishop’s disdain for the diverse interests he claimed would have a voice in the PLI process will be on display this Friday, when he holds court over a “listening session” in St. George, Utah. The only voices Bishop will allow to speak at the session are supporters of the Bundy family’s militant
land seizure agenda. The announcement, along with the draft PLI bill, makes it clear who Congressman Bishop actually listens to: “Speaking at the listening session will be by invitation only.”

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**Bishop public lands bill unveiled, eliciting support and criticism**

By **Amy Joi O'Donoghue**, Deseret News

Published: Wednesday, Jan. 20 2016 9:00 a.m. MST

Summary

The long-awaited Public Lands Initiative by Reps. Rob Bishop and Jason Chaffetz was released to the public Wednesday. The bill attempts to solve public land disputes, but it has its critics.

SALT LAKE CITY — Rep. Rob Bishop's Public Lands Initiative bill was unveiled Wednesday with provisions to expand Arches National Park, create a new national monument in Utah and establish designated recreation and energy zones to provide "certainty" among Utah's public land users.

What remains to be seen, however, is if Bishop and his co-sponsor, Rep. Jason Chaffetz, can harness the maelstrom of criticism from environmental groups and garner enough support to move his proposal forward to a place called success.

Bishop, R-Utah, said he is not deterred by those lining up against his bill and will continue over the next few weeks to work with both critics and supporters to tweak the measure before it is introduced in Congress. There may be modifications that help quell some of the hue from detractors, he added.

"If they shoot it down they shoot it down," he said Wednesday after a press conference unveiling his 63-page bill. "We did the best we could do. But what it does mean is that any kind of future positions are going to be much more radical, much more confrontational, much more litigious than what we were attempting to do in solving these problems."

Bishop's bill, crafted in concert with Chaffetz, R-Utah, promises new conservation areas, new wilderness designations, protection for prime hunting and angling areas, as well as energy and recreation zones.

Among its many provisions, built over three years of meetings with conservationists, sportsmen, county and Native American leaders, energy and mining industry representatives, recreationists and agricultural interests, are:

- 40 new wilderness areas in Utah covering 2.2 million acres
- Recreation zones in Grand and San Juan counties of 375,000 acres
- Expedited mineral leasing and development on certain public lands
- Expansion of Arches National Park to the north to protect Delicate Arch and possibly improve congestion
- A new national monument at the Cleveland-Lloyd Dinosaur Quarry
- 4 National Conservation Areas — including Bears Ears in San Juan County, Book Cliffs in Emery County and White River in Uintah County
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."

Bishop asserts the measure is the largest conservation lands bill in the history of the lower 48 states and proposes to protect or safeguard 4.3 million acres.

Groups like the Wilderness Society, the Southern Utah Wilderness Alliance, the Natural Resources Defense Council and Grand Canyon Trust say the bill does just the opposite.

"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."

Spitler was especially critical of the energy zones provided for in the bill and management options in wilderness and conservation designations that "undermine their conservation purposes."

Under Bishop's bill, he directs the Interior and Agriculture departments to manage the 40 areas under the provisions of the Wilderness Act, but with multiple exceptions that allow mechanized equipment or aircraft for wildfire management, continued grazing for those with current allotments, commercial outfitting activities and state wildlife functions that include maintenance of current and future support buildings.

"The draft PLI is an un-wilderness bill," said Scott Groene, executive director of the Southern Utah Wilderness Alliance. "Effectively less wilderness would be protected in Utah if this bill is passed than what is currently managed for the public. The wilderness it designates includes unprecedented loopholes and caveats, like enshrining grazing."

Bishop dismissed the groups' complaints.

"It's crap. There is no value to it at all," he said. "Wilderness becomes wilderness. And it is a designation of something that was never officially done as wilderness. We are ending the potential debate about that."

He added the criticisms over "loopholes" confounds him.

"That is bizarre, too, because the same language that we have in our bill was in other bills that have been done in the past, too. That is a ridiculous argument. … There is no merit whatsoever."

Bishop, who is chairman of the House Committee on Natural Resources, has been working on the Public Lands Initiative proposal for three years, sifting through dozens of detailed proposals for various land uses in Carbon, Duchesne, Emery, Grand, San Juan, Summit and Uintah counties covering 18 million acres. Bishop's primer on the legislation says there were more than 1,200 meetings and 65 detailed land proposals that went into building the comprehensive public lands package.

The land uses tackled in the legislation include grazing, oil and gas development, recreation, such as off-highway trails and mountain climbing, and outdoor sporting activities, such as big-game hunting and angling, as well as recreation zones.

Bishop's bill designates a little over a million acres for recreation and energy, allowing for energy development in areas not already protected or in conservation designations under his measure. It also
expedite the federal process for permits and protests, narrowing the window for such procedures to 60 days.

The energy provision brought a nod of support from the Western Energy Alliance, which represents more than 450 independent oil and gas companies in the West.

"We applaud the concept of energy planning areas that are primarily focused on energy development and understand that in return, other areas will be designated for conservation," said Kathleen Sgamma, vice president for government and public affairs at Western Energy Alliance, adding that the group is concerned that so many areas are being placed off-limits.

Andy Rasmussen, Utah coordinator for Trout Unlimited Sportsmen Conservation Project, said his organization is encouraged by the proposed creation of a national first — the Book Cliffs National Conservation Area of 42,352 acres, which would be managed for sportsmen qualities with input from a public advisory council.

"That is a new federal designation, and if we can get something that works moving forward, that will provide a real nice precedent throughout the West," he said. "The top management priority would be the management of fish and wildlife and sportsmen's access. That is a good deal."

Rasmussen added the group has concerns over some of the language but is optimistic the collaboration and compromise he said played out in the process will continue.

Bishop has said all along that no one will be completely happy with his bill — that everyone will get something and no one will get everything they asked for.

On Wednesday, he and Chaffetz reiterated that point.

"There is something for everyone to like and something for everyone to hate," Bishop said. "But if you look at the totality of what we are doing, it is so positive, it is moving everything forward, there is value in that."

Environmental groups and Native American tribes have been strident in their criticism of the measure because of its failure to designate a new national monument for Bears Ears in San Juan County.

The congressman pushed for the conservation designation for Bears Ears rather than what was sought by a coalition of Native American tribes because he said it offers greater flexibility for multiple uses, including access by tribes to participate in sacred ceremonies and gather firewood and herbs.

"The Bears Ears National Conservation Area was an idea that actually came from the people who actually live in the county. It is far more beneficial to have a conservation area if you are going to go about tribal practices and activities than if you were to make some kind of monument."

The Bears Ears Inter-Tribal Coalition, which lobbied in Washington, D.C., for monument designation, pulled out of the Public Lands Initiative talks in December, citing lack of communication and not being taken seriously by Utah's congressional delegation.

"The Bears Ears designation is more than a million acres. It is a huge swath of land," Chaffetz said. "I take great exception to the idea that, even the suggestion that we have not heard or spent time addressing concerns from Native Americans."

Chaffetz added he'd personally met with the president of the Navajo Nation and had meetings with representatives as recently as December.

The Bears Ears Inter-Tribal Coalition issued a statement Wednesday describing the conservation area component as "woefully inadequate" and a confirmation of "inequitable" treatment over the last three years.
Utah Gov. Gary Herbert called for support of the Bishop proposal, saying public lands contention has been a part of Utah history for more than 100 years and what Bishop and Chaffetz have done should be commended.

"They have brought people together in a significant way. … There will be some who criticize because they don't get everything they want," Herbert said. "Let's have a positive attitude to say this will work. There are some ways to tweak it, maybe make it better. But I think the congressmen have done a great job in finding the sweet spot in something that is common sense."

The legislation attempts to solve long-standing disputes involving public land issues that have dogged agencies for decades, if not more than a century.

The School and Institutional Trust Lands Administration, according to the bill, gets to trade out lands and consolidate its holdings, which are scattered in square-mile sections granted at statehood in 1896. SITLA officials have said more than 300,000 acres will be put into one block in an exchange that will trade the revenue-building agency into more optimal lands for energy development and out of acreage valued for its recreation or scenic qualities.

Cabin owners in a dispute with the U.S. Bureau of Reclamation over shoreline property adjacent to Scofield Reservoir are promised relief in Bishop's proposal through a provision that gives them title to their property as long as they absolve the federal government of any flooding liability.

There are a number of other components — an expansion of Arches National Park to protect Delicate Arch, the creation of a 93-mile Red Rock Country OHV trail and an expansion of Goblin Valley State Park by 10,000 acres. It also sets up a co-managed area in the San Rafael Swell area of 156,000 acres to be run by the BLM and the state to better manage the visitor experience and protect natural resources in the heavily visited region.

Chaffetz and Bishop urged the public and other groups to take time to read the bill and explore its provisions as they weigh its impact on public lands in Utah.

"So I know there are these radical environmentalists who say it is dead on arrival and we will never do it. Shame on them. Shame on them," Chaffetz said. "We have come far, far beyond what I thought we could actually do. I think it is a great opportunity for the state. I think it is a great opportunity for our country. It would be a crying shame if there were just a national monument designation. That is not the way to do things. It sells our state short."

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**Utah tribes say public-lands bill ‘adds insult to injury,’ petition Obama to designate monument**

By BRIAN MAFFLY | The Salt Lake Tribune
First Published Jan 20 2016 05:21PM  •  Last Updated Jan 21 2016 12:08 am

Rep. Rob Bishop's draft Public Lands Initiative would set aside 1.1 million acres in San Juan County as a Bears Ears National Conservation Area, but the inter-tribal coalition that is championing the idea called
the congressman's proposal "woefully inadequate" for protecting a landscape sacred to the Navajo and Utes and considered an ancestral homeland to nearby Puebloan tribes.

The draft bill offers a scaled-down version of the 1.9 million-acre national monument sought by the Bears Ears Inter-Tribal Coalition for the lands stretching from the San Juan River over Cedar Mesa to the Abajo Mountains. But worse, it provides only token opportunities for tribal influence how the land would be administered, according to Eric Descheenie, a Navajo tribal executive who is a coalition co-chairman.

"The tribes want equal footing over policy and administration," Descheenie said. "We haven't gotten anything substantive in response to that."

Last month, the coalition pulled out of talks with the Rep. Jason Chaffetz and Bishop, complaining San Juan County leaders and Utah's GOP congressmen were not taking its proposal seriously.

The draft bill unveiled Wednesday "adds insult to injury," Descheenie said.

"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," the coalition wrote to Bishop and Chaffetz in a letter sent Wednesday. The group is now petitioning the Obama administration to use the Antiquities Act to designate a Bears Ears monument.

Bishop and Chaffetz propose a conservation zone that would be managed in "a way that conserves, protects, and enhances the scenic, biological, natural, historical, scientific, recreational, ecological, educational, scientific, and cultural resources of the area while maintaining access via motorized and nonmotorized uses to sacred sites, historical and recreational places, and gathering and hunting grounds."

At Wednesday's unveiling of the draft bill, Chaffetz defended his office's efforts to include all relevant stakeholders in the complicated process to draft a bill in which all sides were expected to make concessions.

"It's a huge swath of land. If you look at the way the management of what is proposed under the PLI, you have an equal participation with the Native American representation as you do with state and county interest as well as [the Bureau of Land Management]," said Chaffetz, whose district covers much of the land affected by the PLI. "I take great exception to the idea that we have not heard or spent time addressing concerns of Native Americans. I have flown and met with the Navajo Nation president and had groups in my office as late as December hearing their thoughts and ideas, and we will continue to listen."

He and Bishop counseled that a national conservation area, or NCA, would offer greater flexibility than a monument designated by the president under the Antiquities Act. An NCA is a better way, they said, to ensure traditional uses of this landscape, such as firewood and herb-gathering and spiritual ceremonies, sought by tribal members.

"It would be ill-advised to go with a monument. It sells our nation and our state short. You can't do nearly as much with a designation as you can with this bill," Chaffetz said. "We will have more Native American participation of what we can do in a congressional direction than the president can do unilaterally."

Tribal leaders say preservation of the land is paramount to their communities' interest, and the PLI does not go far enough.

"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."
Chaffetz's draft does envision designating 225,601 acres of wilderness on Cedar Mesa. The document proposes far more conservation than what the county proposed, even though San Juan was "generous" on offering lands for wilderness, according to County Commission Chairman Phil Lyman.

"You get to the point where you just shrug your shoulders," Lyman said. "We just want some concessions back to the county, just so we're able to plan our future and have an economy that's viable."

Yet another sticking point is the spiderweb of routes to which San Juan County is seeking title. The Bishop bill would cede most of these routes, currently tied up in litigation with the federal government, to the state, including some on Cedar Mesa.

Brian Maffly covers public lands for The Salt Lake Tribune. Maffly can be reached at bmaffly@sltrib.com or 801-257-8713. Twitter: @brianmaffly

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Statement from Jessica Kershaw, Interior Spokeswoman

There’s no doubt that southeastern Utah’s incredible natural and cultural resources are deserving of real protection and recognition, and we appreciate Congressmen Bishop and Chaffetz’s work to lead a conversation on this topic. Given the real risks these resources face, we share a sense of urgency to protect these special places for current and future generations.

It’s important that any proposal include meaningful conservation – both in name and practice – and that the land management provisions do not roll back critical stewardship tools and authorities, such as the Antiquities Act. We remain concerned by the assertion from Tribes that their voices are not reflected in this proposal regarding their ancestral lands.

While we don’t provide official positions on discussion drafts such as this, we look forward to reviewing the details and hearing from the people of Utah, Tribes and other stakeholders in shaping a balanced vision for the future of these public lands.

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A First Draft of the Public Lands Initiative is Already DOA With Tribes and Green Groups

By Jon Kovash • Jan 20, 2016 Utah Public Radio (audio at link)

It’s been called “The Grand Bargain,” a way to ensure that everyone, from wilderness advocates to drill baby drillers, get a piece of the public lands pie. And the first draft has already become a subject of scorn among Utah environmental groups and tribal groups, who are joining to push for a Bears Ears national monument, which a recent poll says is supported by two out of three Utahns.

Leonard Lee, from Aneth, is involved with Dineh Bikeyah and the five-tribe coalition that is proposing Bears Ears. Lee explained why the tribes walked away from the Bishop plan.

“Nobody took us seriously. Nobody really listened. We were let down and they told us that us Navajo, the Native American people, that we don’t know how to take care of land, go back to the reservation.”

The tribal coalition accused Bishop and Chaffetz of “a long and callous pattern of not taking the tribe’s concerns seriously,” and of “heavy-handed political over-reaching.” Mark Maryboy, from Montezuma Creek, says this new draft of the Public Lands Initiative is more of the same.
“We’re not happy with his draft. The trust is not there. If we should support him with his legislation, who knows what he’s going to do? He could modify it on the floor in congress, and Bishop is chairman of the Natural Resources Committee. He has a lot of sway.”

Lee takes issue with Bishop and Chaffetz, who have characterized Bears Ears supporters as “outsiders” who don’t qualify as stakeholders.

“We don’t consider ourselves as stakeholders. We’re not stakeholders. We’re the landlord. (laughs)"

Scott Groene is executive director of the SUWA, the Southern Utah Wilderness Alliance.

The discussion becomes, is it just a mechanism to try and run the clock out on President Obama using the Antiquities Act to preserve the Bears Ears.

Groene says SUWA is also ready to walk away from the Bishop/Chaffetz plan, and to unite with the tribes to push for a Bears Ears national monument.

“Certainly time is running out to try and accomplish anything in this congress. It’s a presidential election year. The congress is meeting only 110 days. It would be very difficult to try and enact legislation even if everyone was in agreement.”

Groene agrees with a recent Salt Lake Tribune editorial that argued that the whole Bishop plan process has relied too heavily on county commissioners.

“Whatever the proposed legislation is will simply reflect the wish list of rural county commissioners. And if that’s the case then we’ll be headed down the same rotten path that we’ve been down in Utah some dozen times, where terrible legislation is introduced to please the egos of a handful of rural county commissioners, and will die in the congress, and we will have failed again.”

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**Editorial: Bishop/Chaffetz lands bill is still a work in progress**

Salt Lake Tribune First Published Jan 20 2016 11:15PM • Last Updated Jan 20 2016 11:15 pm

Reps. Rob Bishop and Jason Chaffetz are to be commended for their long effort to bring forth the most comprehensive public lands bill ever crafted for Utah, but if they think they’re done now, they probably won’t succeed.

The long awaited "Public Lands Initiative" bill attempts to define future uses for 18 million acres of federal lands in seven eastern Utah counties, and it reflects an effort to address diverse issues from economic development to recreation to wilderness protection. It has been a process driven in large degree by elected leaders in those counties, and the result skews toward their desires.

The highlights include:

• Expanding Arches National Park to protect the view at Delicate Arch and turning the Cleveland Lloyd Dinosaur Quarry into a national monument, but not making a monument out of the Bears Ears as desired by a coalition of Indian tribes and environmental and recreation groups.
• Setting aside 2.2 million acres as wilderness, but relaxing the air quality standards in those wilderness areas to allow development nearby.

• Setting aside another 1.9 million acres, including the Cedar Mesa and Bears Ears areas, as "National Conservation Areas," a designation that could still allow oil rigs and ATV trails in some areas.

• Trading federal lands with the state School and Institutional Trust Lands Administration to bring more income to Utah schools. Some of those lands are within the historic boundaries of the Ute Tribe's Uncompahgre Reservation, which brought a swift rebuke from tribal officials who weren't consulted.

• Giving the counties thousands of miles of disputed "RS2477" rights of way. For decades, Utah and its counties have claimed roads across federal lands under a century-old law, but the federal government, under both Democratic and Republican presidents, has challenged those claims. The issue has been so clogged in litigation that last fall Chaffetz was saying it wouldn't even be addressed in the PLI bill. Their inclusion is a surprise to many and undermines claims that this was an open process.

• Removing the possibility of any future president declaring a national monument within the seven counties. This by itself may be enough for President Obama to veto the bill and/or declare a Utah monument. Bishop and Chaffetz insist it is needed to provide the certainty for those who live and work in and around those lands. But the certainty argument is only used against monument declarations. In fact, Bishop and Chaffetz are not offering certainty on many lands that would become NCAs, where management boards could continue to change the rules.

The most uncertainty can be found in the bill's unabashed encouragement of oil and gas development, which today looks more like a dream than a strategy. When they began the PLI process in 2012, oil was trading at $100 a barrel and eastern Utah was white hot with economic activity. Today, oil is under $30 a barrel, and there is barely a drill rig working in Utah. There is no guarantee oil prices will ever rebound to the point where we get another oil boom. Or even worse, we may see another boom that brings a short-term drilling blitz but long-term environmental degradation after the boom ends.

The bill released Wednesday is clearly labeled as a "discussion draft," and it is important that the sponsors view it that way. They have invested years, but now it is the time for the rest of Congress to study it and act in the best interests of all Americans, who are the owners of this land.

If Bishop and Chaffetz decide they are done compromising, this bill will likely die and all the good things will die with it. Here's hoping this long process still has some legs.

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**Here are the basics of Bishop and Chaffetz’s plan for Utah’s public lands**

The Salt Lake Tribune

First Published Jan 20 2016 05:03PM • Last Updated Jan 21 2016 12:21 am

Reps. Rob Bishop and Jason Chaffetz's long-awaited [draft](#) of the Utah Public Lands Initiative Act, released Wednesday, purports to balance conservation and the opportunity to resolve land-use conflicts in seven eastern Utah counties — San Juan, Grand, Emery, Carbon, Uintah, Duchesne and Summit.

Here is a summary of the 65-page "discussion" [draft](#) so far available. See the [full story here](#).

Conservation • The document calls for:
• 41 new wilderness areas totaling 2.3 million acres, including Desolation Canyon, Candland Mountain, a 26,701-acre addition to the High Uintas, Mancos Mesa, Cheesebox Canyon, Dark Canyon, Cedar Mesa, Mexican Mountain, Range Creek and Butler Wash.
• 14 new national conservation areas totaling 1.8 million acres of Bureau of Land Management land, including Bears Ears, White River, Diamond Mountain, San Rafael Swell, Labyrinth Canyon, Book Cliffs and Nine Mile Canyon.
• Expanding Arches National Park by 19,255 acres to protect the view behind Delicate Arch.
• Establishing seven special management areas covering 94,958 acres on U.S. Forest Service lands.
• Establishing the 867-acre Jurassic National Monument at Cleveland Lloyd Dinosaur Quarry.
• Designating 301 miles of wild and scenic river on the Colorado, Green, Dolores, San Juan and Dark Canyon rivers.
• Creating an 110,838-acre Ashley Creek Recreational and Special Management area.

Opportunity • The draft also speeds development access to some areas. It would:
• Expedite drilling in areas deemed "open" to mineral development.
• Convey title to thousands of disputed road segments to the state.
• Bar future Antiquities Act monument designations.
• Consolidate 336,441 acres of School and Institutional Trust Lands (SITLA) through land swaps that would safeguard nearly 36,000 roadless acres in the Book Cliffs from energy development.
• Release 80,797 acres from wilderness study.
• Create a 13,321-acre Price Canyon State Forest.
• Expand Goblin Valley State Park and create a 156,540-acre "co-management" area extending into the San Rafael Swell.
• Convey 23 federally owned areas totaling 40,449 acres to state and local entities to facilitate public use, such as the expansion of the Canyonlands Field Airport, the Hole-in-the-Rock Trail, the creation of Fantasy Canyon State Park, an expansion of the University of Utah's Range Creek Research Station and the creation of a Seep Ridge utility corridor.
• "Dispose" of 5,094 acres in Emery County.
• Promote economic development for Native American communities, although these sections remain blank.
• Establish a 93-mile OHV trail connecting the town of Green River with Grand Junction, Colo.
• Establish recreation zones covering 375,689 acres in Canyon Country, including two areas in San Juan County for motorized recreation.

AT A GLANCE
“The process that went into producing this bill is truly laudable and the resulting policy is a good-faith compromise. Not only does this bill secure valuable land for natural resource development to fund public schools, not only does it promote conservation and recreation, but it also protects those with existing interests on federal lands and will insulate the participating counties from future disruptive federal action.”

—Sen. Mike Lee, R-Utah, Senate sponsor for the Public Lands Initiative
“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. 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.”

—Regina Lopez-Whiteskunk, Ute Mountain Utes

“We applaud the concept of energy planning areas that are primarily focused on energy development, and understand that in return other areas will be designated for conservation. We are concerned that prospective areas are being placed off-limits, since advances in technology have enabled the oil and natural gas industry to reduce the impact on the land by as much as 70 percent, and improved reclamation means that the impact from development is small and temporary.”

—Kathleen Sgamma, Western Energy 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.”

—Scott Groene, Southern Utah Wilderness Alliance

“The draft PLI weakens existing protections for important natural and cultural resources inside the proposed Bears Ears National Monument. 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.”

—Bill Hedden, Grand Canyon Trust

“This special interest lollapalooza plan guarantees Utah will continue to spend tens of millions of tax dollars to fight useless, message lawsuits that the state will lose. The Bishop PLI seems intended to make political points with the far fringe of the GOP base delegates. It is not serious. Utah should roll up its sleeves, sit down with the feds and make a generational deal to make our state open to outdoor recreation, protected for hunters and anglers, preserve our pristine places, and designate limited areas of economic development.”

—Utah Sen. Jim Dabakis, D-Salt Lake City

“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.”

—Bears Ears Inter-Tribal Coalition

“There is no doubt Utah stands to gain directly and immediately under the Public Land Initiative. I am supportive of this inclusive, bottom-up approach that moves us in the right direction. While the initiative is not perfect, as no true compromise is, it finds a way to give the state greater control over the use of Utah lands.”

—Utah Gov. Gary Herbert

“The release of this draft represents the culmination of years of our effort to listen to people. This is a discussion draft, which provides another opportunity for positive ideas. Our goal has always stayed constant. We will conserve areas worthy of conservation. We will guarantee outdoor recreation for all Utahns. We will enhance economic development to fund Utah schools and create good jobs. We will
provide certainty by ending the litigation and mindless debates. That certainty will allow everyone to plan for the future without outside groups imposing their misguided will.”

—Rep. Rob Bishop

“PLI will enhance local land management and provide immediate certainty to eastern Utah communities. This locally driven process has allowed stakeholders to come to the table, engage in conversations, and offer solutions that make the land management system work better for eastern Utah. We’ve crafted a needed balance between conservation and economic development and I look forward to moving this bill forward.”

—Rep. Jason Chaffetz

“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. ... I hope that members of Congress will see this for what it is and vote it down.”

—Salt Lake City Democratic Rep. Joel Briscoe

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**Utah tribes say public-lands bill ‘adds insult to injury,’ petition Obama to designate monument**

By BRIAN MAFFLY | The Salt Lake Tribune

First Published Jan 20 2016 05:21PM

Rep. Rob Bishop's draft Public Lands Initiative would set aside 1.1 million acres in San Juan County as a Bears Ears National Conservation Area, but the inter-tribal coalition that is championing the idea called the congressman's proposal "woefully inadequate" for protecting a landscape sacred to the Navajo and Utes and considered an ancestral homeland to nearby Puebloan tribes.

The draft bill offers a scaled-down version of the 1.9 million-acre national monument sought by the Bears Ears Inter-Tribal Coalition for the lands stretching from the San Juan River over Cedar Mesa to the Abajo Mountains. But worse, it provides only token opportunities for tribal influence how the land would be administered, according to Eric Descheenie, a Navajo tribal executive who is a coalition co-chairman.

"The tribes want equal footing over policy and administration," Descheenie said. "We haven't gotten anything substantive in response to that."

Last month, the coalition pulled out of talks with the Rep. Jason Chaffetz and Bishop, complaining San Juan County leaders and Utah's GOP congressmen were not taking its proposal seriously.

The draft bill unveiled Wednesday "adds insult to injury," Descheenie said.

"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," the coalition wrote to Bishop and Chaffetz in a letter sent Wednesday. The group is now petitioning the Obama administration to use the Antiquities Act to designate a Bears Ears monument.
Bishop and Chaffetz propose a conservation zone that would be managed in "a way that conserves, protects, and enhances the scenic, biological, natural, historical, scientific, recreational, ecological, educational, scientific, and cultural resources of the area while maintaining access via motorized and nonmotorized uses to sacred sites, historical and recreational places, and gathering and hunting grounds."

At Wednesday's unveiling of the draft bill, Chaffetz defended his office's efforts to include all relevant stakeholders in the complicated process to draft a bill in which all sides were expected to make concessions.

"It's a huge swath of land. If you look at the way the management of what is proposed under the PLI, you have an equal participation with the Native American representation as you do with state and county interest as well as [the Bureau of Land Management]." said Chaffetz, whose district covers much of the land affected by the PLI. "I take great exception to the idea that we have not heard or spent time addressing concerns of Native Americans. I have flown and met with the Navajo Nation president and had groups in my office as late as December hearing their thoughts and ideas, and we will continue to listen."

He and Bishop counseled that a national conservation area, or NCA, would offer greater flexibility than a monument designated by the president under the Antiquities Act. An NCA is a better way, they said, to ensure traditional uses of this landscape, such as firewood and herb-gathering and spiritual ceremonies, sought by tribal members.

"It would be ill-advised to go with a monument. It sells our nation and our state short. You can't do nearly as much with a designation as you can with this bill," Chaffetz said. "We will have more Native American participation of what we can do in a congressional direction than the president can do unilaterally."

Tribal leaders say preservation of the land is paramount to their communities' interest, and the PLI does not go far enough.

"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."

Chaffetz's draft does envision designating 225,601 acres of wilderness on Cedar Mesa. The document proposes far more conservation than what the county proposed, even though San Juan was "generous" on offering lands for wilderness, according to County Commission Chairman Phil Lyman.

"You get to the point where you just shrug your shoulders," Lyman said. "We just want some concessions back to the county, just so we're able to plan our future and have an economy that's viable."

Yet another sticking point is the spiderweb of routes to which San Juan County is seeking title. The Bishop bill would cede most of these routes, currently tied up in litigation with the federal government, to the state, including some on Cedar Mesa.

Brian Maffly covers public lands for The Salt Lake Tribune. Maffly can be reached at bmaffly@sltrib.com or 801-257-8713. Twitter: @brianmaffly
Bishop's Utah bill draws green group attacks, industry cheers

Phil Taylor, E&E reporter (Subscription) Greenwire
Published: Wednesday, January 20, 2016

House Natural Resources Chairman Rob Bishop (R-Utah) today released a long-awaited draft bill for 18 million acres of public lands in eastern Utah, drawing praise from state and energy industry officials but strong opposition from conservation groups and skepticism from a top House Democrat.

Bishop released the draft this morning alongside Rep. Jason Chaffetz (R-Utah) and Utah Gov. Gary Herbert (R) at the Statehouse.

The congressmen said they went through more than a dozen drafts of the legislation and took input from more than 120 stakeholder organizations and more than four dozen field trips to eastern Utah.

Today they launched a new Public Lands Initiative website with a bill text, summary and maps.

"Our goal has always stayed constant," Bishop said in a statement. "We will conserve areas worthy of conservation. We will guarantee outdoor recreation for all Utahns. We will enhance economic development to fund Utah schools and create good jobs. We will provide certainty by ending the litigation and mindless debates."

In total, the bill would protect 4.3 million acres, including 2.2 million acres of wilderness, in seven counties: San Juan, Grand, Emery, Carbon, Uintah, Duchesne and Summit.

More than 300 miles of the Colorado, Green and Dolores rivers would be protected under the Wild and Scenic Rivers Act. It also would designate more than 1 million acres for new recreation and economic development opportunities, namely oil and gas and potash development.

A massive land exchange would give Utah consolidated ownership of 336,000 acres, allowing greater opportunities to raise revenues for schools and other state services.

Herbert praised the bill.

"There is no doubt Utah stands to gain directly and immediately under the Public Land Initiative," he said in a statement. "I am supportive of this inclusive, bottom-up approach that moves us in the right direction. While the initiative is not perfect, as no true compromise is, it finds a way to give the state greater control over the use of Utah lands."

Kathleen Sgamma, vice president for government and public affairs at the Western Energy Alliance, said the legislation is an "important milestone" in a "bottom-up" approach to settle the area's decades of conflicts over public lands.

"We will of course need to carefully evaluate the proposals, but we understand that no one stakeholder can get 100 percent of what it wants," she said. "We applaud the concept of energy planning areas that are primarily focused on energy development, and understand that in return other areas will be designated for conservation."

Sgamma said WEA is disappointed the bill protects 4.3 million acres but does not place limits on the president's use of the Antiquities Act to designate national monuments.

In a notable boost for oil and gas interests, the bill would essentially codify land-use plans finalized in the waning years of the George W. Bush administration and roll back the Obama administration's leasing
reforms in Uintah, Duchesne, Grand, Carbon, Emery and San Juan counties that industry has blamed for hampering development.

The provision would restrict the Bureau of Land Management's attempts to establish a "master leasing plan" restricting drilling and potash mining around Moab. Lands identified by the Bush administration as open for energy development "shall be managed for the production of energy and mineral resources as the highest management priority," the bill states.

Martin Hackworth, executive director of the BlueRibbon Coalition, a national motorized recreation advocacy group, said his group is still reviewing the legislation and will likely remain neutral.

"It looks to me as something that's largely driven by energy development," he said. "I have mixed feelings on that."

But key national conservation groups including the Wilderness Society, Southern Utah Wilderness Alliance, Grand Canyon Trust, Natural Resources Defense Council and Sierra Club today blasted the bill, arguing it falls short of protections needed for the "world-renowned redrock scenery of the national public lands in Utah."

It contains "unprecedented and controversial proposals" that would undermine wilderness protection and "adversely affect wildlife, recreation, and watersheds in key areas across eastern Utah," the groups said.

"Effectively, less wilderness would be protected in Utah if this bill passed than what is currently managed for the public," said SUWA Executive Director Scott Groene. "The wilderness it designates includes unprecedented loopholes and caveats, like enshrining grazing. This proposal does not do justice to these world-class landscapes."

While the bill would represent one of the largest wilderness designations in recent history, it contains numerous notable exemptions from Wilderness Act protections.

For example, the designations would allow "any measures to manage wildland fire and treat hazardous fuels, insects, and diseases" and ensure that grazing continues "at stocking levels prescribed" at the beginning of this year, with other exceptions for infrastructure that supports livestock and game animals.

Committee ranking member Raúl Grijalva (D-Ariz.) said public lands bills like Bishop's won't pass "without local buy-in and genuine give-and-take."

"Chairman Bishop has advertised his efforts to gather that input, and we look forward to a committee hearing where stakeholders can express their views on this proposal," Grijalva said. "That hearing should include representatives of the large coalition of Utah tribal organizations that recently left Chairman Bishop's discussion group."

Grijalva was referring to the Bears Ears Inter-Tribal Coalition, which earlier this month chose to abandon Bishop's legislative effort and instead to ask President Obama to designate a 1.9-million-acre national monument in the area (E&E Daily, Jan. 5).

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Tribes not swayed by Bishop's Utah bargain

Phil Taylor, E&E News (Subscription)

Published: Thursday, January 21, 2016

A coalition of American Indian tribes plans to continue lobbying President Obama to designate a 1.9-million-acre national monument in southeast Utah, arguing that a sweeping bill unveiled yesterday by House Natural Resources Chairman Rob Bishop (R-Utah) would fail to protect important cultural sites and wildlife habitat and would hand some tribal minerals to the state.

The Bears Ears Inter-Tribal Coalition, a partnership of the Hopi, Navajo, Uintah & Ouray Ute, Ute Mountain Ute and Zuni governments, yesterday sent a letter to Bishop and Rep. Jason Chaffetz (R-Utah), highlighting what it deemed "major shortcomings" in the 65-page discussion draft.

In total, the bill would protect 4.3 million acres of land, including 2.3 million acres of wilderness, and expedite energy development in seven counties: San Juan, Grand, Emery, Carbon, Uintah, Duchesne and Summit (Greenwire, Jan. 20).

But the bill fails to fully protect the Bear Ears region of southeast Utah, an ancestral homeland to a number of Southwestern tribes that contains an estimated 100,000 cultural sites, the coalition said. It believes the area needs executive protection under the Antiquities Act.

"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," it said.

Opposition from the tribes and a handful of influential environmental groups could spell trouble for Bishop's bill.

Moreover, the Interior Department yesterday issued a statement saying it was concerned about the tribes' objections. The department's Bureau of Indian Affairs has a mission to enhance tribes' quality of life, and its top officials have travelled to Bears Ears to listen to the monument proposal.

"We remain concerned by the assertion from tribes that their voices are not reflected in this proposal regarding their ancestral lands," said Interior spokeswoman Jessica Kershaw.

"It's important that any proposal include meaningful conservation -- both in name and practice -- and that the land management provisions do not roll back critical stewardship tools and authorities, such as the Antiquities Act," Kershaw said.

She said the department appreciates the efforts of Bishop and Chaffetz and "share[s] a sense of urgency to protect these special places for current and future generations."

Bishop's discussion draft would establish a 1.1-million-acre Bears Ears National Conservation Area to "integrate greater local control, science and land management techniques" and incorporate the traditional knowledge of all five coalition tribes.
BLM and the Forest Service would craft a management plan in coordination with a four-member Bears Ears Commission, two members of which would represent local tribes.

The management plan must "protect and preserve Native American historical uses, access to ceremonial sites, hunting and gathering, and other cultural uses and sites," according to the draft bill.

Bishop earlier this month said a "structured conservation area," as opposed to a presidential national monument, would ensure that tribes could continue to use the land for traditional activities "with the least amount of federal interference."

"It is clear this self-appointed [Bears Ears] coalition has an agenda that we need to reconcile with the wishes of those who actually call Utah home," he said.

But the coalition's letter, signed by Eric Descheenie, an aide to Navajo President Russell Begaye, and Hopi Vice Chairman Alfred Lomahquahu, said the bill's boundaries leave sensitive lands unprotected and that it does not place American Indians as "co-equals" with federal land managers.

The legislation would also "permanently open too many acres to mineral extraction within and surrounding the Bears Ears proposal," they wrote.

**Massive land exchange**

The bill received a more pointed attack from the Ute Indian Tribe of the Uintah and Ouray Reservation, which includes roughly 1.3 million acres of oil- and gas-rich trust lands in northeast Utah.

The bill would facilitate a massive land exchange between Interior and Utah's School and Institutional Trust Lands Administration (SITLA), designed to consolidate the checkerboard ownership of lands and provide new mineral revenue for Utah schools.

Roughly 336,000 acres of scattered state land would be blocked up "in locations that would maximize revenue for Utah's school kids," according to the bill's website.

While Interior has yet to sign off on the deal, the proposed swap would transfer some lands to Utah that the Ute Tribe believes the federal government should hold in trust for the tribes' benefit. The lands are within the Uncompahgre Reservation and managed by BLM.

"If Congressman 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," said a statement by the Ute Tribal Business Committee, the tribe's governing body. "Instead, the bill proposes to take Indian lands and resources, to fix Utah's problems."

The land's status is important. As BLM-managed property, oil and gas revenue is split equally between Utah and the U.S. Treasury. As Indian trust lands, the tribe would receive all revenues. As state lands, the revenue would generally go to Utah.

John Andrews, associate director and chief legal counsel at SITLA, said the lands claimed by the Ute Tribe on the proposed land-swap map are labeled "subject to resolution."
"We acknowledge we need to work with the tribes to resolve this," he said, noting that BLM considers these lands to be federally owned.

As long as tribes are opposed to Bishop's bill, it's unlikely that the Obama administration is going to take the threat of a national monument off the table.

Bishop's bill does enjoy support from Utah Gov. Gary Herbert (R) and the Western Energy Alliance.

Andy Rasmussen, Utah coordinator for Trout Unlimited's Sportsmen's Conservation Project, has also offered conditioned support, particularly for the Book Cliffs National Conservation Area of 42,352 acres, which would be managed for sportsmen, according to the Deseret News.

New House Bill Gives Away Public Lands, Creates Pseudo-Wilderness Areas

by Jenny Rowland – Center for American Progress (blog) -- Guest Contributor Jan 21, 2016 11:48 am

Representatives Rob Bishop (R-UT) and Jason Chaffetz (R-UT) released a long-awaited public lands bill Wednesday that, if passed, would affect 18 million acres of public lands in Eastern Utah. The proposal would downgrade protections for wilderness quality lands in the region, create new oil and gas drilling zones that are exempted from environmental protections, and hand over large areas of national public lands to private and state control.

The Public Lands Initiative (PLI) has been on Representative Bishop’s agenda for over three years. At its inception, Bishop said the plan was intended to create comprehensive, “locally-driven” public lands legislation “rooted in the belief that conservation and economic development can coexist” and to resolve land disputes in the region. Planning for the bill included significant outreach to several stakeholders including tribes, conservationists, sportsmen and women, the oil and gas industry, and county officials, among others.

However, over the past several months there have been many significant changes made to the bill, turning it from a gesture of compromise to a divisive bill that includes Bundy-style public land giveaways, pseudo-wilderness protections, accelerated oil and gas development, and the marginalization of several original stakeholder groups.

“The draft Public Lands Initiative bill is an extreme and deceptive attack on our nation’s public lands that does little for conservation,” said the Center for Western Priorities in a statement. “The legislation is another ideological vehicle for Congressman Bishop to express his disdain for national public lands, rather than a true attempt at addressing diverse stakeholder needs.”

Some of the most controversial elements of the bill are provisions that would give the state of Utah full ownership of nearly 40,000 acres of national public lands, according to an analysis by the Center for Western Priorities. Other land seizure elements of the bill include public land “disposals” in Emery County and a contentious land “exchange” program. Not only are these types of public land takeovers not supported by western voters, they make lands that are otherwise open for all Americans to use vulnerable to being sold to the highest bidder.
The land transfer provisions in Bishop’s bill echo recent land seizure demands made by Ammon Bundy and the group of armed extremists who recently took over the Malheur National Wildlife Refuge in Oregon. In fact, critics argue that anti-public lands rhetoric like that used by Rob Bishop has helped make space for the Bundys to use their extremist tactics and make the demands they have made.

Though the Bishop bill would designate nearly 2.2 million new acres as wilderness, these lands would be exempted from key protections in the Wilderness Act. The bill mandates, for example, that grazing of livestock continue in all areas where it is currently permitted, without any flexibility to adapt to changing range conditions or environmental degradation. Wilderness lands in the bill would also be prohibited from being designated as a “Class I airshed” — meaning that these lands, and the wildlife, vegetation and recreationists within them will not be protected from air pollution from the oil and gas drilling that will be allowed up to the edge of the wilderness areas.

Additionally, the bill would loosen protections on some wilderness study areas by making them available for commercial and industrial uses.

“The draft PLI is an un-wilderness bill,” Scott Groene, executive director of the Southern Utah Wilderness Alliance, said in a statement. “Effectively, less wilderness would be protected in Utah if this bill passed than what is currently managed for the public.”

A designation for the Bears Ears conservation area was another highly-anticipated aspect of this bill. The Bears Ears area in San Juan County contains several Native American cultural and sacred sites and tribes have worked to maintain these lands. While the bill does include parts of this request, tribal leaders argue that it does not go far enough to fully protect the estimated 100,000 cultural sites in the area.

“If Congressman 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,” began the Ute Tribal Business Committee, one of 25 tribal organizations participating in the Bears Ears Inter-Tribal Coalition. “Instead, the bill proposes to take Indian lands and resources, to fix Utah’s problems.”

About a month before the release of this bill the Bears Ears Inter-Tribal Coalition pulled out of Bishop’s initiative after having “been consistently stonewalled” in the process. Instead, several tribes have asked President Obama to create a 2 million acre national monument for the area.

Under the guise of collaboration and the creation of new public lands, Rep. Bishop has crafted a bill complete with loopholes, land seizures, and favors for his financial supporters in the fossil fuel sector.

_Jenny Rowland is the Research and Advocacy Associate for the Public Lands Project at Center for American Progress. You can follow her on Twitter @jennyhrowland_

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**It's time for Obama to make Bear Ears in Utah a national monument**

Op-Ed

Bruce Babbitt, Los Angeles Times, January 21st, 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.

Navajo, Hopi, Ute and Zuni tribal members -- the original occupants of this region -- are seeking ... to protect nearly 2 million acres of their ancestral lands. -

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.*

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**Letter: Bears Ears monument would help heal the human spirit**

Salt Lake Tribune First Published 1/22/16

Recently, Colorado College conducted a poll and found that 66 percent of Utahns support the establishment of a Bears Ears National Monument through presidential proclamation.

This is not surprising, as many Utah citizens (like me and my family) have hiked and camped in various locales inside the proposed boundaries. Such magical places include White Canyon and its sinuous tributaries of Gravel and Cheesebox canyons, both upper and lower Dark Canyon (located on both National Forest and BLM lands), and the world-famous canyons of Cedar Mesa (e.g. Grand Gulch, Fish and Owl Creek canyons), all of which contain thousands of Native American cultural and archaeological resources.

However, recreationists are not the only people favoring a monument proclamation. It's the various Native American tribes of the region who want guaranteed protection of the ancient dwellings, granaries, rock art, grave sites and many other sacred sites that lie beneath the rims of these incredible canyons. These special areas remain vital to tribal communities as places of ceremony, subsistence, and healing.

Granted, non-native visitors need to carefully respect the region as well by practicing low-impact techniques. Proclaiming Bears Ears a national monument certainly would help heal Native Americans, the land, and the collective human spirit.

James W. Thompson
Salt Lake City

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**Bears Ears Coalition Splits From ‘Disrespectful’ Congressional Reps**

*Anne Minard* Indian Country Today
1/22/16
Native advocates for the creation of Bears Ears National Monument in southeastern Utah will begin meetings later this month with the administration of President Barack Obama after parting company with Congressional delegates who they say repeatedly disrespected their efforts.

The proposed 1.9-million-acre monument lies north of the Navajo Nation and the San Juan River, east of the Colorado River, and west of the Ute Mountain Ute Reservation. It encompasses all of Natural Bridges National Monument and the Manti La Sal National Forest, and parts of Glen Canyon National Recreation Area. It is adjacent to, and immediately east of, Canyonlands National Park.

The drumbeat to protect the landscape began six years ago with local Navajo and non-Native activists and quickly garnered the support of local rock climbing groups who liked the idea of protecting some of their favorite recreation areas.

The past year saw the formation of the Bears Ears Coalition, with representatives from the Navajo, Hopi, Ute Mountain Ute, Uinta & Ouray Ute and Zuni nations, which furthered those initial efforts to draw wide support from southwestern pueblos and tribes as well as the National Congress of American Indians.

“This is about healing. We’re not only trying to heal the land and its ecology, but people who relate to these lands,” said Eric Descheenie, advisor to Navajo Nation President Russell Begaye, and co-chair of the Bears Ears Coalition. “This is an indigenous vision that has inspired cross-disciplinary professionals to join on. We have non-Indians, we have all kinds of groups in the public and private sector. We want to elevate this discussion in a way that we can all celebrate.”

Members of the Coalition unveiled a formal monument proposal in Washington last fall that advances an unprecedented vision for collaborative management between tribes and the federal government.

Even in October, Coalition members viewed their proposal as a more protective alternative to the Public Lands Initiative (PLI) spearheaded by representatives Rob Bishop (R-Utah) and Jason Chaffetz (R-Utah). In an appendix, they chronicled six years of tribal members’ thwarted attempts to work within the PLI process in both Utah and Washington D.C.—efforts that were met with polite indifference at best, and racism at worst. Still, the coalition made one more effort to work within the PLI.

“I was excited with the thought that we might be able to work within the legislative process,” recalls Regina Lopez-Whiteskunk, a member of both the Bears Ears Coalition and the Ute Mountain Ute Tribal Council. But she said she was disappointed with the one-sided nature of the efforts.

“I had to take a step back and really think about how the federal government interacts with tribes,” she said. “When we pursue grants for the development of programs, we’re given deadlines and requirements, and we take them very seriously.” But Lopez-Whiteskunk said the PLI leaders consistently blew deadlines, never produced promised drafts of their own proposal, and failed to show up for scheduled meetings.

“When I started to see things kind of falling by the wayside, I began to realize, maybe the only way we’re going to be able to do this is through the executive order process,” she said.

Lopez-Whiteskunk said she owes it to her people, and her ancestors who once inhabited the Bears Ears lands, to forego the legislative path. Instead, the Coalition is pursuing negotiations with the Obama administration to secure a presidential proclamation under the Antiquities Act.

“We have come to the conclusion that we have no choice but to discontinue these discussions,” reads part of the Coalition’s letter to Chaffetz and Bishop, dated December 31. “Our strenuous efforts to participate in the PLI have been consistently stonewalled. We have never been taken seriously.”
Chaffetz issued a statement in response to the letter, calling it “unexpected and confusing.” He chalked up his staff’s failure to show up at a scheduled December 30 meeting with the Coalition as a “scheduling conflict” and vowed to move forward with the PLI.

Bishop also responded, saying the coalition did not represent all interests.

“The Native Americans who live in Utah and who would be most impacted by a national monument do NOT support the proposal of this group,” he wrote in a statement e-mailed by his communications director, Lee Lonsberry. “It is clear this self-appointed coalition has an agenda that we need to reconcile with the wishes of those who actually call Utah home.”

Lonsberry added that the Navajo Nation’s Aneth Chapter, which lies closest to the proposed monument and within Utah, is against the proposal. But the Navajo Nation Council passed a resolution in support of the Bears Ears proposal last fall, with unanimous support by delegates representing the Nation’s 110 chapters. Council Delegate Davis Filfred, who represents five chapters in Utah including Aneth, says the statements are unfounded and misleading. He pointed out that six of seven Utah chapters support the Bears Ears proposal.

“The Navajo Nation is supporting Bears Ears,” he said, “not only from the council, but from the executive side as well. I do support this.”

For his part, Descheenie took offense at Bishop’s characterization of the Bears Ears Coalition as what he called a “self-appointed coalition.”

“We don’t feel they respect the sovereignty of tribes,” he said.

Descheenie added that he’s proud of the coalition’s proposal and looks forward to earnest negotiations with the Obama administration.

“My hope is that when we take our ideas and match them up against the Obama administration’s expertise, our proposal will become that much better, and that it truly will become a model for collaborative management worldwide,” he said. “We’re hoping that people come to the table with positive hearts and fruitful minds, with an interest in figuring out how this can work.”

Lopez-Whiteskunk said she’s excited for an opportunity to showcase a great idea out of Indian country.

“I’ve been elected by my people, but now I have an opportunity to be a leader for many people,” she said. “This is about healing that doesn’t see colors or boundaries. It’s not just going to be a people’s movement of the Native people. It will be a peoples’ movement for all people.”

Anne Minard is a journalist and a law student at the University of New Mexico. She is working for the Bears Ears Coalition as a legal research assistant.

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**Bear Ears Is The New Focus For Conservation and Tribal Groups**

By Jon Kovash • 21 hours ago Utah Public Radio – Audio online

In the center of the proposed almost two-million-acre monument are the actual “bears ears,” a prominent pair of buttes that are sacred to the Navajos. This mostly BLM land contains more than 100,000 cultural sites and includes place names familiar to most of Utah’s back country enthusiasts: Cedar Mesa, Comb Ridge, Indian Creek, Valley of the Gods, Dark Canyon and
Grand Gulch. Leonard Lee, who lives in Aneth, says tribal members are concerned about continued looting of archeological sites.

“Bears Ears and Cedar Mesa is something that hasn’t been really taken care of, because of the BLM was saying that they’re limited to their law enforcement. And there was a lot of looting and desecration and grave robbery, and a lot of these sites were destroyed, damaged.”

The tribes also object to San Juan County’s designation of “energy corridors” to promote uranium mining and oil and gas. Lee says the conservation ethic runs deep among Navajos and Utes.

“And a lot of stories about the Bears Ears by the elders, where there’s sacred places where the holy springs are. The wind has a home in those caves and those canyonlands, and the talking rocks into those cliffs. And our belief as a tradition, we respect anything with the mother nature and within the base of the mountain to the top of the mountain, and also the wildlife.”

Bill Boyle, editor of the San Juan Record, supports the commissioners’ decision to stick with the Bishop/Public Lands initiative.

“The Bears Ears, I don’t know who dreamed it up, but it wasn’t anyone local, a group of people who’d never been here before primarily, comes rolling in in July, and announces that they’ve decided what’s going to happen.”

Commissioner Phil Lyman, defends the county’s decisions.

“You can look at the proposals that were put out by all the different entities, and you’ll see that they’re not that different. For me an overriding element of all the planning was that we agree on so much. Some people have a different agenda and maybe they want to see some controversy that’s not really there. Again, you can look at the proposals and see that Bears Ears has not been excluded or neglected.”

Rebecca Benally, the only Navajo on the commission, has come to agree that Bears Ears is being proposed by outsiders.

“It’s not about being true Navajo, it’s about representation of the true Utah grass roots people that are Navajo, they are in this county, and they just felt that, whether it’s Dineh Bikeyah or the Bears Ears coalition wasn’t a true representation of the Utah grass roots Navajo people.”

Meanwhile Bears Ears has the support of the Southern Utah Wilderness Alliance and other green groups, and according to a new poll, two thirds of Utah residents.

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**Rob Bishop's long-awaited 'grand bargain' for Utah public lands**

*After decades of stalemate, the new bill gets mixed reactions.*

Krista Langlois Jan. 22, 2016 Web Exclusive

For the past three years, conservation groups held out hope that Republican Rep. Rob Bishop would protect some of Utah’s most stunning and vulnerable red rock landscapes in exchange for oil and gas drilling, economic development and motorized use elsewhere. Some were skeptical: Even as Bishop
touted a balanced approach for his “grand bargain,” he actively supported other efforts to transfer public lands to state control and gut the Land and Water Conservation Fund. But no one wanted to jeopardize what was shaping up to be the biggest public lands compromise the West has seen in decades.

This week, however, many in the conservation community lost faith. On Jan. 20, Bishop, chair of the House Natural Resources Committee, and Utah Republican Reps. Jason Chaffetz and Chris Stewart unveiled a draft of their Utah Public Lands Initiative Act. As promised, the bill addresses longstanding land-use issues in eastern Utah. It expands Arches National Park and designates 4.3 million acres of new wilderness and National Conservation Areas, as well as 301 miles of Wild and Scenic River on the Dolores, Colorado and Green rivers. It also expedites oil and gas drilling in certain designated areas, expands motorized use and protects or expands grazing, among dozens of other measures.

But while industry groups so far seem to support the bill, environmentalists largely oppose it — in part because of numerous loopholes they say make the new protections even weaker than the status quo. Tim Peterson of the Grand Canyon Trust says that to call it a “disappointment would be a dramatic understatement,” while The Wilderness Society called the legislation “a missed opportunity.” The Sierra Club, Southern Utah Wilderness Alliance, the Natural Resources Defense Council and the Center for Western Priorities also came out against the legislation as written.

The letdown was a long time coming. In 2013, Bishop wrote to dozens of public land users, calling for an end to the stalemate that’s plagued eastern Utah for decades. Instead of blocking wilderness bills, Bishop said he was willing to negotiate; to think of wild lands as “currency” that could be used to bargain for development elsewhere.

First, he and Chaffetz wanted on-the-ground consensus from nine counties, with input from tribes, mountain bikers, oil and gas companies, environmentalists, motorized users and others. As stakeholders pored over maps and argued over prized landscapes, deadlines came and went. Two counties dropped out of negotiations. The Bears Ears Inter-Tribal Coalition said they felt their voices weren’t being heard and dropped out as well.

Bishop and Chaffetz warned that not everyone would be happy with the final result. And indeed, while some environmental groups quickly launched a media blitz to disparage the legislation, others were more diplomatic. The Pew Charitable Trusts and Trout Unlimited both have concerns, but seem cautiously optimistic that they can be worked out. And the Western Energy Alliance, which represents over 450 oil and gas companies, called the bill an “important milestone” that “could help achieve a meaningful resolution to contentious public lands confrontations in Utah.”

Kathleen Sgamma, vice president of government and public affairs at Western Energy Alliance, said on Twitter that environmental groups simply weren’t willing to compromise. She wondered: Was 4 million acres of wilderness not enough? Energy producers didn’t get everything they wanted either, but Sgamma says they’re willing to support the final effort as the result of hard-won local consensus.

Fred Ferguson, chief of staff for Rep. Chaffetz, encourages anyone with complaints to immediately submit them in writing. While he believes the bill is fair and balanced, he emphasizes that it’s still a draft. “The door is open for another round of changes,” he says.

If that’s true, a number of environmentalists’ concerns could be resolved. But in a news conference on Wednesday, Bishop reportedly dismissed those concerns as “crap.”

Keep an eye on future issues of High Country News for more details on what the Public Lands Initiative means for eastern Utah. You can also read the full text of the bill and check out maps here.

Krista Langlois is a correspondent with High Country News
Op-ed: Long awaited PLI is a giveaway to counties and oil and gas industry
By Bill Hedden  Salt Lake Tribune
First Published Jan 23 2016 03:00PM  •  Last Updated Jan 23 2016 03:00 pm

In the so-called Public Lands Initiative, Reps. Rob Bishop and Jason Chaffetz have grudgingly offered to protect as "wilderness" somewhat more acreage than the existing congressionally protected Wilderness Study Areas. Unwilling to straightforwardly offer this extremely modest concession to protection, they insist that, in return, huge swaths of wild land be barred from future consideration for wilderness protection. They've even left a blank in the bill to insert a provision forbidding or greatly limiting any U.S. president's authority to use the Antiquities Act to designate a national monument in the affected counties.

The wilderness established in their bill has no water rights and can never receive Class 1 air quality designation to protect its pristine air. All the thousands of dubious and contested road claims in the region will be "settled" by granting rights-of-way to the state of Utah. Grazing is king: Cattle numbers can be increased but never decreased, no matter the damage, and ranchers are guaranteed motorized access to develop water projects and build fences.

In the kind of telling detail that characterizes the bill, one provision allows for helicopter use in wilderness to "maintain healthy wildlife populations." In plain English, that means aerial shooting of coyotes and other predators. Much of the area outside of this so-called wilderness is established as "energy zones" where the top priority is developing oil and gas, coal and other minerals. Environmental reviews are "streamlined" and public involvement curtailed. For oil and gas, management returns to Bush-era land use plans. Obama master leasing plans, designed to rationalize where and how drilling occurs, go out the window.

State and federal lands are exchanged, not on a value-for-value basis, but on a rough acre-for-acre basis, with the state somehow mysteriously getting 40,000 more acres than it gives up, despite the fact that Utah is relinquishing scattered sections in the wildest country and receiving blocs of land rich in energy resources and other development potential.

Not content with this giveaway of the public's resources, Bishop and Chaffetz also gift the state the land for the proposed southern extension of the controversial Book Cliffs highway, connecting hydrocarbon-saturated lands in the Uinta Basin through some of America's wildest country to Interstate 70 and the transcontinental railroad. This poises the bill to be a climate disaster in addition to its many affronts to the Wilderness Act.

Last of all, in San Juan County, where nobody but county residents was allowed to suggest how America's public lands should be used, the bill proposes a Bears Ears National Conservation Area roughly three-quarters the size of the one proposed by the Navajo, Hopi, Zuni, Ute Mountain Ute and Uintah and Ouray Ute, and jettisons the tribal collaborative management requested by the tribes. It encourages energy development, gifts key lands to the county and is crisscrossed with roads that allow looting of antiquities. It is an affront that Bishop and Chaffetz appropriated the proud Bears Ears name from the tribes' vastly more visionary proposal.

Bishop and Chaffetz are strident and unapologetic anti-environmental partisans, so this disastrous bill is not really a surprise. After all their talk about a new approach and some genuine progress, they decided in late 2014 that they weren't willing to work for compromise anymore. Instead, over the last 15 months, they've been cooking up this mess with their natural constituents.

One wishes that they'd simply called off this ugly charade rather than pretending to develop some kind of grand bargain. The only bargain here is that the counties, energy developers, ranchers and off-road vehicle crowd get their dreams come true, and all other Americans get the shaft.

Bill Hedden is the executive director of the Grand Canyon Trust. He lives Grand County.
Rolly: With Bishop, do we believe what he says or what his lands bill would do?

By PAUL ROLLY | The Salt Lake Tribune

First Published Jan 25 2016 06:00AM  •  Last Updated Jan 25 2016 11:50 am

Rep. Rob Bishop's draft Public Lands Initiative is, in his words, a compromise between conservation and development, but critics call it a giveaway to extractive industries.

In other words, it fits Bishop's MO.

The bill, which affects seven eastern Utah counties, is partly an attempt to stave off a possible Bears Ears national monument designation by President Barack Obama by purporting to protect wilderness areas, thereby making such an executive action unnecessary.

Critics say the measure expands certain protected areas that wouldn't be feasible for oil drilling or mining anyway, while opening up millions of sensitive areas to development. It also gives counties access to roads across environmentally protected areas that the counties have failed to get through the courts.

It also doesn't protect proposed wilderness areas from air pollution caused by nearby drilling.

But, to Bishop, he is greatly expanding areas for conservation and recreation, so it's a compromise.

We've heard this kind of hide-the-pea rhetoric from the Utah Republican before when he pandered to oil, gas and coal interests.

Bishop, who heads the House Natural Resources Committee, derided efforts to place the sage grouse on the endangered species list, which would restrict certain developments within the bird's Western habitat.

When the Obama administration received accolades from Western officials for not listing the sage grouse as endangered, but rather setting up criteria so the bird is protected on federal lands, Bishop still griped, calling it a cynical ploy that carried the same effect as an endangered-species listing.

While he showed little compassion for the vulnerable sage grouse, Bishop's heart bled for the endangered manatee, known as the sea cow, that roams the ocean, mainly off the Florida coast.

During a hearing before his committee last year, Bishop confronted U.S. Fish and Wildlife Service Director Dan Ashe, arguing that power plants in Florida should be spared from federal regulations that would slash carbon emissions that could force large-scale closures of coal plants.

His concern: The warm discharge canal from large power plants attract the manatee, which find comfort near the smokestacks, Bishop noted. So save the manatee by easing regulations on his favorite endangered species: coal, oil and gas developers.
The Utahn's sleight-of-hand rhetoric also was on display when he made the unilateral decision as chairman that a bill to extend the Land and Water Conservation Fund would not be allowed out of his committee for consideration by the full House.

The fund, which comes from rent the oil and gas businesses pay to drill on public lands, is used to protect, among other things, resources in national parks.

Bishop's decision to stop the bill, which enjoyed wide bipartisan support, from even having a vote, frees the oil and gas industry from paying into a fund that helps preserve the federal lands impacted by their work.

But his reasons weren't to appease industry, he said. The system had become untenable, and he just wanted to rework it, including using some of the money to train oil and gas workers so they can be better stewards of the land.

proly@sltrib.com

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**Bears Ears protesters gather outside chambers - Navajo Nation Council Winter Session**

By Marley Shebala, Gallup Independent (SUBSCRIPTION) 1/26/15

Diné Bureau navajo1@gallupindependent.com

WINDOW ROCK — As the Navajo Nation Council convened the first day of its five-day winter session inside the Council Chambers, a group of tribal members protested outside.

The protesters came from the Utah portion of the Navajo Nation to voice their opposition to a proposed designation of Bear’s Ears as a national monument and to the proposed Navajo-Utah Water Rights Settlement agreement, as well as to ask for a meeting with President Russell Begaye and Vice President Jonathan Nez regarding the partial return of oil royalties generated from oil fields in the Utah portion of tribal lands to the Utah Navajos.

According to a two-page statement from the Descendants of K’ayelii Inc., which is located in Montezuma Creek, Utah, the group opposes the proposal by the Bears Ears Inter-Tribal Coalition to have President Barack Obama authorize Bear Ears, which consists of 1.9 million acres of land in south eastern Utah, as a national monument.

The Bears Ears Inter-Tribal Coalition consists of the Navajo Nation, Hopi tribe, Pueblo of Zuni, Ute Mountain Ute tribe, and Uintah & Ouray Ute tribe.

San Juan County, Utah, Commissioner Rebecca Benally, who stood in front of the Council Chambers with the protesters, said she supported them.
Benally said the group supported the designation of Bears Ears as a national conservation area, which would provide for the local Navajo community to continue to have access to Bears Ears and to have a voice in its management.

She recalled the promises made by the Inter-Tribal Coalition that the local people would continue to have access to Bears Ears and would even be allowed to have homes there.

Benally said she traveled to Washington to specifically talk with U.S. Bureau of Land Management Director Neal Komze about the promises being made by the coalition, and Komze informed her that there was no way the people could continue to use the natural resources of Bears Ears, especially building homes in a national monument.

She recalled that the San Juan County Land Advisory Council held six public hearings and more than 20 public meetings on the public land initiative for Bears Ears, which resulted in the people voting for Bears Ears to be a national conservation area, not a national monument.

Marie S. Holiday, of Monument Valley, who was a San Juan County Land Advisory Council member, said the advisory council informed the coalition that the people supported a national conservation area.

Holiday said the resolutions from Navajo chapters supporting Bears Ears becoming a national monument don’t include the petitions opposing it.

Benally noted that the resolutions supporting the proposed Navajo-Utah Water Rights Settlements were gathered as the result of reports, not public hearings, made at chapters. Some of the chapter resolutions were even collected during the chapter’s annual holiday gathering, she added.

The Descendants of K’aayelii Inc. stated that they still consider Bears Ears to be their homeland because the K’aayelii people still use the land’s resources.

They noted that the tribe has failed to acknowledge or recognize the K’aayelii people on the Aneth Extension while the tribe receives 62.5 percent of the oil and gas revenue produced from the Aneth Extension. “We have been forgotten and left in the dark,” they stated.

The descendants added that K’aayelii’s name was not acknowledged in the Inter-Tribal Coalition resolution, although the history of K’aayelii’s people has a rich and well documented anthropological
footprint in Bears Ears. The descendants recalled that Hastii K’aayelii, who was Bitahnii (Folded Arms People), was born in an area now known as K’aayelii Spring in the Bears Ears region in 1801. The area was occupied by the K’aayelii band for more than 400 years.

They stated that Utah never recognized their existence until settlers took notice of the land, which is when Utah and the U.S. created the Aneth Extension in 1933 and forcibly relocated the K’aayelii band and their relatives to the Aneth Extension.

They noted that when they were removed, there were no other tribes living in Bears Ears.

“The only tribe that has any significant history in Bears Ears country is Hastii K’aayelii and his people,” the descendants stated. “This is because Hastii K’aayelii was never captured by the United States and never surrendered during the 1868 Fort Sumner period.”

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**Youth leaders reject PLI**

Moab Sun News


Guest Columnist Brooke Larsen

As a young person, Utah native, red rock enthusiast and wilderness advocate, I am dismayed to read Representative Rob Bishop’s draft Public Land Initiative (PLI) bill. On Jan. 20, Congressman Bishop released the draft PLI, the result of an over-three-year effort to reach compromise on public land issues in eastern Utah. The PLI is described as collaborative, but the draft PLI disregards youth voices, disrespects tribes and ignores requests of the conservation community.

My fellow young leaders of Uplift — a climate action group for the Colorado Plateau — share my dismay. We grew up in Salt Lake City, or on the reservations; in Las Vegas; Gallup, New Mexico, and Denver. Our families hail from within a stone’s throw of Four Corners, and we have made the Colorado Plateau our home. Our mission is to empower and unite young leaders to address climate change on the Colorado Plateau.

In response to the draft PLI, we, as youth of the Colorado Plateau, are raising our voices. We won’t risk inheriting the results of this devastating proposal. The PLI as written would fail our generation and future generations by disrespecting diverse voices and enabling the destruction of some of our country’s last best wild places, leading to an intolerable increase in the region’s contributions to climate change.

We do not accept a loss of wilderness. When considering the 4.6 million acres of wilderness-quality lands at stake in the seven counties covered by PLI in eastern Utah, the draft bill proposes to protect a pathetically meager 1.7 million acres as wilderness. Even these “protections” contain various loopholes, including lax air quality standards for our country’s most pristine landscapes. This inadequate proposal is a disgrace to the wilderness legacy of this country. We refuse to endanger the biodiversity of the region due to our species’ greed. We refuse to let the few places in which young people today can experience silence and solitude fade. We refuse a future in which we must explain to our children why we allowed our last wild places to disappear.
We do not tolerate disrespect for tribal voices. Uplift finds strength in diversity. Therefore, we condemn the disrespect shown toward the Bears Ears Inter-Tribal Coalition (BEITC). Not only does the draft PLI fail to protect essential cultural areas, it also fails to elevate tribes to an equal footing in the management of their ancestral homelands. In addition, the PLI bill could place limits on the Antiquities Act, preventing future presidents from protecting culturally significant areas. The failure of the draft PLI to meet the requests of the BEITC increases the urgent need for President Obama to designate the Bears Ears National Monument. Fully protecting Bears Ears is a necessary step in restoring respect and reaching toward equality.

We demand the PLI address climate change. Currently, the draft PLI not only fails to address the predicted impacts of climate change on the region, it exacerbates them. In reality, this draft bill could be called the “Oil and Gas Initiative” because it would tip the balance on public lands away from preservation and toward even more fossil fuel extraction. With the acute understanding that we will see massive changes in our environment due to human-induced climate change, we say keep it in the ground. The time to take action on climate change was yesterday; don’t put Utah and the Colorado Plateau further behind. We want our children to come of age realizing the potential of the Colorado Plateau as a global model for adaptation, rather than a ruined landscape left by their predecessors.

Finally, the draft PLI fails to create an inclusive community. Uplift highly values community and believes collaboration is a noble and necessary goal for an inclusive and sustainable future. However, the draft PLI only includes the values of a few and alienates many. To disguise this bill as collaboration is nothing more than political deception. The failure to create an honest collaborative process does a great disservice to the collaborative conservation movement in the region. We know we must do better. We hope to inspire the compassion and integrity needed for true collaboration.

Edward Abbey, a well-known voice for Utah’s wilderness, once said, “The idea of wilderness needs no defense. It only needs more defenders.” Its defenders are rising, and we demand our voices be heard. Those with a vital interest in the future of Utah’s public lands, especially youth voices, must urge Utah’s congressional delegation and other elected officials to begin again. This time we recommend building a diverse, ground-up collaboration where youth and tribal voices are included and true consensus is the overarching goal.

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**Op-ed: Public Lands Initiative a good compromise that Utahns should support**

By Matthew Anderson

Salt Lake Tribune First Published Jan 30 2016 03:00PM • Last Updated Jan 30 2016 03:00 pm

Compromise is as American as the founding of our country … literally.

In the summer of 1787, our founding fathers assembled in Philadelphia to tackle the inherent weaknesses of the Articles of Confederation. Their diverse interests and backgrounds resulted in heated debates. One of the stronger disagreements was whether states should be represented based on population, or equally, with one vote per state. The debate became so intense that delegates threatened to dissolve the convention and disband the union.
It was at this point that a delegate from Connecticut stepped in and proposed the Great Compromise that led to the founding of the United States of America. Delegates from large and small states chose to compromise on important things for the sake of even more important principles, and as a result they produced the best governing document ever conceived by a free society.

This type of principled compromise and political cooperation are at the heart of the American political system and who we are as a country. Sadly, ideological extremism and an "us vs. them" mentality have largely replaced this foundation of American freedom, leaving principled compromise as an undervalued and scarce commodity. However, we do have some hopeful examples before us.

For instance, the Utah Public Lands Initiative (PLI). Released last week, this federal piece of legislation represents principled compromise between the interests of environmentalists, Native Americans and those who want to free public lands from federal mismanagement. It couldn't be timelier. With armed men still occupying a wildlife refuge in eastern Oregon and repeated threats by Outdoor Retailers to pull its shows out of Utah due to the state's attempt to gain control of its public lands, federal land-management issues have reached a fever pitch.

Just like any principled compromise, preparation of the PLI was arduous and time-consuming. It took three years and over 1,200 meetings to gather input from a host of individuals and organizations. Congressional staff made countless trips to eastern Utah, meeting with Native American tribes, oil and gas companies, environmental groups, ranchers and the citizens of the seven affected counties. Those who argue that the PLI is one-sided are factually misrepresenting both the efforts that went into producing it and the outcome of that work.

Of that outcome, Rep. Rob Bishop notes, "There is something here for everyone to like and something for everyone to hate, but if you look at the totality of what we are doing, it is moving us so far forward, there is value in it."

Eastern Utah tribes and environmental groups are getting the designation of 2.3 million acres as wilderness, 1.8 million acres of new national conservation areas, special protections for the Bears Ears and the creation of the new Jurassic National Monument.

Economic development and recreational access advocates will get the barring of future Antiquities Act monument designations in these seven counties, the transfer of thousands of disputed road segments to the state and an accelerated process for drilling in areas deemed as open for mineral development.

Does everyone get exactly what they want from the PLI? No. But that is the nature of principled compromise and political cooperation. Because of that nature, it is tempting to turn our backs on principled compromise in pursuit of total political victory — but when we do that we are really just turning our backs on America's governing philosophy for the sake of power.

The PLI is good policy, designed to better the lives of Utahns while protecting our cherished public lands. Put together in the spirit of principled compromise, it holds out the promise of lasting solutions to difficult problems. Utahns would do well to support it.

Matthew Anderson is policy analyst for the Coalition for Self-Government in the West, a project of Sutherland Institute.
**My view: The path forward after Rep. Bishop's failed PLI**

By Scott Groene  
For the Deseret News  
Published: Sunday, Jan. 31 2016 12:00 a.m. MST  

Summary  
The best path forward is not to push a doomed PLI that will ignite a bruising battle and hurt feelings that stymie progress for years, but to move forward on a level playing field where no one holds a veto. We already have our sleeves rolled up.  

After putting in years of effort trying to negotiate with Rep. Rob Bishop on his Public Lands Initiative (PLI), we, like the rest of the conservation community, are saddened by the draft legislation’s failure to propose meaningful protection for our public lands. What was supposed to be a groundbreaking resolution for disagreements on wilderness became instead a hydra of unprecedented assaults on our public lands. The bill rolls back existing protections for lands deserving wilderness designation and carves out major loopholes in the meager wilderness it does propose. It completely fails the Bears Ears region, which has been recommended for protection by a coalition of tribes whose ties to the landscape stretch back to time immemorial. It envisions a 21st century still devoted to 19th century energy policy by unleashing a bonanza of giveaways to the dirty fuel industry. And it shamelessly furthers the state of Utah’s land grab fever by giving away the birthright and heritage of all Americans. The PLI didn’t go awry at the unveiling of the draft. It was many junctions back.  

No place better illustrates the failings of the PLI than Daggett County. In October 2014, we and our partners in the conservation community joined Rep. Bishop, Gov. Gary Herbert, and Daggett County commissioners in announcing a landmark agreement that would serve as a model for the rest of the PLI. The Deseret News lauded this actual compromise as a “home run.” However, it then became the wrong kind of model. One new Daggett commissioner decided he did not care for the deal. Rep. Bishop reneged on the agreement and gave him a veto.  

Compromise cannot happen when a party — in this case, the county commissioners — realizes it never has to give.  

Speaking of veto, this bill isn’t going anywhere. Not through Congress, and certainly not across the president’s desk. It contains too many radical positions. So the question becomes: where do we go from here?  

It’s tempting to throw up our hands and say the task is impossible because the PLI failed. But in most counties there was never a real negotiation happening. For all the rhetoric about compromise, only the conservation community was ever asked to make real sacrifice. If the process were started anew, this time with true give and take and no unconditional county veto, we could get to yes. We’re adults and we’re not going to take our ball and go home — we proved that in negotiations with Daggett County and Summit County, where we also reached a consensus agreement. These agreements should be the first two components of a new bill.
The best places to build on Daggett and Summit are probably Grand and Emery counties, both of which put forward good faith proposals. But these are just the start. More wilderness — real wilderness — is needed in both counties. Unfortunately, we never got the chance for hard negotiations in either place.

One consequence of the PLI’s collapse is likely to be President Obama designating the Bears Ears National Monument, as requested by the Navajo, Hopi, Zuni, Northern Ute, and Uintah and Ouray Ute nations. Rep. Bishop has known for some time that a one-sided proposal on his part would force the president to act. Now that the PLI has failed, we hope that President Obama will move quickly to protect this remarkable place.

When President Obama designates Bears Ears National Monument, Utah’s politicians will have a choice. They can meaninglessly rage and parrot the worn diatribes of the past. Or they can celebrate with the two-thirds of Utahns and large numbers of San Juan County residents who already support the idea. And then they can move forward with talks for Grand and Emery.

Rep. Bishop should take note. The best path forward is not to push a doomed PLI that will ignite a bruising battle and hurt feelings that stymie progress for years. The best path forward is to swallow some pride and acknowledge that it didn’t work, but that it could work on a level playing field where no one holds a veto.

We already have our sleeves rolled up.

Scott Groene is the executive director of the Southern Utah Wilderness Alliance

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**In our opinion: Bishop's Public Lands Initiative needs continued engagement from all sides**

Deseret News editorial

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Summary

Opposition to the public lands proposal should not derail this effort. Federal, state and local interests will be best served with continued engagement by all involved. Reps. Bishop and Chaffetz's continued leadership is essential for success.

Many have long awaited the arrival of Rep. Rob Bishop’s Public Lands Initiative bill, which he unveiled recently in a press conference with Rep. Jason Chaffetz, who collaborated with Bishop on drafting the legislation. This bill has been in the works for quite some time, and many have hoped that it will be the “grand compromise” that will finally resolve all the confusion and conflict surrounding Utah’s public land. According to Bishop’s office, this bill is the product of more than 1,200 meetings and 65 different land proposals, which suggests that stakeholders have had ample opportunity to provide input.

But not all the stakeholders are happy. The Center for Western Priorities, an environmentalist group, labeled it an “insidious attack” on public lands before the bill was even released. For our part, we’re disappointed in the bill’s failure to resolve, to the satisfaction of tribal leaders, the pressing issues
surrounding the area known as the Bears Ears. This has been a top priority for Native American tribes, who have complained that “the bill proposes to take Indian lands and resources to fix Utah's problems.” Environmentalists have generally been critical of the proposed legislation, while developers and sportsmen have been more positive in their response.

Of course, the actual legislation isn’t going to please everyone, and that’s to be expected. One of the reasons these problems have gone unaddressed for so long is that so many competing interests have some irreconcilable positions about how this land ought to be managed. It’s far easier to simply kick the can down the road than it is to hammer out a workable compromise. Too many lawmakers have simply ignored the problem over the years, which has made it more difficult to arrive at a solution.

That’s why we believe this bill is an encouraging step forward. There have been tremendous efforts made by people from all sides to finally seek an overdue resolution of these contentious issues, and arriving at a point where there is a draft available is an accomplishment in and of itself. Unfortunately, as the language now stands, this version of the bill likely would not command enough support from lawmakers in the senate in order to move forward.

That shouldn’t be interpreted as a dismissal of all the many good elements that the bill now contains, but rather a recognition of reality. If this compromise is ever to truly become law, it will require continued good faith engagement from all sides. If history is any guide, that may prove difficult, as it’s far easier to kill legislation than it is to improve it.

We can’t let that happen.

The status of many federally owned areas in the Beehive State has been in limbo for decades, and given the fact that the federal government owns approximately two-thirds of Utah, this uncertainty has generated a great deal of headaches for state and local governments, not to mention private landowners. Kudos are due, then, to Reps. Bishop and Chaffetz, who had the tenacity to craft a proposal that, if nothing else, will at least be a foundation for discussion and negotiations going forward.

4 lessons from the Bundys' Oregon misadventure

The Hill, Washington DC, February 02, 2016, 07:30 am

By Erik Molvar, contributor

The takeover of Malheur National Wildlife Refuge in Oregon, led by the sons of rancher Cliven Bundy, involves a tangled web of issues, but a variety of important political lessons are beginning to emerge.

1. Some ranchers think they have a right to degrade public lands. Cliven Bundy first commandeered the media spotlight by refusing to pay huge sums of grazing fees he owed to the federal government accrued over decades of nonpayment, and by trespassing his cattle on public lands closed to grazing to protect the habitat of the endangered desert tortoise. The armed standoff that ensued outside Mesquite, Nev. is still an unresolved open case.

In Oregon, Steve and Dwight Hammond were imprisoned for twice setting fires on federal lands (one was apparently set to cover up a poaching crime scene). But a decade earlier, these same two ranchers hit the public spotlight when they cut fences and threatened federal officials at Malhuer National Wildlife
Refuge. Their "worthy cause"? Preventing federal officials from protecting sensitive wetlands on the refuge.

These two parallel grazing violations spotlight a broader problem cropping up in the West, in which irresponsible livestock grazing is degrading the health of our public lands, leading to decimation of native grasses, destruction of fragile soil crusts (which are key to soil moisture and fertility) and the spread of an invasive weed called cheatgrass. Cheatgrass takes over, burns with unnatural frequency, and soon dominates the range with weeds unpalatable to livestock and native wildlife alike. Today's cheatgrass problem is arguably the biggest rangeland health problem the West has ever seen.

It is clear that livestock grazing on public lands needs much more federal oversight and management, not less. Right now, our public lands are rented out to ranchers for a pittance ($1.69 for each cow-calf pair), while ranchers leasing private lands pay an average of $20 per cow-calf pair. At the same time, the federal livestock grazing program gets only a tiny percentage of its revenue from grazing fees, and the taxpayers have to subsidize the rest. Even with these subsidies, many federal grazing leases are never even checked for land health due to the shortage of federal range management professionals in the responsible agencies. Overgrazing is all too prevalent, damaging the land and degrading wildlife habitats. Of the grazing leases that do get checked, an appallingly large number of acres are failing rangeland health standards. Perhaps it's time to level the playing field between public and private lands and charge public-land ranchers the average market rate charged for comparable private lands. The additional revenue should then be allocated to federal agencies to hire enough staff to prevent unhealthy levels of livestock grazing.

2. An extremist fringe wants to seize our public lands. The Bundy gang is simply the most militant expression of a political push in the West to take our public lands, which goes so far as to challenge the legality of the federal government to own property on behalf of all Americans. This effort includes laws passed in state legislatures in Utah and Wyoming to study state takeovers of federal public land. And in Congress, the land-grabbers are also pushing legislation to privatize Western public lands. For Americans who enjoy their public lands, from families who camp in national parks to sportsmen and women who hunt and fish on national forests and Bureau of Land Management-administered lands, to Western communities that depend on clean water from public land watersheds, the land-grab efforts of those like Reps. Rob Bishop (R-Utah) and Raúl Labrador (Idaho) pose a direct threat to the rights of all citizens to enjoy our public lands and the clean water they provide. Congress needs to slam the door on this land-grab to safeguard one of America's most prized and unique assets: our public lands.

3. A new mandate has emerged for public lands protection. The Bundys clearly thought they would be welcomed as liberators in eastern Oregon. Instead, they got a chorus of "go home!" from local officials and residents, often expressed in more colorful (and less charitable) terms. And nationwide, the Twitterverse lit up with jeers of "#YallQaeda" and "#VanillaISIS." Americans in general, and Westerners in particular, love our public lands and don't want to see them turned over to county authorities, state governments or sold off to become private property. The land-grab movement, of which the Bundys are a part, aims to systematically trample the rights of all Americans by shifting control of federal public lands into the hands of local governments and groups that represent exclusively local interests. The result often sacrifices long-term land health for short-term profits. And it ignores the rights of the vast majority of Americans who have an equal stake in public land ownership, but don't happen to live nearby.

Public lands, and their protection, have long been wildly popular among the vast majority of Americans. The "local control" movement, on the other hand, benefits not local communities but moneymed special interests. The public outcry against the Bundy takeover at Malheur National Wildlife Refuge has become
a rallying point for the majority of Americans who see the protection of public lands as good stewardship, not government overreach.

President Obama should respond to this attack on America's greatest idea not by stepping back, but by stepping up and protecting deserving Western lands as national monuments, starting with the Bears Ears/Cedar Mesa area of southern Utah. Clearly, more federal control is needed to protect these fragile national treasures for the benefit of all, and applying national monument status would be an excellent start.

4. The rule of law must be evenly applied. The Bundys and their followers violated the law with an armed takeover of a national wildlife refuge, and faced nationwide condemnation as a result. Now they must be held accountable under the rule of law.

Law enforcement agencies also should pause to reflect. Law enforcement is swift and decisive when it comes to armed threats from Muslims, and far too often for unarmed members of racial minorities. Law enforcement agencies were slow to respond to the illegal actions of the Bundy cabal. This apparent difference in enforcement fuels the nationwide perception of racial and religious bias in law enforcement. Our nation has a long and painful history of leniency for armed militants with white skin: compare federal crackdowns against the Black Panthers and the American Indian Movement with the lack of accountability historically enjoyed by neo-Nazis and the Ku Klux Klan. If federal law enforcement had acted decisively to arraign the perpetrators after the Mesquite, Nev. standoff in 2014, the Bundys would have been in prison, the Oregon incident would never have come to pass and LaVoy Finicum, former spokesman for the militants, would still be alive.

The Bundys' illegal takeover of a national wildlife refuge shines a spotlight on some of the West's thorniest problems. But if as a nation we can learn the lessons and take the appropriate corrective action, we can emerge from it stronger, with a healthier and more vibrant West, complete with the crown jewels of our shared public lands.

Molvar is the Sagebrush Sea Campaign Director for WildEarth Guardians, a nonprofit organization working to protect wildlife, wild places, wild rivers and the health of the American West.

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**Senate rejects Mike Lee’s move to limit president’s Antiquities Act power**

By [THOMAS BURR](https://www.saltlaketribune.com) | The Salt Lake Tribune

First Published Feb 02 2016 04:09PM • Last Updated Feb 02 2016 09:39 pm

U.S. Senate rejects the Utah Republican’s proposal to tie Antiquities Act powers to congressional, local support.

Washington • The U.S. Senate on Tuesday knocked down an attempt by Sen. Mike Lee to limit a president's ability to name new national monuments without the consent of Congress and the state in which the protection is sought.

The Utah Republican's amendment would have allowed a president to name a monument — such as the proposed Bears Ears National Monument in Utah — but such a designation would expire within three years if Congress and the state in which the monument was located didn't pass resolutions supporting the move.

Lee's amendment failed in a near-party-line vote, 47-48, with Democrats charging that it was an attempt to "effectively end" monument designations.
"The Antiquities Act is really one of our nation's most successful conservation laws," said Sen. Maria Cantwell, D-Wash., noting that half the national parks began as monuments.

Lee said his amendment was about rebuilding trust with the Americans, especially those communities affected by federal-land-management decisions.

On the Senate floor, Lee cited President Bill Clinton's designation of the Grand Staircase-Escalante National Monument in Utah in 1996 and how it surprised state officials who were told only a day before the announcement.

"For most people, the Grand Staircase episode is a case study in government-sponsored injustice and bureaucratic tyranny," Lee said Tuesday. "For me, it brings to mind the line from America's Declaration of Independence, in which the colonists charge that the King of Great Britain 'has erected a multitude of New Offices, and sent hither swarms of Officers to harass our people, and eat out their substance.' But for President [Barack] Obama — and for the radical environmental groups that have co-opted federal land-management agencies — it is the textbook model for the application of the Antiquities Act."

Several attempts have been made in recent years to curtail the president's ability to name monuments unilaterally with legislation aimed at carving out certain states or limiting the size or location of the designations.

Wyoming and Alaska are exempted from the Antiquities Act.

Obama has said he will continue to use his power under the Antiquities Act. In 2014, he noted he'd set aside more than 3 million acres of public land — adding "and I am not finished."

A group of tribal nations has petitioned the White House to name 1.9 million acres in southeastern Utah as the Bears Ears National Monument to preserve cultural and ancestral areas.

Lee noted that request in pushing his amendment, arguing there are groups of Native Americans who don't agree with a new monument.

"The president of the United States has no business," Lee said, "seizing vast stretches of public land to be micromanaged — and mismanaged — by federal agencies, especially if the people who live, work and depend on the land stand in opposition to such a takeover."

Environmentalists said Lee's move was just another attempt to undermine the Antiquities Act.

"The whole purpose of the Antiquities Act is to allow the president to take swift, decisive action to protect irrereplaceable landscapes when Congress is unable or, in many cases, unwilling to do so," said Jordan Giaconia, a legislative assistant to the Southern Utah Wilderness Alliance's Washington office. "Need we remind them that Arches, Bryce and Zion national parks, three of Utah's most beloved and widely visited destinations, all began as monuments?"

Four Republicans joined Democrats in defeating Lee's proposal. Sen. Orrin Hatch, R-Utah, supported his colleague's amendment.

tburr@sltrib.com

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**Some U.S. lawmakers want to make public land not so public | Letter**

NJ.com

**By Debbie Young**

*Lebanon*
To the editor:

Do 700 million acres of national parks, national monuments, national forests, national wildlife refuges and Bureau of Land Management lands belong to you and fellow Americans, or do they belong big oil campaign contributors?

The head of the House Natural Resources Committee Rep. Rob Bishop is proposing legislation that encourages states rights over our public lands. Policy that encourages mining and fossil-fuel extraction in wild and sensitive zones some boarding national parks such as Arches and Canyonlands.

In 2015 state lawmakers in the West introduced 37 grossly unconstitutional bills promoting seizure of lands. The attempted land grab is about one thing only – private profiteering.

Utah lawmakers have drafted a proposal called the Public Lands Initiative. Public Lands for sale for the gain of Utah would be a more appropriate description. How can a state “take back” lands that were never theirs to begin with, these are public lands, Americans lands.

This proposal also shut out a inter-tribal coalition of Native Americans seeking a National Monument called the Bears Ears, their important voices were not heard in the development of this proposal. These lands contain more than 100,000 archaeological sites, sacred grounds to many Native Americans.

If we want our lands, some of the most beautiful, magnificent, wild lands to go unprotected the Public Lands Initiative is perfect, if we want magnificent wild places left in our country where we can experience silence and solitude this is a disaster.

Our elected officials need to know that the Public Lands Initiative is unacceptable.

They should also stand up for sacred public land by encouraging President Barack Obama to honor our Native Americans by extending national-monument protection to the Bears Ears.

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Hatch: Limiting the President’s Monument Authority an Important Step to Protect Utahns

UtahPolicy.com (blog)
02 February 2016. Posted in Featured Articles

Lawmakers in the United States Senate Tuesday considered an amendment to the Senate’s bipartisan energy bill that would protect Westerners from federal land grabs.

The amendment, offered by Senator Mike Lee, R-Utah, maintains the President’s authority to designate federal lands as national monuments under the Antiquities Act, but requires both Congressional approval and the approval of state legislatures for monument designations to remain in effect. If Congress and the affected states have not passed resolutions ratifying the designation within three years of the President’s action, it will expire immediately. Senator Orrin Hatch, R-Utah, the senior Republican in the United States Senate and a longtime advocate of restoring Utahns’ control over public lands, voiced his strong support for the proposal, which he has cosponsored.

“This amendment is a meaningful step toward protecting our rural families and communities from the potential harm large monument designations could inflict on local families and economies,” Hatch said. “In 1996, I stood up for my fellow Utahns when President Clinton designated the Grand Staircase Escalante monument—a unilateral action that blatantly ignored the important heritage of the land and the impact the designation would have on the livelihood of local communities. Land grabs such as this underscore the arrogance of federal power. This amendment empowers the states and reaffirms the principles of federalism by allowing Congress and affected states to be involved in the approval of new monuments.”

Senator Hatch has championed Utah land rights over nearly four decades of public service. In 2011, he introduced a bill to prohibit the extension or establishment of national monuments in Utah without the express authorization of
Congress. Senator Hatch is committed to reining in the power of the executive branch by reasserting Congress’s role in designating federal monuments. Some states, such as Wyoming, have already received a guarantee that the federal government will not designate new national monuments without congressional approval. Senator Hatch is currently fighting in Congress to secure that same protection for Utah and all other states.

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**Chaffetz: PLI gives tribes more of what they want in Bears Ears**

By Jason Chaffetz – Salt Lake Tribune

First Published Feb 06 2016 03:00PM

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 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 McCraken 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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**Op-ed: PLI fails to protect America’s treasures, including Bears Ears, so Obama should**

By Scott Groene - Salt Lake Tribune

First Published Feb 06 2016 03:00PM

Rep. Rob Bishop recently unveiled his draft legislation for the public lands of eastern Utah — what he calls the "Public Lands Initiative" (PLI). Unfortunately, it is a fossil fuel development bill that would roll back wilderness protection and further the state's land grab efforts.

The PLI actually grew out of a congressional hearing on America's Red Rock Wilderness Act in 2009. First introduced by Utah Rep. Wayne Owens, the act would designate roughly 9.5 million of the 23 million acres of Bureau of Land Management land in the state as wilderness.

At the 2009 hearing, the Utah senators and representatives testified in unison that the act should be put on hold while they were given a chance to resolve Utah's wilderness issues.

Seven years later, the PLI shows that the delegation has failed.

The draft PLI is an assault on our public lands. It dedicates more land to permanent fossil fuel development than it conserves as wilderness. It opens up lands currently managed like wilderness for coal mining and oil and gas drilling. In fact, less public land would be managed as wilderness than is the case today. The land it does designate as wilderness includes unprecedented caveats and loopholes.

It also completely fails the Bears Ears region. Parts of Bears Ears would be dedicated to oil and gas, uranium or potash development. And the bill designates a vast network of dirt trails for off-road vehicles that would facilitate more vandalism of cultural resources.

Finally, the PLI shamelessly furthers the state of Utah's land grab fever by giving away thousands of miles of dirt roads, two-tracks, and cow trails as "highways." And it gifts the state and counties tens of thousands of acres of public lands for pet projects.
This one-sided affair is opposed by Native American tribes, outdoor recreation interests and conservation organizations. Support is mustered only from the usual anti-wilderness suspects such as the fossil fuel lobby. What we have is déjà vu all over again.

In other words, we've seen such bills before. Over a dozen times across two decades, in fact, the Utah congressional delegation has conjured up bills written for a small number of southern Utah's local politicians representing less than 5 percent of Utahns. All were bills that failed to recognize that these lands belong to all Americans — to you and to me. For that reason their efforts have always crashed in Congress.

In contrast, during the same period two Utah wilderness bills have succeeded: both recognized the public's role in land management and both had the conservation community's support.

While the PLI's vision might be red meat for a few, its radical provisions will not pass Congress and would not escape a presidential veto.

But there is a silver lining to all of this. The PLI's failure is likely to result in President Obama designating the Bears Ears National Monument, as requested by the Navajo, Hopi, Zuni, Northern Ute, and Uintah and Ouray Ute nations. Twenty-five Native American tribes with ties to the Bears Ears region have expressed their support for protecting this living cultural landscape.

The Utah delegation knew that a one-sided proposal would force the president to act. Now that we have seen the failed PLI attempt, we urge President Obama to act quickly to conserve the Bears Ears.

This is an outcome that two-thirds of Utahns and large numbers of San Juan County residents have already said they want. If it happens, state political leaders should join with us in celebrating the protection of America's most significant threatened cultural landscape.

If they choose to rant and rave instead, it will only add to the poisonous political atmosphere reflected by Phil Lyman's illegal off-road vehicle protest ride or the seizure of Malheur by armed extremists. That will also make it unlikely that there will be future agreement on Utah wilderness because their rhetoric will not allow it.

The time has come for Utah's politicians to recognize that these lands belong to all Americans and that ideologically-driven, anti-public-land legislation like the PLI is, and always has been, doomed to failure. With this turn, then we can truly start the difficult work of resolving differences to benefit Utah and America's red rock wilderness.

Scott Groene is executive director of the Southern Utah Wilderness Alliance.

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**Cedar Mesa land proposal good for all**

By Kevin K. Washburn / Law Professor, University Of New Mexico

Albuquerque Journal

Sunday, February 7th, 2016 at 12:02am
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.

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**Dear President Obama: Protect Bears Ears**

**February 8, 2016**

American Anthropological Association (blog)

My first backpacking trip in south-central Utah at age 14 was a defining moment.

Some earth science teachers took my classmates and me to San Rafael Swell for hands-on learning. A fossilized dinosaur print, ancient sandstone layers, and the body of a decomposing wild horse ignited my curious teenage mind. The most memorable image from that trip, however, is a crimson petroglyph of horned beings with wings.

This image, and subsequent encounters with archaeology, led to a fascination with the field, ultimately motivating me to pursue a PhD at the University of Arizona. Archaeology allows me to practice the scientific field work that I love. In addition, it provides the opportunity for me to study my ancestors through the things they left behind. Importantly, archaeology enables me to be an advocate for the protection of sites with both cultural and scientific value.

The Antiquities Act of 1906 gives the President the authority to protect historic and scientific objects through the declaration of national monuments.

Americans across the country are calling for national monument or conservation area designation of Bears Ears. This 1.9 million acre area is located 150 miles south of San Rafael Swell. Wild desert landscapes, ancient Indian ruins, and the spirits of many tribes’ ancestors reside in this breath-taking space.

Bears Ears holds immense value to me as an Indigenous archaeologist and part-Utahn.
As an Ojibwe woman, these sites with kivas, cliff dwellings, petroglyphs, and more hold cultural value. I am not a member of one of the 25 tribal nations supporting the protection of Bears Ears. Yet I recognize the sacredness of these lands because of ancestral and contemporary ties to the land that fellow Indigenous peoples hold. When Bears Ears is threatened, tribal members’ ability to conduct ceremonies, collect medicinal plants, and practice healing rituals is at risk. In order to continue our way of life, our traditional homelands must be preserved.

As an archaeologist, I recognize that the 100,000 archaeological sites within Bears Ears are reason enough to protect it. Without designation as a national monument or conservation area these sites face irreversible damage. Once an archaeological site is vandalized, much of its scientific value is lost.

And, because I spent much of my life in Utah, I know what makes Bears Ears worthy of conservation: the beautiful landscape, scientific wealth spread throughout, and sacredness of the land to multiple tribal nations and non-Native people alike.

With looting, off-road vehicles, and environmental degradation to this scientific- and culturally-rich area, Bears Ears will continue to be harmed. Further protection that allows collaborative management between tribal nations and federal agencies will keep this landscape safe.

It is your last year as president, Mr. President. You have the choice to protect Bears Ears by making it a national monument or national conservation area. Please, be an advocate for Native Americans, archaeologists, and others who recognize the worth of Bears Ears.

Miigwech (thank you),
Ashleigh

Ashleigh Thompson is a member of the Red Lake Band of Chippewa Indians and a first year PhD student of the School of Anthropology at University of Arizona.

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Hoodwinked in the hoodoos

Core Samples

Jay Meehan, Park Record columnist

Posted: 02/09/2016 04:29:44 PM MST

One can only hope that the abject failure of the recently released fossil-fuel-industry-driven Public Lands Initiative (PLI) to coalesce much more than scorn will spur President Obama to designate the 1.9-million acre Bears Ears National Monument sooner rather than later.

A month or so back, when the "Bears Ears Inter-Tribal Coalition" ceased interaction with the proposals being drawn up by Congressmen Rob Bishop and Jason Chaffetz and their drill-baby-drill playmates, they could tell which direction the Peabody coal train was heading.
They saw the writing on the wall. The Coalition, made up of the Hopi, Navajo, Ute Indian Tribe, Ute Mountain Ute, and Zuni Tribes and formally supported by 19 additional Sovereign Tribes as well as the National Congress of American Indians, had collective perspective. This wasn't their first powwow.

That their issues were ignored to the extent they were might have surprised some in the Coalition. But for an indigenous community that had been running the pompous old-boys gauntlet of the San Juan County Commission going back to the backhoe-diplomacy days of Cal Black and beyond, they no doubt suspected that what lay behind the collective smirk of the local Feds would be more of the same.

With the tribes and the conservation lobby being the only ones at the table asked to compromise, the Bears Ears Coalition saw little recourse other than taking their proposal for meaningful protection of their ancestral homelands directly to the Executive Branch.

Call me naïve but I'm the kind of guy who actually believed that the PLI would be less obvious. Why I thought their end game wouldn't be a slight-of-hand, loophole-rich land grab that also rolled back existing National Park air-quality standards is anybody's guess.

Of course, I also believed the preservation of Grizzly Gulch as part of the Mountain Accord agreement had been nailed down. Have I mentioned the breadth of my naiveté? But I digress!

Although the PLI is a net gain for the extractive industry, opening up more public land than it protects, its custodians continue to take bows for its magnanimous and inclusive approach, hauling out fractions and ratios to buttress their claims.

Even if we, as a planet, hadn't already reached the point of no return as far as immediately turning all our resources toward renewable energies, there is the spiritual side of land that is totally ignored by the collective corporate profit motive.

That concept is made most evident by the manner in which the Bears Ears Coalition's proposals have been ignored throughout the process, forcing them to seek redress from the Obama administration.

As Ute Mountain Ute Councilwoman Regina Lopez-Whiteskunk put it, "The President has a responsibility to think and act to take care of her because we all share one mother, and that's Mother Earth."

It's a concept that comes easily to those who have become one with the sacred landscape of the Colorado Plateau, especially southern Utah. There's nothing quite like the blessings and epiphanies inherent to trekking the red-rock. It's all about hiking boots, however. ATV excursions just don't get you there!

Speaking of which, the PLI miraculously morphs cow trails into "highways" that can legally support further off-road desecrations of ancestral homelands while, at the same time, contributing vast areas of public land to the state for its amusement. The Recapture Canyon and Cliven Bundy mindsets must be drooling about now.

Luckily for us, most all of the important players on the land conservation side of the equation don't rant and rave and threaten to jump ship, as seems to be my default position. They keep their eye on the prize, ever willing to resume negotiations.
I would offer a word of caution to our Honorable Representatives, however, that they are not easily hoodwinked. They have negotiated mazes of hoodoos and learned their secrets. They certainly won't get lost amid the convolutions of corporate logic when the future is at stake.

So, Mr. President, the ball's in your court and you've got the moral high ground. Designate the Bears Ears National Monument now. It's the right thing at the right time and a very special place that should be set aside. Plus, your children will thank you for it!

Jay Meehan is a culture junkie and has been an observer, participant, and chronicler of the Park City and Wasatch County social scenes for more than 40 years.

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**Letter: Chaffetz’ op-ed condescending to Indian tribes**

2/10/16  Salt Lake Tribune

Rep. Jason Chaffetz’ s op-ed (Feb. 7) on the proposed Public Lands Initiative is condescending and insulting to our area's Indian tribes.

Several months ago, a multi-tribal coalition pushing the Bears Ears conservation initiative cut off discussions with Utah's congressional delegation for what it characterized as inauthentic lip service to its interests, noncommittal assurances, refusal to engage its representatives and failures to meet deadlines.

In response to the tribes' position and the public's criticism of the congressmens' proposed legislation, Chaffetz decided that a condescending strategy of disrespect towards the tribes and an insinuation of their council's ignorance was an appropriate rebuttal. Our local Indian tribes and the public deserve more from their elected, public officials.

Elections have consequences. Unfortunately, our local Indian tribes, hundreds of thousands of Utahns and millions of Americans will have to accept that our elected politicians have decided to ignore their opinions and submit their own PLI as legislation. Their PLI legislation was not a compromise as we all hoped.

Because of our congressmens' rebuke, the multi-tribal Indian coalition already encouraged President Obama to ignore their legislation and have him to declare the Bears Ears as a National Monument. Utahns and Americans who care about our national heritage and their public land should do the same.

Yes, Reps. Chaffetz and Bishop, elections do have consequences.

John Trout
Salt Lake City

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Utah's public lands 'grand bargain' falls on its face

By Erik Molvar, contributor
The Hill, Washington DC, February 11, 2016

Three years ago, Rep. Rob Bishop (R-Utah) launched a complex effort to resolve public lands and wilderness issues across seven counties in eastern Utah. Committees were formed, some 1,200 meetings occurred and delicate agreements were brokered.

It was off to promising start. But this January, it crashed and burned on takeoff.

The discussion draft of the bill debuted to blistering condemnation from the two biggest conservation groups in the region the Southern Utah Wilderness Alliance and the Grand Canyon Trust. A prominent Native American group, the Bears Ears Intertribal Coalition (a formal body composed of the Hopi, Navajo, Ute Mountain Ute, Uintah and Ouray Ute, and Zuni tribal governments) sent an open letter to Bishop, stating that the draft legislation was "woefully inadequate to address our needs" and "confirms the inequitable treatment of Tribes over the past three years." Tribal entities have pulled out of the Public Lands Initiative and instead are calling for President Obama to designate their Bears Ears landscape proposal — which contains more than 100,000 cultural sites, including a rich collection of cliff dwellings in the Cedar Mesa area — as a national monument.

How things went so wrong varies from county to county. In sparsely populated Daggett County, commissioners were initially willing to bargain with conservationists. A deal was announced in October 2014, only to be abandoned after an election changed the commission's makeup.

In San Juan County, the commissioners refused to allow major conservation interests to even sit at the table, restricting participation to county residents only (even though these lands are public lands belonging to all Americans). Tribal interests brought forward a proposal for a Bears Ears National Conservation Area to protect Cedar Mesa and other hotspots for cliff dwellings, rock art and archaeological sites, and remarkably this proposal gained majority support in public comments among San Juan County residents. But county commissioners were unwilling to back the will of the majority, and kicked the Bears Ears proposal to the curb.

In Grand County and Summit County, the county councils sent compromise packages up to the congressional delegation. But Bishop had ideas of his own, and substituted his own "solutions" for those of local governments, resulting in the anti-conservation bill he unveiled this January.

The discussion draft that has emerged is chock-full of poison-pill provisions that undermine conservation and doom it straight from the get-go.

The bill creates 2.7 million acres of energy development zones, where fossil fuel development is designated by law as "the highest management priority" of public land — reversing the goals of multiple use management. Contrast that with the 1.7 million acres of Bureau of Land Management (BLM) lands the bill designates as wilderness. Today, 1.8 million acres of BLM lands are already being managed to wilderness standards, as "natural areas" under BLM land-use
plans and as Wilderness Study Areas, so the Bishop bill actually results in a net loss of wilderness protections in eastern Utah. "This is not a lands protection bill," observes David Garbett of the Southern Utah Wilderness Alliance. "It's a fossil fuel development bill."

And the Bishop bill creates an entirely new form of quasi-wilderness, a "motorized wilderness" where chainsaws and off-road vehicles are explicitly allowed. This is an unprecedented change that undermines the very point of wilderness, as set forth in the Wilderness Act of 1964: to provide a natural experience that excludes the noises and pollution of the modern world. It's a place to meet nature on its own terms, and find some peace and quiet.

The legislation would also lock in livestock grazing on public lands at or above current numbers. So for those rangelands that are overgrazed today, agencies would not be allowed to reduce the number of cattle. And during severe drought, it would be illegal for range managers to adjust livestock numbers downward. As a federal law, the Bishop bill also trumps the newly minted sage grouse plans, potentially blocking critical habitat protections.

On national forests, the bill opens up protected Roadless Areas to commercial logging. It also eliminates the legal obligation to maintain viable populations of native wildlife on national forest lands. Yes, you read that right: This bill would eliminate federal regulations and make it legal to drive wildlife populations extinct on national forests.

All but two National Conservation Areas in the bill would be managed as motorized recreation areas, prioritizing off-road vehicles over conservation. In addition, between 10,000 and 12,000 miles of "highways" claimed by counties under the obscure (and expired) Revised Statute 2477 would be granted as rights-of-way to the counties for road development. These claims range from real roads to jeep trails to cow paths, and their designation would result in a proliferation of motor vehicles deep in the unspoiled, quiet backcountry.

The bill includes a corridor land grant for a new Book Cliffs highway, a proposed route from nowhere to nowhere bisecting the spectacular Book Cliffs area (itself a prime wilderness candidate). This boondoggle would pave the way (at taxpayer expense) for oil tanker trucks bound from the Uinta Basin to railheads along Interstate 70, and accelerate oil and gas drilling and facilitate oil shale and tar-sands mining in the southern Uinta Basin and in the wild Book Cliffs. In addition, the state of Utah would gain title to undeveloped, mineral-rich public lands in the Uinta Basin and elsewhere through land swaps — more valuable lands than what they surrender — so these lands can be industrialized in the absence of federal environmental protections.

"There's no way to tinker around the edges of this bill and fix this," said Tim Peterson of Grand Canyon Trust. "There's just too much wrong with it."

Even as the Bishop-led effort was blowing up on the launchpad in Utah, the Wyoming County Commissioners Association was holding a warm-up conference to launch a similar effort in that state. Ironically, a former congressional aide warned the Wyoming audience against politically radioactive measures that would cause the bill a quick demise in Congress, even as the Utah bill was drawing criticism for precisely these reasons.

While conservationists have expressed disappointment that three years of negotiations have resulted in a bust, rather than legitimate wilderness designations, there is a silver lining: Out of the quagmire in Utah, President Obama has a perfect opportunity to step in and designate the Bears Ears National Monument, cleaning up at least part of the mess.
Molvar is the Sagebrush Sea Campaign Director for WildEarth Guardians, a nonprofit organization working to protect wildlife, wild places, wild rivers and the health of the American West.

Public Lands Initiative on Wednesday's Access Utah

By Tom Williams • Feb 10, 2016
Utah Public Radio

According to the Salt Lake Tribune, “in what they characterized as a sweeping gesture of compromise, Reps. Rob Bishop and Jason Chaffetz unveiled their plan to resolve decades of deadlock over how eastern Utah's public lands are managed even as environmental and tribal groups declared the proposal "dead on arrival" and a shameless giveaway to oil and gas interests.” The bill “would set aside special landscapes like Cedar Mesa, San Rafael Swell and Labyrinth Canyon, while expediting mineral development in areas deemed less worthy of protection.”

Part One of the Public Lands Initiative Conversation on Access Utah

The Utah Public Lands Initiative Act, three years in development, is, according to the offices of Reps. Bishop and Chaffetz, "rooted in the belief that conservation and economic development can coexist and make Utah a better place to live, work, and visit.” Rep. Bishop says the bill, which has been described as a “Grand Bargain,” rests on four pillars: certainty, recreation, economic development and conservation.

Part Two of the Public Lands Initiative Conversation on Access Utah

UPR Moab Correspondent Jon Kovash reports that the Southern Utah Wilderness Alliance is skeptical of the initiative. SUWA Executive Director Scott Groene says “the discussion becomes, is it just a mechanism to try and run the clock out on President Obama using the Antiquities Act to preserve the Bears Ears.” The Bears Ears Inter-Tribal Coalition, including members of the Hopi Tribe, the Navajo Nation, the Ute Mountain Ute Tribe, the Pueblo of Zuni, and the Ute Indian Tribe, is calling on President Obama to create a Bears Ears National Monument.

On Wednesday’s Access Utah we’ll explore these important issues. Tom Williams’ guests will include Rep. Rob Bishop; Rep. Jason Chaffetz; UPR Moab Correspondent Jon Kovash; and
representatives from the Southern Utah Wilderness Alliance and the Bears Ears Inter-Tribal Coalition.

We want to hear from you as well. You can email us right now to upraccess@gmail.com and you can call us during the program on Wednesday from 9:00 to 10:00 a.m. Our call-in phone number is 1-800-826-1495. And you can comment on the initiative, directly to the Congressmen, at utahpli.com.

In southeastern Utah, the Procession Panel speaks across time

**Majestic rock art in southeastern Utah tells an elaborate, ancient tale**

Cortez (CO) Journal, Andrew Gulliford

Article Last Updated: Wednesday, February 10, 2016 10:00pm

This view of the Procession Panel shows another mesa in the distance. The panel is within a large section of southeastern Utah that has been proposed as the Bears Ears National Monument. The Utah Legislature, however, believes the highest and best use for the area is oil and gas development.

A millennium ago individual ceremonies and rituals gave way to group events. On a massive sandstone wall, 179 carved human figures march in three lines toward a circle that probably represents a great kiva. To stand before the Procession Panel is to feel the power of ancestral Puebloan villagers coming together to dance, sing, feast and to become one.

As I stood there the first time, warm from a late afternoon sun and the hike up from the dry wash below, the silence of the rock contrasted with the movement etched upon it. Everywhere on this huge Navajo sandstone panel figures move, flow and emerge out of a tall crack and across space and time.

As heat radiated off the west-facing rock, I took off my pack, stripped down to a T-shirt and jeans and quietly stared. Motionless. The figures walked in front of me around two large mule deer bucks and assorted anthropomorphs or human/animal images. It was difficult to take it all in.

Hiking across the Southwest, I seek painted pictographs or petroglyphs carved by the ancients. Early artists carved dozens of desert bighorn sheep with their distinctive hoofs and horns; exotic warriors and their headdresses from the Basketmaker III period; splayed Lizard Man figures with outstretched arms, legs and genitalia; and hundreds of handprints.

Many petroglyphs seem to be a random animal here, a hunter there, perhaps a reclining flute player or two, knees bent, enjoying their own music. But the Procession Panel stands out depicting an annual or semi-annual group event of great import and majesty. Runners have arrived carrying symbolic canes or crook-necked staffs to lead families and friends. Ancestral
Puebloans carved the 40-yard-long, 8-foot-high panel between 500 and 700 A.D. Like all great rock art, it tells a story, which, centuries and centuries later, we try to understand.

Among tumbled and jagged rock, interspersed with cacti, bunchgrass, small juniper trees and the occasional sagebrush and ephedra or Mormon tea, the rock art panel rises above the sandy soils and speaks across time. I wonder if some of the participants wore small copper bells from Casas Grandes in Mexico. Did they carry sacred scarlet macaw feathers traded north thousands of miles from the jungles of Meso-America or did they bring the parrots themselves?

Surely, they walked in rhythm. Small children running. Babies carried in cradleboards. Elders shuffling along with walking sticks. Everyone talking, laughing, feeling safe. Together now, after months apart planting corn, hunting deer, waiting for the call to come, to join in.

Animals, too, are carved into the smooth dark desert varnish on the rock. Mountain sheep, coyote, a long-horned serpent as well as atatl darts from prehistoric spear throwers. Basking in the sun, the Procession Panel stood for centuries until teachers discovered it in February 1990. Just hiking along, they found one of the great Basketmaker III depictions of group ritual from 1,300 years ago.

Durangoan Robert L. Powell, a member of the San Juan Basin Archaeological Society, in a 17-page report, wrote the first description of the Procession Panel site for the Bureau of Land Management and the Utah state archaeologist.

Powell described figures on the rock and noted unique characteristics. After explaining groups of converging marchers he stated: “The next five men are special: each one has his left arm hanging down and his right elbow bent so that his right hand is even with his head. Each raised hand has tiny incised figures (or ceremonial wands?); the lower hands do not have fingers. They all have clearly separated legs and are larger.”

There’s a “bird man” shaman, men wearing backpacks grasping ceremonial staffs and a desert bighorn whose front two feet seem to be rotating a wheel, yet the ancestral Puebloans had no wheels.

“An ambiguous figure is directly under the rear of the coyote and in front of the first large deer,” Powell noted. “It may be a mask with a headdress, two eyes, a large nose and whiskers. Or it may represent two men holding hands with a square artifact above them.”

He added that one of the buck deer “in a rare and realistic manner is shown with a penis ... but unrealistically he has five toes on his feet. Like most of the other animals he has deep indentations in his face, heart, hooves. A spear protrudes vertically from the bottom of his belly.”

I hope this meant venison was served at the celebration, at the great kiva represented by the circle where the etched figures seem to be heading.

Powell spent hours studying intricate details of the Procession Panel. I can only stare and wonder, caught up in the movement, realizing that where this panel stands near the top of the ridge is one of the few crossover places between drainages. Perhaps a group of ancestral Puebloans came up the same incline, climbed over and around the same rocks, stood beneath the panel created to honor and remember them.

In Crucible of Pueblos: The Early Pueblo Period in the Northern Southwest, the editors suggest that perhaps “procession panels do not depict actual events but are instead representations of
cultural concepts and narratives." Either way, the imagery represents "public gatherings" and "the role of ritual in uniting individuals into bands or larger communities."

“These gatherings would also have facilitated the long-term vitality of local residence groups by providing opportunities for the exchange of information, marriage partners, and material goods, and by providing a framework for the resolution of disputes,” says former Colorado State Archaeologist Richard H. Wilshushen and other researchers.

Translation – a party. The Procession Panel represents a party. I want to go.

I can feel the movement of the dancers, the steps in unison. I can hear the chanting, the singing. Maybe it’s only the wind coming up and over the steep escarpment, blowing out of Monument Valley, across the Navajo Reservation, to this place of awe.

The Utah Legislature thinks the highest and best use for the region should be oil and gas development. Five Southwestern tribes are urging President Barack Obama to protect the area as Bears Ears National Monument. I believe in the monument proposal. We have so much to learn from the Hisatsinom, the Hopi word for those who came before.

Descending the ridge, my pack felt lighter. My dog’s tail wagged more often. Just why did that bighorn have its hooves on a wheel? How many figures, arms up, hands waving, are emerging from the elongated crack in the Navajo sandstone?

I’ve returned again and again to answer questions and to ask new ones. The ancient ones call me. I want to go to the party.

Andrew Gulliford is a professor of history and Environmental Studies at Fort Lewis College. Email him at gulliford_a@fortlewis.edu.

Where do we go from here?

Moab Sun News 2-11-16
Guest Columnist Neal Clark

After years of effort trying to negotiate with Rep. Rob Bishop on his Public Lands Initiative (PLI), we, like the rest of the conservation community, are saddened by the draft legislation’s failure to propose meaningful protection for our public lands. What was initially sold as a path toward resolution of disagreements on wilderness became little more than an anti-conservation, pro-extraction wish list.

The bill rolls back existing protections for lands deserving wilderness designation and carves out major loopholes in the meager wilderness it does propose. It completely fails the Bears Ears region, which has been recommended for protection by a historic coalition of tribes whose ties to the landscape stretch back to time immemorial. It establishes an energy policy that hands over public lands to the dirty fuels industry and would unleash a carbon bomb by emphasizing and
expediting oil, gas, tar sands and oil shale development. And it shamelessly furthers the State of Utah’s land grab fever by giving away the heritage of all Americans.

The PLI didn’t go awry at the unveiling of the draft, though. It took an unfortunate turn down the wrong path many months ago.

No place better illustrates the failings of the PLI than Daggett County. In October 2014, we and our conservation partners joined Rep. Bishop, Gov. Gary Herbert, and Daggett County commissioners in announcing a landmark agreement that would serve as a model for the rest of the PLI. Through hard negotiations, all parties ultimately compromised and found common ground. We were cautiously optimistic. However, not long after the agreement was reached, one new Daggett County commissioner decided he didn’t care for the deal. Rep. Bishop gave him a veto and reneged on the agreement. That was the end of the story in Daggett County, and the effective end of the PLI. When Rep. Bishop granted the counties veto power over any agreements reached, there was simply no longer any motivation for those counties to negotiate with the conservation community.

But apparently not all counties are created equal. Here in Grand County, Rep. Bishop had little problem deviating from the county’s PLI recommendation to designate Survey Point, Mexico Point and Hideout Canyon as wilderness – effectively putting to rest the decades old Book Cliffs Highway debate. Adding insult to injury, Rep. Bishop now proposes to transfer land ownership in East Canyon to the State of Utah in order to fast-track development of this foolish dirty energy project. The message is loud and clear, counties have the final word – unless they happen to question the “drill, baby, drill” mentality that pervades Utah politics.

Let’s not forget that the Utah delegation has attempted to pass 13 wilderness bills over the years, all of them lacking the support of the greater conservation community. In every instance, those bills died a predictable death in Congress. Rep. Bishop’s PLI will meet the same fate. The bill lacks support from the conservation community, the outdoor industry and Native American tribes. To be clear, not everyone hates it. The bill has been lauded by the oil and gas industry, anti-wilderness county commissioners and a motorized recreation lobbying group.

Accepting the fact that the PLI has failed, the question becomes: Where do we go from here? It’s quite tempting to throw up our hands and say the task is impossible. For all the rhetoric about compromise, only the conservation community was ever asked to make hard sacrifices. Real negotiation never happened in most counties. If the process were started anew, this time with true give and take and no unconditional county veto, we believe we could find agreement. We proved this in negotiations with Daggett County and Summit County, where we also reached an agreement. These agreements should be the first two components of a new bill.

The best places to build on Daggett and Summit are likely Grand and Emery counties, both of which put forward good-faith proposals. But these are just the start. More wilderness – real wilderness – is needed in both counties. Unfortunately, we never got the chance for real negotiations in either place.

One consequence of the PLI’s collapse is that President Obama will likely designate the Bears Ears National Monument, as requested by the Navajo, Hopi, Zuni, Northern Ute, and Uintah and Ouray Ute nations. Rep. Bishop has known that a one-sided proposal on his part would force the
president to act. Now that the PLI has failed, we hope that President Obama will move quickly to protect this remarkable place.

When President Obama designates the Bears Ears National Monument, Utah’s politicians will have a choice. They can feign surprise and parrot the worn diatribes of the past, or they can celebrate with the two-thirds of Utahns who already support the idea.

Rep. Bishop should take note. The best path forward is not to push a doomed PLI, igniting a bruising battle that will stymie progress for years. The best path forward is to swallow some pride and acknowledge that it didn’t work, but that it could work on a level playing field where no one holds a veto and everyone is expected to compromise.

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**Obama designates new national monuments in the California desert**

Washington Post

By Juliet Eilperin February 12 at 1:01 PM

President Obama has set aside more of America’s lands and waters for conservation protection than any of his predecessors, and he is preparing to do even more before he leaves office next year. The result may be one of the most expansive environmental and historic-preservation legacies in presidential history.

On Friday, Obama designated more than 1.8 million acres of California desert for protection with the creation of three national monuments: Castle Mountains, Mojave Trails and Sand to Snow. The new monuments will connect three existing sites — Death Valley and Joshua Tree national parks and the Mojave National Preserve — to create the second-largest desert preserve in the world.

Obama has unilaterally protected more than 260 million acres of America’s lands and waters under the Antiquities Act of 1906, which gives the president wide latitude to safeguard at-risk federal lands that have cultural, historic or scientific value.

The act is among the most powerful tools at any president’s disposal. Franklin D. Roosevelt invoked the law more than any president in history; Harold L. Ickes, his interior secretary, kept a pile of potential national-monument declarations in a desk and pulled them out whenever Roosevelt was in a good mood.

Obama’s aides do not have a similar system, but they share those earlier aspirations.

“We have big, big ambitions this year, so let’s see what happens,” said Christy Goldfuss, managing director of the White House Council on Environmental Quality, adding that the administration is focused on “local requests for action. It’s really been driven by activities on the ground.”

The big question: What next?
Other possible future designations include Bears Ears, a sacred site for several Native American tribes in southeastern Utah; Stonewall, the site of a 1969 inn riot by members of New York City’s gay community; the New England Coral Canyons and Seamounts; the historic headquarters of the National Woman’s Party, Sewall-Belmont House in Washington, D.C.; and Nevada’s Gold Butte, an area where rancher Cliven Bundy and his supporters have defied federal authorities.

Officials are weighing these proposals amid protests out West, such as the armed occupation of Oregon’s Malheur National Wildlife Refuge, which aimed to wrest control of federal lands from officials in Washington. The standoff may have hurt the prospects for increased protections around the state’s Owyhee Canyonlands, though the idea is not off the table entirely.

But Jim Messina, a close Obama adviser who worked on conservation issues when he served as White House deputy chief of staff in his first term, said the president is personally committed to the issue and is convinced that most Americans back the idea.

“Protecting public access is a huge political winner across the West. A bunch of extremists in Oregon can’t change it,” he said. “There’s no thought, or no reason, to back off on our agenda.”

Senate Minority Leader Harry M. Reid (D-Nev.), who convinced Obama to declare a sizeable monument in Nevada’s Basin and Range Province last year, is still pressing for getting another one at Gold Butte, which is an hour’s drive from Las Vegas but has been degraded and largely unpoliced since Bundy and his armed followers confronted Bureau of Land Management officials there in 2014.

Republicans have been trying to curtail Obama’s powers to act, but in a year when several senators are up for reelection in swing states, they have fallen short. Last week, the Senate considered an amendment by Sen. Mike Lee (R-Utah) that would have reversed national-monument designations if Congress and lawmakers in the affected states did not explicitly approve them within three years of designation. Four Republicans — including Kelly Ayotte (N.H.) and Mark Kirk (Ill.) — broke ranks and voted against it, and it was defeated 48 to 47.

House Natural Resources Committee Chairman Rob Bishop (R-Utah) said in an interview Wednesday that he was not surprised at the vote’s outcome. “Most people do not understand what Antiquities does, or can do,” he said. “At some point, we have to realize this is a process that is out of control. Whether that actually occurs before Obama leaves is irrelevant.”

The Obama administration and Bishop have starkly different readings of the law, which runs just four paragraphs. It dictates that any monument designation “shall be confined to the smallest area compatible with proper care and management of the objects to be protected,” but presidents have interpreted that broadly over the past century.

The White House has identified two main criteria for naming monuments this year, Goldfuss said: areas that help foster resilience to climate change or are “connected to people and communities that have not been historically represented” in national parks and other federal sites. That explains new California desert designations, for which Sen. Dianne Feinstein (D-Calif.) has been seeking protection for seven years. David Lamfrom, who directs the National Parks
Conservation Association’s California desert and national wildlife programs, said connecting the ecosystem across nearly 10 million acres will help species with large ranges, such as bighorn sheep and mountain lions, as well as imperiled desert tortoises and ones that are taking refuge at higher altitudes where there is more moisture.

The idea is “to link together these large landscapes in perpetuity,” Lamfrom said, so species can migrate and have the best chance of survival in the face of human pressures.

Five members — the Navajo Nation, the Hopi Tribe, the Ute Indian Tribe, the Ute Mountain Ute Tribe and the Pueblo of Zuni — have created the Bears Ears Inter-Tribal Coalition to press for a monument on roughly 1.9 million acres in of Utah that were once inhabited by the Anasazi and, later, the Navajo.

Eric Descheenie, who co-chairs the coalition and serves as executive staff assistant to the Navajo Nation president, said: “We’ve had the looting and grave robbing and destruction of sacred sites,” even as several tribes have continued to gather medicinal herbs and berries, haul wood, hunt and conduct religious ceremonies there.

In some instances, Republican lawmakers have offered their own vision of how to protect these areas, but bipartisan agreements have proven elusive. Rep. Paul Cook (R-Calif.) has introduced a California desert bill that would put more than 1.2 million acres in the region off limits to development, but it would bar the use of the Antiquities Act, open up 100,000 acres of new mining in Mojave Trails and sanction off-road vehicle use in some areas.

It is less clear what Obama will do in federal waters, where nearly all of the strict protections are in the central Pacific. There are a group of Hawaiians lobbying the president to expand Papahanaumokuakea — a monument George W. Bush created a decade ago, whose islands and atolls are home to 1,750 marine species found nowhere else on Earth — to the full extent under the law. That would make it 520,000 square miles, or nine times its current size.

“Some people here are working here to provide the president with a legacy opportunity,” said William Aila Jr., looking down from a rocky outcropping in Oahu as two endangered Hawaiian monk seals nestled below. “It would be the largest marine protected area for a long, long time. It would be almost impossible to top it.”
That could mean action on the proposed 1.9-million-acre Bears Ears National Monument in southeastern Utah, a move that Utah's six members of Congress urged Obama against Friday as the president designated three new national monuments covering 1.8 million acres of the California desert.

These monuments are on top of 260 million acres of land and water Obama has already preserved using his unilateral power under the 1906 Antiquities Act.

"We have big, big ambitions this year, so let's see what happens," Christy Goldfuss, managing director of the White House Council on Environmental Quality, told The Washington Post.

Goldfuss told the paper that the administration is focused on "local requests for action. It's really been driven by activities on the ground," and added that the two main criteria the White House weighs regarding new monuments are that protection should help tamp down climate change or sites that are "connected to people and communities that have not been historically represented" in national parks and other federal sites.

Several American Indian tribes have joined together to form the Bears Ears Inter-Tribal Coalition, which has urged Obama to use his authority to name the monument in southeastern Utah, arguing that it would protect cultural and historic sites.

"Bears Ears offers something unique that we can't find anyplace else in the world," Eric Descheenie, the group's co-chairman, said recently at a news conference. "The threat of looting, grave robbing and mineral leasing, to name a few — the list is extensive — we've already seen it in and around these lands. If this is something we lose, we lose it forever."

Utah's federal delegation, however, is lockstep opposed to a new monument designation and wrote to Obama on Friday, saying a locally driven approach called the Public Lands Initiative would be a better way to protect sensitive areas and would not exacerbate the already divisive issues over federal land management.

"Use of the Antiquities Act within [Utah] will be met with fierce local opposition and will further polarize federal land-use discussions for years, if not decades," the members said in the letter.

"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."

Sens. Orrin Hatch and Mike Lee, along with Reps. Rob Bishop, Jason Chaffetz, Mia Love and Chris Stewart, signed the letter; all are Republicans.

The delegation says in its letter that it supports conserving 1.2 million acres of federal land in San Juan County, including sites important to American Indian tribes, but that effort should come from the community and state leaders.

"We are prepared to work with the administration to get this proposal signed into law," the delegation wrote.
Bishop and Chaffetz have been working on the Public Lands Initiative for several years and unveiled the legislation in January.

The proposal was immediately decried by some conservation groups, the Ute Indian Tribe and Democrats as a "land grab" lopsidedly favoring development.

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Utah delegation urges Obama to refrain from monument creation

By Amy Joi O'Donoghue, Deseret News

Published: Friday, Feb. 12 2016 12:25 p.m. MST

Summary

All six members of Utah's congressional delegation put their names to a letter to President Barack Obama on Friday, urging him to refrain from creating a Bears Ears National Monument in Utah. Obama designated three new monuments Thursday.

SALT LAKE CITY — President Barack Obama's Thursday designation of three national monuments in California amplified fears by Utah's congressional delegation that San Juan County's Bears Ears could be next on his list, spurring a strongly worded letter urging the president to leave Utah alone.

"Federal land-use policy has a major impact on the lives of those residing within and near federal lands," the letter dated Friday reads. "We believe the wisest land-use decisions are made with community involvement and local support. This principle is true whether skyscrapers or sagebrush surround the community."

The letter was signed by all four of Utah's representatives and its two senators, reiterating strong opposition to any creation of a new national monument and specifically a nearly 2 million acre-swath of land in San Juan County pushed by a tribal coalition and environmental groups.

"Use of the Antiquities Act within (Utah) will be met with fierce local opposition and will further polarize federal land-use discussions for years, if not decades," the letter stresses.

The delegation adds that protections for the area are being sought through the creation of a National Conservation Area that will still allow Native American uses of the land to continue.

That designation is contained in the hefty Public Lands Initiative draft legislation unveiled last month by Reps. Rob Bishop and Jason Chaffetz.

While a coalition of Utah Navajo tribal members have voiced opposition to any new monument designation, other members of the Navajo Nation, joined by Ute, Hopi and Zuni tribal leaders, have jockeyed for a new national monument because they say the Bishop bill does not go far enough.
Polarization of tribal sentiment on monument designation has created confusion over Bears Ears protections and what type of organizational oversight would be most effective at stopping desecration of cultural artifacts or outright looting. The land is currently under the purview of the Bureau of Land Management, which is short staffed in that region and elsewhere in the state. The letter urges Obama to let the Public Lands Initiative process play out and adhere to locally generated land use plans for the area.

"We plan to work with the administration to get this proposal signed into law," the letter said. Utah's delegation said the plans contained in the draft legislation honor local wishes for the Bears Ears area.

"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," the letter states.

The three-year crafting of the Bishop lands bill involved multiple and diverse groups at the table, including ranching interests, the mining industry, recreation groups and environmental organizations.

Many of those environmental groups, however, have slammed the proposal for the weight they say it gives to industry and ranchers over conservation. Summit County, one of seven counties involved in the process, also signaled this week leaders there cannot support the bill as drafted because it contains too many provisions contrary to what they sought in the legislation.

"We are reiterating we would like our original proposal included in the legislation," said Lisa Yoder, the county's director of sustainability.

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**Letter: Chaffetz misleads on Bears Ears**

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Salt Lake Tribune

Rep. Jason Chaffetz's op-ed ("PLI gives tribes more of what they want in Bears Ears," Feb. 7) is profoundly misleading. His broadside critique of the National Park Service ("not friendly to tribes") is deceitful. The congressman puts more than a few quarters in the way-back machine to dredge up policies and issues from a time when the overall policy of the U.S. government towards Indian tribes was moving from "kill them all" to the more "humane" vision of destroying Indian culture by busting up tribal lands and making everyone speak English and get haircuts. Context here, as in all things, is key.

Beyond that, what Chaffetz does not acknowledge is that the potential Bears Ears National Monument as proposed does not envision a National Park Service unit but collaborative management of multiple parties that is inclusive, representative and respectful of values, traditions and cultures. The objective, as I understand it, is to move towards a place of healing.
WASHINGTON, Feb. 13 (UPI) -- President Barack Obama further expanded his public lands legacy Friday by designating three new national monuments, marking the most extensive expansion of protected lands and waterways by any U.S. president.

In designating the Mojave Trails, Sand to Snow and Castle Mountains national monuments, Obama winds down his final term as one of eight presidents known for a commitment to preservation and conservation, the White House said.

Obama's current track record is a turnaround from 2013 when he was criticized by the left-leaning think tank Center for American Progress for failing to protect public lands "for their economic, scenic, and environmental values."

"The number of acres protected over the last four years is far fewer than under President Obama's four predecessors, including even President George W. Bush, who was condemned by environmentalists and the public for his dismal environmental record," the organization said in 2013.

At that time, 2.6 million acres of public lands had been permanently protected during the Obama administration by both the president and Congress. Of that, 186,000 acres were protected by the president using administrative authorities under the Antiquities Act, which allows the president to declare a national monument without congressional approval.

In his seven years in office, Obama has established 22 national monuments and expanded others to set aside more than 265 million acres of land and water.

The designations Friday were the single most significant action to preserve California desert in more than two decades, forming one of the largest desert conservation reserves in the world, said David Lamfron, director of California Desert and National Wildlife Programs.

"Local communities, businesses, and organizations have worked for years to preserve these critical lands, and tens of thousands of [National Parks Conservation Association] members and supporters have petitioned the president and their members of Congress to make these monuments a reality. This is not just a win for the desert—it's a win for the people who live in and love this unique part of the country," he said.
With the uptick in federally protected status for some lands comes criticism that the federal government is overstepping its bounds.

Rep. Bob Bishop, R-Utah, chairman of the House Committee on Natural Resources, said in a statement: "This is presidential bullying. The intent of the Antiquities Act is not to act as the president's magic wand to commandeer land. In order to be good stewards of our environment, we need to allow people to have a say in how they recreate and conserve their land. This doesn't. It's an authoritarian act that ignores people under the guise of preservation. The land will not be better protected and people will be harmed."

In Utah, conservation groups and 25 Native American tribes are urging Obama to use the Antiquities Act to claim a national monument of the 1.9 million-acre Bears Ears in southeastern Utah.

The push has created a rift among Utah's Native Americans, with some worrying a federal designation would hinder access to the scenic lands. The San Juan County Commission this week signed off on a resolution opposing the national monument designation, demanding only local residents have a say in what happens to the land. On Friday, a group of Republican lawmakers, Sens. Orrin Hatch and Mike Lee and all four state representatives, urged Obama to back down.

"We believe the wisest land-use decisions are made with community involvement and local support," 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," the lawmakers wrote.

Similar feuds are playing out at the Grand Canyon in Arizona and La Bajada Mesa in New Mexico, with local groups worrying federal intervention will mean strong restrictions on the land. Obama has not indicated whether he will designate any additional national monuments during the remaining months of his term.

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**Op-ed: Why the PLI failed American Indians in San Juan County**

By Willie Grayeyes Salt Lake Tribune
First Published Feb 15 2016 05:36PM

The op-ed by Rep. Jason Chaffetz ("PLI gives tribes more of what they want in Bears Ears," Feb. 7) demonstrated exactly why Native Americans have been failed by the Public Lands Initiative and by members of Congress who continue to tell us they know what is best for tribes.

While it is disappointing that Chaffetz and Rep. Rob Bishop ignored the Bears Ears conservation proposal developed by their own constituents and tribal governments, it is far more insulting that they now argue it is good for tribes.
Utah Diné Bikéyah is a grassroots Native American nonprofit that created the Bears Ears proposal and has engaged with Chaffetz's office at every step of the PLI. We are saddened that after the effort and ambition that went into trying to resolve entrenched land-use challenges in Utah, the result is a widely disdained proposal that has little or no chance of passing Congress.

The premise of Chaffetz's hollow argument is instructive as to the roots of this failure. Chaffetz presumes a Bears Ears National Monument signed into law by President Obama would require management of the area by the National Park Service and that management would disregard tribes' concerns. Had he read our detailed proposal that we hand-delivered to him, he would know that the five tribes of the Inter-Tribal Coalition are asking for a national monument managed by the Bureau of Land Management and U.S. Forest Service. Our proposal gives tribes a seat at the table in management decisions to avoid the kind of past conflicts that have occurred. In fact, many of President Obama's national monuments are managed by the BLM and Forest Service and explicitly guarantee Native American access for gathering and traditional uses.

Just as alarming is Chaffetz's claim that the PLI proposal to transfer Native American sacred sites and tribal reservation lands to the state of Utah for development is "good" for tribes. These are our ancestral lands and our reservations, which are to be held in "trust" by the federal government. The PLI would throw all trust out the door and transfer tribal lands to oil and gas developers.

Finally, Chaffetz fails to even contemplate the question of how the PLI gets signed into law, given the broad opposition from tribes, conservationists, recreationists and others.

It is not surprising that the draft PLI is so problematic. Tribes were forced to walk away from the PLI because it repeatedly failed to respect Native Americans who are the majority of citizens in San Juan County. The Bears Ears proposal received 64 percent of all of the San Juan County citizen comments of support during the public comment process, yet the county and Bishop and Chaffetz ignored this result. We strongly suspect others were similarly failed by the false promise of the PLI.

Utah Diné Bikéyah cares deeply about the future of San Juan County, whose majority of citizens are Native American, but we view land conservation and cultural preservation as the foundations of a strong local economy for generations to come. We believe that depleting public lands of their natural resources is an economic dead end.

We don't yet know if President Obama is willing to act on behalf of tribes, but we do know that the PLI has failed to listen to Native Americans in San Juan County and has completely ignored those tribes outside Utah who trace their ancestors to these lands. Simply put, we believe that the Obama administration may do a better job of listening to tribes through respectful government-to-government dialogue than the Utah delegation has done.

Native Americans look forward to advancing a Bears Ears National Monument that will protect our public lands, strengthen all people and promote the kind of healing our country needs.

Willie Grayeyes is chairman of Utah Diné Bikéyah and lives in Navajo Mountain.
Letter: We can do better than PLI

First Published Feb 15 2016 07:12AM   Salt Lake Tribune

We've been waiting for this for a long time. Backed by Gov. Gary Herbert, Reps. Rob Bishop and Jason Chaffetz have unfurled their "grand compromise."

But this Public Lands Initiative doesn't look like a balanced deal to me. Instead, it's a laundry list of "red meat" rollbacks of public land protections that will never pass Congress or be signed by the president. The bill has lots of giveaways to oil and gas drillers, county commissioners and subsidized "cowboy bundynamics people" who have overgrazed southern Utah for decades.

It's good to see our congressmen acknowledge places like Cedar Mesa and the Bears Ears deserve some federal protection. But they haven't listened enough to local people who support protection near their communities. In the town of Bluff, we don't want to see drilling in our backyards or the public lands that drive our tourism-based economy being degraded. Despite us asking for lands around Bluff to be protected, they were left out of the bill.

I for one am ready for President Obama to step in and create a national monument. Bishop, Chaffetz and Herbert sure don't look like they're serious about compromise. They are simply pandering to special interests and sagebrush rebels, believing that the old extract-and-move-on West can be brought back to life. This is a new and different West. This is home. We can do better.

Bob Helmes
Bluff

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Politicians, Conservationists, And National Parks

National Parks Traveller (Blog)

By Kurt Repanshek on February 15th, 2016

It's rich political theater, watching the ongoing debate over a possible national park in Maine's North Woods as well as the long-running efforts to resolve land-use practices on millions of federal acres in Utah. Boasts have been made, promises allegedly discarded, and no resolution in either state has been made.

Seemingly ignored have been residents of the two states, as the politicians opposing a new national park in Maine and those opposed to a new national monument in Utah are ignoring majorities who have voiced support for both. About the only thing that has been assured through the sound bites, letter writing, and draft legislation is that neither issue will be resolved soon.

Maine North Woods
Utah Public Lands

When U.S. Reps. Rob Bishop and Jason Chaffetz last month released their long-awaited Public Lands Initiative for designating wilderness, releasing lands from wilderness consideration, expanding Arches National Park, and basically deciding how millions of federal acres in eastern Utah should be managed, they said there was a lot to like, and a lot not to like, in the draft legislation.

Those who have found aspects not to like have been vocal lately.

In their response to Rep. Bishop, the Grand Canyon Trust pretty much rejected the draft in its entirety.

Our opposition is rooted in the fact that the PLI does not represent a positive, solution-oriented step toward resolving land use and land tenure matters in eastern Utah. Chief among the harms contained in PLI are: management language not found elsewhere in law that undermines new wilderness and national conservation areas; special management areas and canyon country recreation zones that weaken existing protections; release and hard release of millions of acres of deserving potential wilderness; disposal of lands far in excess of standards set forth by the Public Purposes and Recreation Act; a wildly unbalanced and unfair SITLA state land exchange; creation of “energy zones” in excess of 2.5 million acres where multiple-use land management principles are cast aside and the reality of climate change is unacknowledged; excessive grants of RS 2477 road claims and a Book Cliffs Highway corridor to the State of Utah; hobbling of livestock management necessary to conserve ecosystems and species; inadequate provisions respecting sovereign Native American tribes with regard to protection and management of the Bears Ears cultural landscape; and the stated goal of the authors of PLI to place limitations on the President’s authority to use the Antiquities Act of 1906.

At the Natural Resources Defense Fund, Sharon Buccino, the group's director for its Land and Wildlife Program, wrote the two Republicans that their vision "does not represent the values of the diverse stakeholders that have been engaged."

Some of our greatest concerns with the PLI discussion draft include:

* Provisions that would undermine the integrity of the Wilderness Act, Clean Air Act, Federal Land Policy and Management Act, National Forest Management Act, and the National Environmental Policy Act;

* Language that would undercut the management of proposed wilderness areas, national conservation areas, special management areas, and recreation zones;

* Unprecedented giveaways to the State of Utah, including the sanctioning of questionable R.S. 2477 claims and the establishment of 10,000 miles of unnecessary public roads;

* Designation of over 2.5 million acres of energy zones that will allow development to override other considerations;

* Insufficient protections for critical cultural resources, including provisions that would allow San Juan County to supersede sovereign tribal considerations;
* The hard release of over two million acres of public land, much of it wilderness quality land that should be permanently safeguarded.

The PLI discussion draft, as it now stands, is a missed opportunity to resolve longstanding issues that deserve a more deliberative approach—one that fully assimilates input from stakeholders who have been historically invested in how these critical public lands should be managed and safeguarded for generations to come.

As to what Utah residents want, a survey earlier this year by Colorado College found that 47 percent of the respondents oppose giving federal lands to the state, and that 65 percent "strongly supported" or "somewhat supported" a "Bears Ears National Monument" that would protect some 1.9 million acres "in large part to protect cliff dwellings and sacred American Indian sites."

Reps. Bishop and Chaffetz have opposed such a monument, and instead have called for a 1.2-million-acre Bears Ears National Conservation Area.

Last week the entire Utah congressional delegation wrote President Obama urged him not to designate the Bears Ears National Monument.

In their letter, the delegation stated that "(F)ederal 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."

If 65 percent support isn't enough, how much is?

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**To save their homeland, 25 tribes unite in the Southwest**


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.

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Bears Ears region is at center of land debate

Hannah Grover, hgrover@daily-times.com 2:14 p.m. MST February 17, 2016
Farmington (New Mexico) Times

Native American groups and lawmakers have clashed over proposals for how to best protect the land in southeastern Utah

Story Highlights

- More than 100,000 archaeological sites are contained in the nearly 2 million acres of land.
- An inter-tribal coalition has petitioned the president to designate the land a national monument.
- Utah lawmakers have drafted a bill to make the southeast Utah land a national conservation area.
- Vandalism, looting and off-road vehicles threaten the fragile archaeology of the land.

FARMINGTON — As management of Western public lands has again become the center of a heated controversy, an area in the Four Corners known as "Bears Ears" is taking its place in the spotlight.

The land borders the Navajo Nation, as well as the White Mesa Ute community south of Blanding in southern Utah. Bears Ears includes 1.9 million acres that start just south of Moab and stretch to Bluff. Within the boundaries are more than 100,000 archaeological sites, including ancestral Puebloan structures, Navajo hogans and Navajo and Ute rock art.

The land is also where the Navajo and Ute people have traditionally performed ceremonies, gathered medicinal plants and collected pine nuts and firewood.

Over the years, several of the archaeological sites have been looted or vandalized, leading to a movement to protect the land. And while the involved parties agree the land needs to be protected, the details of how to do that have been divisive.
In 2013, U.S. Rep. Rob Bishop, R-Utah, formed the Public Lands Initiative to evaluate how to best protect the region. More than 1,200 people attended meetings and various proposals were considered under the initiative.

Dozens of plans have been proposed that offer varying degrees of protection for the area’s archaeological sites. Some proposals advocate turning the region or portions of it into a national conservation area. Others advocate stricter regulations through national monument designation. Several tribes with ties to the area felt they were left out of the conversation about how to protect the land. That led to the formation of the Bears Ears Inter-tribal Coalition, which includes members of the Navajo Nation; Hopi Tribe; Ute Mountain Ute Tribe, which includes the White Mesa Ute; Pueblo of Zuni; and Ute Indian Tribe.

In October, the coalition petitioned President Barack Obama to designate the nearly 2 million acres as a national monument.

This is not the first time the federal government has been asked to make the area a national monument. In July 2011, then Navajo Nation President Ben Shelley asked the U.S. Secretary of the Interior to designate the lands as a national monument.

But this is the first time Native American tribes have formed a coalition to make such a request. The tribes are not just seeking a national monument designation, according to Eric Descheenie, co-chair of the Bears Ears Inter-tribal coalition.

"We are asking for equal distribution of authority," he said, explaining that under the coalition’s proposal, each of the five tribes would have a representative on a commission that makes decisions about managing the national monument.

In January, Bishop and U.S. Rep. Jason Chaffetz, R-Utah, released a discussion draft of a bill that would create a National Conservation Area to protect Bears Ears. Lee Lonberg, a spokesman for Bishop, said there is no date set for when the bill will go before Congress, however the congressmen hope to move it through quickly.

"The decision to protect the land in that fashion comes from Utah Navajos and residents of San Juan County (Utah)," said Lee Lonberg, a Bishop spokesman.

Lonberg said comments from Navajo who are members of the Aneth chapter — who made their concerns about possible limitations on traditional activities in the area known through protests and petitions — influenced the decision not to support a national monument.

Lonberg said it has been Bishop's stance from the beginning that the bill will please everyone and upset everyone.

"Everyone has to give something up," Lonberg said.

The bill has drawn opposition from the inter-tribal coalition, which sent a letter to the congressmen on Jan. 20, the coalition says the boundaries proposed for the conservation area fail to protect cultural sites and wildlife habitat.

The coalition also expressed concerns the bill would leave too much land open to mineral extraction.

National Monument vs. National Conservation Area
The inter-tribal coalition's proposal for a national monument is unique because it would include Native American input about land management and it includes a larger area. The coalition wrote a letter in response to the proposed bill stating that the boundaries of the national conservation area fail to protect some of the cultural sites and wildlife habitat areas. While the coalition is asking for 1.9 million acres, the draft bill calls for a little more than 1.1 million acres to be put aside.

The coalition also opposed the management plan included in the bill. The bill would create a management commission comprised of four appointed members — a representative from the Navajo tribe who currently resides in San Juan County, Utah, a representative from one of the four other tribes in the coalition, a representative from the Utah Department of Natural Resources and a designee from San Juan County, Utah. In its letter to the congressmen, the coalition said the proposed bill fails to give tribes adequate representation.

In contrast, the coalition's commission — with supervisory authority over the national monument — would include eight members, a representative from each of the five tribes and each of the federal agencies, which includes the Bureau of Land Management, the U.S. Forest Service and the National Parks Service. This commission would oversee hiring the monument's manager and preference would be made in the hiring process for Native American candidates.

The coalition also stated in its letter that the proposed national conservation area leaves too much land open to mineral extraction, such as oil and gas development. It is asking in its petition that existing mineral rights be honored, but no new mineral rights be developed. This would mean that current oil and gas wells would continue to operate, but no new wells could be drilled.

Lonberg said the draft bill allows a level of certainty for people in the county who use the land. He said that local residents, including members of the Navajo Nation, supported including possibilities for oil and gas development.

"This is a new approach to things," said Lonberg.

He added that the bill demonstrates that "economic development and conservation can exist hand in hand."

Protests

While the petition to create a national monument has garnered support from dozens of tribes as well as environmentalists, some Navajo residents of the Aneth, Utah, area are concerned that the designation would hurt their ability to use the land for ceremonies and plant gathering.

In late January, members of the Descendants of Kayallii — a group of Navajo people with ties to the Bears Ears region — traveled to Window Rock, Ariz., to protest the national monument petition during the Navajo Nation council session.

"If it becomes a monument, everybody will be shut out of this place," said Gilbert Ben, the group's president, during a telephone interview.

Chester Johnson, another protester, echoed Ben's concern. He said a national monument designation would restrict access to the natural resources, such as firewood and medicinal plants. The National Conservation Area would also leave the possibility of mineral leasing, which could raise money that could help the schools in the rural area, Johnson said.
Both Johnson and Ben said they support the bill also because it was created based on input from people who live in the area who will be directly impacted by the designation.

History
The Bears Ears region has been used by Native American tribes for thousands of years and numerous tribes claim connections to the region. Creation stories of the Hopi, Navajo, Uintah and Ouray Ute, Ute Mountain Ute, and Zuni tribes all connect them with the region, according to the Bears Ears Inter-tribal Coalition. Today, Navajo and Ute Mountain Ute have reservations near the Bears Ears.

The section of Navajo Nation near Bears Ears was added to the reservation in 1933 and residents like Ben say the extension, known as the Aneth extension, was added after the U.S. government recognized the presence of Navajo in the region.

During the 1860s, as white people moved into the Four Corners area settling on traditional Navajo land, fighting broke out. The U.S. government forced tribal members to relocate to land near Fort Sumner in what is known as "The Long Walk." Rather than leave their homeland, several leaders with ties to the Bears Ears region resisted.

The most famous leader of the resistance, Chief Manuelito, was born in the Bears Ears area, but he was not the only leader to refuse to leave. Another, Chief Kaayalii, led a group of people into the Bears Ears region.

"They hid in Bear Ears country for 10 years," said Gilbert Ben, the president of Descendants of Kaayalii Inc., a group of Navajo from the Aneth area that has been vocal against the proposed national monument.

The Navajo who were in the Bears Ears region were given land in what is known as the Aneth extension through the 1933 act that expanded the reservation.

The region also has historical significance for members of the Church of Jesus Christ of Latter-day Saints, who settled there in 1880.

To get their horses and wagons down the canyons to Bluff, Utah, the settlers created a hole through the sandstone, now known as Hole-in-the-Rock. The draft congressional bill would set aside this trail as a historic trail marking the journey of the first Latter-day Saint settlers to southeast Utah.

Geography
Located on the Colorado Plateau, the Bears Ears region includes numerous canyons, many of which have picturesque scenes, such as House on Fire, an ancestral Puebloan site whose name stems from the coloring above the site, which resembles flames.

Comb Ridge — a series of sandstone hills reaching up to 800 feet high — offers views over the region, including several side canyons. The highest point of the region is in the Abajo Mountains, located in the Manti-La Sal National Forest near Monticello and Blanding. The mountains reach more than 11,000 feet.

The name of the lands comes from two neighboring hills.
"Looking at it from a distance, it looks like bear ears," Ben said. "But once you get close, it's a large area."

**Threats**

Over the years, many of the archaeological sites, including burial sites and ancestral Puebloan structures such as cliff dwellings, have been vandalized, looted or destroyed.

"A lot of damage has already been done," said Descheenie, the Bears Ears Inter-tribal Coalition co-chairman.

Descheenie cited two high-profile cases highlighting the need for protection of the Bears Ears region — an illegal ATV ride near archaeological sites and a federal investigation into looted Native American sites in San Juan County, Utah.

In December, San Juan County Commissioner Phil Lyman was convicted of illegally riding an ATV in Recapture Canyon north of Blanding. The commissioner led the ride in 2007 to protest federal land management practices after the Bureau of Land Management closed the area to off-road vehicles to protect cultural artifacts. Lyman appealed his conviction.

"Monument status for Bears Ears will lead to better management of off-road vehicle use and will improve the recreational experience for everyone who visits, including off-roaders," the coalition wrote in its petition to Obama.

In the other case, federal agents conducted a 2009 raid on eight homes, confiscating thousands of illegally collected artifacts and arresting residents. During the raids, 24 people were arrested, including 16 Blanding residents.

A prominent Blanding doctor, who had collected a small bird effigy, was arrested during the raids and later committed suicide. In May 2011, the doctor's family filed a wrongful death lawsuit in connection to the raids. The family alleged that the doctor, James Redd, committed suicide while reflecting "on the excessive, overreaching and abusive treatment he had been subjected to." The family also alleged that Redd's constitutional rights were violated during the raid. In December, a federal judge ruled that excessive force had not been used during the raid. The family appealed the court's decision in January.

The thousands of artifacts collected during the raids were placed in federal warehouses, but the looting of archaeological sites has continued.

"From small-scale theft to ancestral remains being tossed around when graves are plundered, these deplorable acts defile the past and wound the present, which for us is so directly connected to the past," the coalition says in its petition.

*Hannah Grover covers Aztec and Bloomfield, as well as general news, for The Daily Times. She can be reached at 505-564-4652.*
Utah politicians to Obama: Don't declare new monument

Posted: Thursday, February 18, 2016 8:47 am | Updated: 8:51 am, Thu Feb 18, 2016.

Eric Trenbeath Moab Sun News

Utah's congressional delegation is urging President Barack Obama not to use his powers under the Antiquities Act to designate a national monument on federal lands in San Juan County.

The calls from the state's four Republican congressmen and two U.S. senators come on the heels of the president's designation last week of three new national monuments in southern California's Mojave Desert. The move amplified the Utah delegation's fears that a 1.9-million-acre Bears Ears National Monument may be next on the president's agenda.

“Use of the Antiquities Act ... will be met with fierce local opposition and will further polarize federal land-use discussions for years, if not decades,” the delegation says in a letter to Obama.

The representatives are urging the president to let legislative action determine the fate of public lands in this hotly contested corner of Utah known for its wild and scenic landscapes, cultural and archaeological resources, and deposits of oil, gas and minerals.

“The most effective land management policy is inclusive and engaging, not veiled and unilateral,” the letter says. “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.”

The Bears Ears region contains many diverse ecosystems and thousands of Ancestral Puebloan archaeological sites. It is also home to modern traditional land uses such as grazing, uranium mining and wood harvesting, and is popular among off-road vehicle riders.

A poll conducted by Colorado College claims that 66 percent of Utahns support the designation. But the Bears Ears proposal is opposed by the Utah delegation, as well as oil, gas and mineral developers, and some rural residents who live in the affected area.

The designation of a Bears Ears National Monument is supported by multiple conservation groups and a coalition of Native American tribes that includes the Hopi, Navajo, Ute and Zuni.

Eric Descheenie, a senior adviser to Navajo Nation President Russell Begaye, said that sending the letter shows a lack of commitment toward the protection of indigenous cultural resources. The protections that the delegation are offering for the Bears Ears region fall short, he said.

“Never once did they ask why these lands are so important to us,” Descheenie said. “Since 2010, our grassroots leadership and traditional practitioners have cataloged in great detail where and why these lands are so special.”

Descheenie also said that the delegation's proposal doesn't give adequate representation to regional tribes.
“Creating only two seats for tribal representation and overlooking one of two local tribes is simply unacceptable,” he said.

In order to avert the designation, Republican Congressmen Rob Bishop and Jason Chaffetz have been drafting the eastern Utah Public Lands Initiative (PLI), which they hope will settle federal public land-use issues once and for all in the region.

Dubbed the “Grand Bargain” by Bishop, the PLI has been touted as a bottom-up process. The delegation says that stakeholders representing diverse interests have voiced their opinions to their respective elected leaders, who have then forwarded their recommendations on to Congress.

The recommendations are meant to represent a compromise vision for land use on federal public lands that sets some areas aside for conservation, while designating others for energy development.

The congressmen released a draft of the bill on Jan. 20, and it came under swift condemnation from conservation groups.

“The draft PLI is far from a compromise between land protection and development,” Southern Utah Wilderness Alliance (SUWA) staff attorney Neal Clark of Moab said. “Rep. Bishop has drafted a fossil fuels development bill that gives away our shared public resources.”

Clark said that the draft PLI rolls back existing protections for wilderness-quality lands, and that it includes loopholes and exceptions for development on lands it proposes for conservation.

Also at issue for SUWA and other conservation organizations is a provision that gives the state ownership of all contested road rights-of-way under the RS 2477 statute.

“We know what compromise looks like, as we had reached it in both Daggett and Summit counties,” Clark said. “Much to our dismay, the delegation completely failed to honor those compromises by excluding nearly every aspect of the Daggett County agreement and grossly distorting the Summit County agreement.”

But Grand County Council member Lynn Jackson said the draft PLI is a reasonable first step toward compromise.

“Although I support parts of the draft PLI and not others, I absolutely support this process for making such significant long-term decisions for public lands in our region,” Jackson said. “Some groups, unfortunately, don't seem to fully grasp or accept the concept of compromise in which not everyone gets what they want.”

Jackson said that he believes the delegation's letter is meant to counter the demands of environmental organizations, but that if the PLI fails, there will be a strong possibility for the creation of a national monument in Utah.

“President Obama seems to be on a monument-creating roll during his last year in office after his actions in California last week,” he said. “Those actions send a pretty strong message.”

The Grand County Council is currently preparing a response to the draft initiative, which includes significant changes to its recommendations, including its opposition to the so-called Book Cliffs Highway. Boosters of that proposal are touting it as a way to connect oil-rich Uintah County with Grand County, while promoting it as a transportation corridor that would connect national parks in Utah and Wyoming.
Western Energy Alliance Vice President for Government and Public Affairs Kathleen Sgamma said she thinks the draft PLI is a good first step. One addition that she’d like to see is a provision that would reduce what she calls “red tape” from the federal government in Indian Country.

Sgamma said that the Ute Tribe is just as interested in responsible development of oil on tribal lands as industry is.

“That would be one way to get the tribe on board,” she said.

In the end, however, Sgamma expressed little confidence that the PLI will sway Obama from designating a national monument.

“As a president beholden to the environmental lobby, and with a disregard for hardworking Americans whose livelihoods depend on responsible economic activity on public lands, he sees no political downside to a large monument designation in Utah,” she said.

Congress passed the Antiquities Act, and former President Theodore Roosevelt signed it into law, in June 1906. The law gives the president the authority to create national monuments on federal public lands to protect areas of significant natural, cultural or scientific resources.

Presidents from both sides of the political spectrum have since used the act more than 100 times, resulting in the creation of many of the nation's most beloved national parks, including Arches, Grand Canyon and Grand Teton – all of which were first designated as national monuments.

But use of the unilateral, presidential proclamation has often been criticized, particularly by Western representatives and some rural residents who resent the intrusion of the federal government. Critics fear it restricts access to public lands, and prohibits resource development.

“Federal land-use policy has a major impact on the lives of those within and near federal lands,” the delegation's letter says. “We believe the wisest land-use decisions are made with community involvement and support.”

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Senate blocks poorly disguised assault on Native American heritage

The Hill, February 19, 2016

By Carleton R. Bowekaty

There is great enthusiasm in Indian Country for the preservation of our living cultures, the celebration of our history and the protection of our sacred sites. For more than a century, several Native American sites have been thoughtfully protected by Congress and presidents of both parties. Yet areas of great importance to our people still remain unprotected. This is why an unprecedented partnership of the Hopi, Navajo, Uintah and Ouray Ute, Ute Mountain Ute, and Zuni tribal governments has formed to honor, protect and preserve our heritage. The first such tribally led proposal, for a Bears Ears National Monument in Southeast Utah, reflects the shared history and deep connection our people have with these public lands.

While the response to our proposal in Native American circles, and with the public in Utah, has been heartening, some in Congress have resorted to centuries-old tactics to divide Native people – disingenuously pitting one tribal group against the other. The latest such attempt played out in the U.S. Senate recently where Sen. Mike Lee (R-Utah) pushed an amendment to eviscerate the
very law that was originally passed to help protect Native American sacred religious and cultural sites – the Antiquities Act.

Places like Chaco Canyon in New Mexico, Chimney Rock in Colorado and Hovenweep in Utah are all examples of sites important to the Native American community that were protected through the Antiquities Act. The Antiquities Act is also responsible for the protection of more than half of what are now our National Parks.

Lee’s amendment would not only block the protection of the Bears Ears National Monument, but all future sites of historic, cultural and natural wonder. Protecting public lands continues to have great support. In January, the Colorado College released a poll showing that 80 percent of Westerners, including Utahans, are in favor of future presidents protecting public lands with a national monument designation. People around the West continue to call on the president to use his authority to protect our heritage, wildlife habitat and access to outdoor recreation. Yet, despite this, Lee and others continue to pursue failed efforts to obstruct communities’ efforts to safeguard important historic, cultural and natural sites.

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.

When President Theodore Roosevelt used the Antiquities Act to protect the Grand Canyon he said, "Leave it as it is. You cannot improve upon it; not a bit. What you can do is to keep it for your children, your children's children, and for all who come after you." This is a sentiment that rings true for the Bears Ears. Our people have lived in the Bears Ears region since time began. Our traditional oral stories speak of this area and certain spiritual resources are found only here. By visiting Bears Ears and giving our prayers and conducting our ceremonies, we heal our bodies and help heal the land itself. This is why we are working on a proposal to bring people together.

It is clear that the Native American community and the American people still understand the wisdom of allowing the president to directly protect public lands. And it is clear that there are places that are still in dire need of appropriate safeguards. Therefore, we are glad that the majority of senators opposed Lee’s efforts to undermine a bedrock law that has allowed for the honor and protection of Native American sites across the country.

Bowekaty is a councilman for the Pueblo of Zuni.

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**My view: Bears Ears and public lands**

By Chris Fraizer, For the Deseret News

Published: Sunday, Feb. 21 2016 12:00 a.m. MST

Summary
We are at a time in history when we have a chance to learn from past misuse; we have a chance to preserve into perpetuity the canyons, surrounding sage and tree sprinkled lands and keep the remaining artifacts where they belong.

Let me take you on a trip to San Juan County in southeastern Utah in the region proposed for the Bears Ears National Monument. You can stop your car almost anywhere, walk into the canyons, step over sagebrush, and duck under juniper tree branches. You can breathe in the antiquity.

I like this description. It’s adapted from a travel column published in the Salt Lake Tribune nearly 70 years ago (May 16, 1948). The reporter, C.R. Sundwall, beckoned the reader to this part of southern Utah, which he found aloof to time, untrammeled, and storied by indigenous people. This was a region of distinct beauty, serenity and honor.

But wait. The next sentences in Sundwall’s article are every bit as descriptive, but not for the good of the people or the land and, maybe, defensible in retrospect of the time.

Sundwall invited readers to “knock on the door to the nearest log home.” There, he writes, “you can witness the ancient culture of the Indians personified in personal belongings scrounged from the lands.” These “unbroken vases, pots other objects made by the Indians” have been “exhumed from ancient homes or from the burying ground of the Indians who roamed the land at the time of the cliff dweller, about 1200 AD.”

Articles about San Juan County, published over the next decade, segue from the valuable items stolen from on the land — or close to its surface — to gouging the land for what lies below. The business page of the Ogden Standard-Examiner (June 26, 1953) reported that more than 125,000 acres of land in Southeastern Utah were leased within 10 days of a “blow-out” in a gas well drilled in the Bears Ears area of San Juan County. Four years later, Sinclair Oil & Gas Co. drilled a 4,300-foot Mississippian formation wildcat in this exact same area. A portion of the land was acquired from Salt Lake oilmen.

Looting and gas, oil and mineral exploration are not confined to the past. These were not signs for the time.

You would think that sensible reasonable people know that it’s wrong to loot and rob. Yet, people continue to plunder the vases, pots and other objects from the Bears Ears region for selfish, personal gain. It’s kind of like the actions of the thief who broke into my mother’s house after my father had died and scrounged through her dresser, stealing items she had set aside in his memory. WWII medals, his favorite watch, and Catholic Rosary given to him by his own mother were connections from his life that she cherished.

You would think that oil and gas developers would be mindful of areas rich in cultural, historical and aesthetic value. OK, so I’m naive. Currently in San Juan County, there are 23 oil and gas producing operators on 524 currently producing wells on file. In 2014, oil production was at its highest since 1985 (40,911,258 BBL and 41,079,871 BBL, respectively). Oil and gas companies are pushing for new leases in the Bears Ears region, particularly on Cedar Mesa and Tank Mesa.

So, here we have a history in the Bears Ears region of San Juan County marked by looting native artifacts and increasing oil and gas exploration in fragile surroundings.
We are also at a time in history when we have a chance to learn from past misuse; we have a chance to preserve into perpetuity the canyons, surrounding sage and tree sprinkled lands and to keep the remaining artifacts where they belong and with whom they belong.

The Bears Ears National Monument proposed by a coalition of five tribes would protect 1.9 million acres of unprotected land, 100,000 archeological sites and 18 wilderness study areas and inventoried roadless areas. We have a chance to make good to a people and a land.

Well, let me take you on a trip to San Juan County in southeastern Utah. It’s a beautiful place. It’s a culturally cherished place. Let us not surrender to the “melancholy feeling” that possessed Weber County engineer J.C. Brown, when in 1923, he stood and viewed caves in the ledges along a canyon, realizing that this spectacular land and these remnants of ancient people could be doomed by the failure to protect them. We can’t let that happen. National monument status is clearly the direction to travel.

Chris Fraizer is the managing editor of a magazine published locally for an international audience of public safety dispatchers and calltakers.

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**Bishop's PLI gives away public lands that belong to all Americans**

By Mitch Hescox
By George Handley
Deseret News
Published: Sunday, Feb. 21 2016 12:00 a.m. MST

**Summary**

The PLI is motivated by the almost religious fervor for state’s rights that has seized the West. There are certainly good reasons to distrust the federal government, but there is danger too in such categorical trust in the virtues of local control.

Congressman Rob Bishop’s long-awaited Public Lands Initiative is especially disappointing to those who share increasing concern about our failure to take proper care of God’s creation. It’s not hard to look across the magnificent landscapes of Utah and feel awestruck by what God has given us and feel a desire to conserve the land’s health and beauty as good stewards. These lands should remain safe in the public trust for future generations.

Such a guarantee, unfortunately, is not part of Congressman Bishop’s plan. The PLI was advertised as a partnership, a collaborative, good-faith process to provide long-term certainty for the protection and balanced use of Utah’s most precious resource — our bountiful lands. However, the PLI favors fossil fuel interests over all the other stakeholders involved. Five Native American tribes realized this before the rest of us when they left the “collaborative” process in disgust in December.
We have seen more criticism than praise of the proposal from such reputable conservation organizations such as the Grand Canyon Trust, the Center for Western Priorities, Conservatives for Responsible Stewardship (CRS), Backcountry Hunters & Anglers and others. Bishop conveniently dismisses them as the criticisms of “extremists.” Stewardship, we believe, involves helping human well-being but in the broadest sense: working for our material and spiritual health and assisting present and future generations. Extraction for short-term gain at the cost of our health and the health of the earth is no “grand bargain.”

The PLI is motivated by the almost religious fervor for state’s rights that has seized the West. There are certainly good reasons to distrust the federal government, but there is danger too in such categorical trust in the virtues of local control. How can we trust advocates for private and state interests to live up to the high demands of our responsibilities for creation care when they so consistently ignore science or contradict the basic principles of ecological health? The proposed expediting of oil and gas leasing processes would prevent even the most minimal review of environmental impacts or potential destruction of irreplaceable cultural, historic or natural resources. Even in some areas designated as “recreation zones,” the PLI promotes disruptive mineral and energy development.

While Congressman Bishop says he is balancing these reckless development plans with a portion of the bill dedicated to “conservation,” these are designations in name only. The congressman’s definitions of “wilderness,” “national conservation areas” and “national monuments” make unprecedented changes to these protections, allowing grazing to continue in perpetuity and allowing industrial development right up to the edges of “protected” areas, like the Bush administration’s effort to open drilling adjacent to Arches National Park.

“Wilderness Study Areas” are given up for development; according to Congressman Bishop, their virtues have been studied enough. The PLI undermines the integrity of important laws like the Wilderness Act that provide the highest levels of protection to our most treasured places.

In addition to its conservation shortcomings, Congressman Bishop’s proposal deserves special criticism for its determination to give away public lands that belong to all Americans. While the PLI wants to give away hundreds of miles of trails and footpaths and tens of thousands of acres of national public lands to the development interests of the state of Utah, this is neither the wish of the majority of Utahns nor of Americans. These lands should be protected so that all who visit — from both inside and outside of Utah — can experience the beauty of God’s creation.

Let Utahns keep sharing the wonder and awe of creation with future generations and with all Americans. Scrap this bill and come up with a plan that takes seriously our responsibility to reduce our impact on the planet and that values Utah’s lands for their spiritual and not merely their extractive value.

We need a plan that answers the call to be stewards of God's gifts. Congressman Bishop’s PLI is not that plan.

Mitch Hescox is president of the Evangelical Environmental Network and George Handley is author of the memoir, "Home Waters," and a board member of LDS Earth Stewardship.
History shows century of angst over new national parks

By Amy Joi O'Donoghue, Deseret News
Published: Sunday, Feb. 21 2016 4:10 p.m. MST

Summary

The Center for Western Priorities is pushing the creation of new national monuments in Utah and Arizona. In a new report, they highlight a history of what they say is the unproven angst over creation of places like Grand Canyon National Park.

SALT LAKE CITY — A group pushing for the establishment of new national monuments in Utah and Arizona released a report detailing a century of political opposition and angst to iconic parks like the Grand Canyon, the Redwoods and even Utah's own Canyonlands.

"The Wrong Side of History: 100 Years of Opposition to Our Nation's Natural Treasures" is a pictorial slideshow or PDF featuring quotes by those opposed, at the time, to protections afforded to multiple national parks.

It was compiled by the Center for Western Priorities after President Barack Obama established three new national monuments in California on Feb. 12 and Rep. Rob Bishop, R-Utah, reacted angrily, decrying the move as another usurp of local sentiments and control.

"Chairman Bishop is carrying on a proud tradition of anti-park naysayers that dates back to the founding of our first national parks, when critics warned that protecting the Grand Canyon from mining was a ‘fiendish and diabolical scheme,'" said Greg Zimmerman, policy director for the Center for Western Priorities, which describes itself as a nonpartisan conservation and advocacy organization.

"As history has proven time and again, our newest national monuments will be good for California’s economy, good for local communities and good for future generations," Zimmerman said.

The report notes that groups of trappers and other sportsmen were opposed to the creation of Yellowstone National Monument and notes that a Seattle tax commissioner said it would be foolhardy to tie up resources with the creation of Olympia National Park.

An Alaskan newspaper editorialized against designating Glacier Bay as a national monument in the 1920s, asserting: "This (designation) is a monstrous crime against development and advancement. It leads one to wonder if Washington has gone crazy catering to conservation faddists."

The report also quotes Ronald Reagan when he was the Republican Party's gubernatorial nominee for California, saying: "A tree is a tree. How many more do you need to look at?" in response to political pressure for a Redwood National Park designation.
In each of the segments on the parks, the report points out the number of park visitors, the jobs it supports and the amount of money it generates for the economy, from Redwood's $33 million to Glacier Bay's $160 million.

With Utah's Canyonlands, the report quotes Sen. Wallace F. Bennett, who in 1962 said, "All commercial use and business activity would be forever banned and nearly all of southern Utah's growth would be forever stunted."

The report notes that more than a half-million people visit the park, injecting $37 million into the economy.

The center is using the report to renew its call for the creation of the Bears Ears National Monument in Utah and the Greater Grand Canyon National Monument in Arizona. The monument designation in Arizona would make permanent a ban on uranium mining around the existing park and institute prohibitions against other industrial development.

In Utah, an intertribal coalition has called for monument protection of nearly 2 million acres in San Juan County to protect an area called Bears Ears they say is rich with cultural artifacts.

Although Bishop and Rep. Jason Chaffetz, R-Utah, have unveiled draft legislation that would set up a National Conservation Area for Bears Ears, the coalition said those protections don't go far enough.

County leaders have come out adamantly opposed to any more monuments in their neighborhood, pointing to San Juan County's private land ownership of just 8 percent. The rest is controlled by either the federal government or the state.

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**Utah guy raises national monument concerns at White House meeting**

By THOMAS BURR | The Salt Lake Tribune
First Published 2/22/16

Washington • Utah Gov. Gary Herbert delivered a letter to President Barack Obama on Monday, urging him not to take unilateral action to name a new national monument in the state and noted in public remarks with the president the controversy caused by the 1996 designation of the Grand Staircase-Escalante National Monument.

After praising Interior Secretary Sally Jewell for working to reopen Utah's national parks during the 2013 government shutdown, Herbert said that hasn't always been the case in dealing with Washington.

"I do harken back to a failure, maybe an epic failure of lack of communication on a previous administration where a national monument was designated in Utah — larger than the state of Delaware, two and a half times larger than Rhode Island," Herbert told the president in front of most of the nation's governors.
"At any rate, the problem was that [then-]Gov. Mike Leavitt found out about that designation by reading The Washington Post," Herbert said. "That was the other side of the coin of not-good communication."

President Bill Clinton named the Grand Staircase monument at a news conference in Arizona, setting aside 1.9 million acres of public land in the middle of a general election. The move infuriated Utah leaders.

Herbert didn't directly ask Obama to promise not to name a new monument in Utah — he said later it wasn't the right place — but he did hand the president a letter that asks Obama to "refrain" from using the Antiquities Act to protect more public lands.

"History shows this sort of action will only exacerbate an already tense situation and will further perpetuate the longstanding public lands conflict," Herbert wrote in the letter. "Any unilateral action could set back progress, perhaps for decades."

A group of American Indian tribes has asked Obama to name the Bears Ears National Monument in southeastern Utah to preserve nearly 2 million acres containing historic and cultural areas. Obama has said he will name more monuments, but he has not said where.

Herbert said outside the White House that he spoke privately with the president about the letter and planned to follow up at a different time. The governor said he would raise it with Vice President Joe Biden when he visits Salt Lake City on Friday, but Herbert added that trying to exact a pledge in front of the news media and governors wasn't the appropriate setting.

"One, you don't have time," Herbert said in an interview. "You can't reduce a 30-40 minute discussion to just a one- or two-minute question. All that does is put people on the defensive."

Herbert is chairman of the National Governors Association and led the group's conference in Washington over the weekend. He also offered a toast — as a self-described "teetotaler Mormon from Utah" — to the president during a black-tie dinner at the White House on Sunday.

Obama thanked Herbert and Virginia Gov. Terry McAuliffe, the NGA's vice chairman, for their work on behalf of their fellow governors and constituents.

"They're both doing outstanding jobs in their respective states," Obama said.

On Monday, Herbert joined McAuliffe and White House press secretary Josh Earnest for the regular press corps briefing and fielded a variety of questions on guns, refugees and transportation funding.

Standing behind the White House podium, Herbert said that he supported background checks for gun purchases and stressed ensuring mental-health databases are updated. And he said that states should be given transportation money that isn't filtered through the federal government.

A few minutes after the briefing, Herbert emerged from the West Wing grinning. He said it was a fun experience facing the White House press corps but also a little nerve-wracking.

"You see it on television, and you think, 'Well it should be easy,'" Herbert said. "But then you have to do it and you find out it is humbling and it's certainly intimidating to see all of those reporters and all the cameras going and thinking, 'Gee, I hope I said it the right way.'"

tburr@sltrib.com
Herbert asks Obama not to designate Utah national monument


SALT LAKE CITY (AP) - Utah Gov. Gary Herbert is asking President Barack Obama not to use his authority to designate a new national monument in the southeast part of the state.
Herbert made comments about a possible monument in Utah’s Bears Ears region while meeting with the president Monday at the White House. He also gave Obama a letter outlining his concerns.

The Republican governor was in Washington for meetings with the National Governor’s Association.

Herbert told the president that many Utah residents are still upset over President Bill Clinton’s 1996 declaration of the Grand Staircase-Escalante National Monument in southern Utah over the objections of locals.

American Indian and conservation groups say the Bears Ears area is under threat from ATVs and looting and are calling for a 1.9 million-acre Bears Ears National Monument.

Jewell pounded over energy, climate, conservation priorities

Scott Streater, E&E News (subscription)
Published: Tuesday, February 23, 2016

Interior Secretary Sally Jewell was peppered with questions today from a Senate panel that questioned her agency's handling of energy and minerals development on federal lands.

Jewell defended the Interior Department's $13.4 billion fiscal 2017 budget request, saying in opening remarks before the Senate Energy and Natural Resources Committee that it "builds on the successes" of the Obama administration's ongoing efforts to achieve a "balanced stewardship" of public lands, focusing on responsible energy development and helping coastal communities become resilient to expected impacts of climate change.

Jewell also noted the importance of the budget proposal to fully fund the Land and Water Conservation Fund at $900 million. Jewell praised the LWCF, which allows the purchase of new federal lands, the permanent protection of private lands and state-tailored recreation projects, though Sen. Lisa Murkowski (R-Alaska), the committee chairwoman, said reforms are needed to allow the fund to be used to maintain current federal lands.

But as expected, several major points of contention emerged with GOP committee members, including a key proposal in the administration's proposed budget to divert about $3.3 billion in offshore oil and gas revenues away from four Gulf Coast states to help other coastal communities build resilience to climate change.

Sen. Bill Cassidy (R-La.), whose state is one of the four proposed to have funds diverted away to other regions, told Jewell that the Pelican State needs its portion of that money, in part, to help restore coastal wetlands that could dramatically reduce erosion, flooding and other problems.

"I'd really like to know the thought process associated with that," Cassidy said, adding that the state desperately needs the offshore revenue to restore wetlands.
But Jewell noted that coastal erosion is a problem elsewhere, such as the Arctic regions in Alaska. "The benefit of the revenue should support coastal renovation projects beyond just those four states," she said.

The department's handling of coal production on federal lands also came under heated scrutiny, particularly the agency's investigation of a possible coal royalty fee increase. That sparked sharp comments from Sen. John Barrasso (R-Wyo.), who questioned why the agency would raise royalties at a time when demand for coal on federal lands has decreased significantly.

Jewell last month issued an order calling for a programmatic environmental impact statement (EIS) to analyze how the administration awards coal leases, and how environmental and public health concerns factor into the decisionmaking process. The order froze the leasing of federally owned coal to mining companies until the study determined whether the program is a good deal for taxpayers (Greenwire, Jan. 16).

Barrasso questioned why the administration would consider possibly raising royalty rates on coal mined on federal lands, supposedly to generate more revenue for taxpayers, when demand for coal over the past three years has been significantly down. Raising rates would drive demand down even further, resulting in less revenue.

"We are responding to criticism that I think is very fair" concerning whether the benefits to society of mining coal offset the costs, Jewell replied. "We have been criticized roundly for not generating a fair return for taxpayers, for not having any competition in the leasing process for coal, and that has resulted in relatively small cost paid for by coal producers for the coal in the ground that belongs to all Americans. So this really is in response to criticism we have received over multiple years."

Barrasso said the programmatic EIS on coal leases is the result of Jewell's agency being lobbied by "environmental extremists" to "kill coal," and he challenged her to be "honest" and admit that. "I think if you're really willing to be honest with Congress, you'd admit that here today," Barrasso said.

Jewell responded that the agency will continue to work on the programmatic EIS over the next three years, which prompted Barrasso to say he was "delighted" that the Obama administration will leave office long before then.

Another major issue raised at the hearing, as has been the case for the past several years, is President Obama's use of the 1906 American Antiquities Act to bypass Congress and designate new national monuments.

Sen. Mike Lee (R-Utah) grilled Jewell on her views about when the president should use the Antiquities Act, asking her if she believes that before a new monument is designated, there should be public engagement and support.

Lee then noted ongoing efforts by a coalition of American Indian tribes to lobby Obama to designate a 1.9-million-acre national monument in the Bears Ears region in southeast Utah. Lee told Jewell that that "there's not one elected official" in San Juan County who supports establishing a national monument in the region. He also noted that the Utah congressional delegation and Gov. Gary Herbert (R) also oppose the monument.
Lee asked Jewell to commit the administration to consult with the governor, the state's congressional delegation and the local community before any administrative designation. But Jewell noted that the use of the Antiquities Act is entirely up to the president's discretion. "I cannot comment on the president's use of the Antiquities Act," she said, adding, "I will commit to going out to the community and taking input from the community."

The Massive Land Deal That Could Change the West Forever

Utah congressman Rob Bishop, a conservative Republican who has long opposed federal management of western lands, has emerged as the unlikely architect of a grand compromise, one that would involve massive horse trading to preserve millions of acres of wilderness while opening millions more to resource extraction. Is this a trick, or the best way to solve ancient disputes that too often go nowhere?

By: Christopher Solomon Outside Magazine
Feb 22, 2016

The American West is our handsome conundrum—too beautiful to use, too useful to be left alone, as a Colorado journalist once put it. In the past, the landscape seemed so enormous that conflicting dreams could find room in its whistling emptiness. Now there’s not much left that we haven’t touched, and we argue about how to manage what remains—a quarrel over whose dreams should come first.

Nowhere is the argument louder than in the creased country of eastern Utah, a place you know even if you’ve never been there: stone arch and sunburnt canyon, perfect desert sky. The area is home to marquee national parks like Arches and Canyonlands, but much more of it exists as sprawls of federal land that, taken together, are larger than many eastern states. Some people look at the region’s deep slots, peaks, and antelope flats and are inspired to protect them from development. Others hunger for what lies beneath: natural gas, oil, and potash.

If conservation is a tricky project in today’s rural West, with a resurgent Sagebrush Rebellion leading to events like the armed takeover of a federal wildlife refuge in Oregon, it’s particularly confounding in Utah, where, for the better part of a century, a war over wilderness has been fought. Recently, during travels through small eastern Utah towns like Moab and Vernal and Blanding, I met more than one Utahan whose pioneer ancestors had arrived by wagon train and who still couldn’t bring themselves to utter the word “wilderness,” famously defined in the 1964 Wilderness Act as “an area where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain.” Instead they called it “the W-word,” and they spat it out when they said it. In Utah more than other states, environmentalists and their foes
wield just enough power to stymie each other. The toll has been great: enemies have grown gray squatting in the same trenches their fathers dug, and still the land remains unconquered by either side.

In early 2013, a conservative Utah congressman named Rob Bishop sent a letter to more than 20 groups in both camps of the wilderness wars. He said to them, simply: Tell me what you want. He proposed using their responses to frame an ambitious “grand bargain” designed to end the state’s wilderness disputes. In Bishop’s hoped-for compromise—officially known as the Public Lands Initiative—everybody would get some of what they desired, as long as they were willing to negotiate. Conservationists could potentially protect the largest amount of wilderness acreage in a generation—a Vermont-size array of wildlands that would be free from development forever—including places whose names are talismanic to desert rats: Desolation Canyon, Indian Creek, Labyrinth Canyon. And the conservative counties of eastern Utah would get some assurances that more motorized recreation and future development would be allowed to happen on other public lands, along with the economic benefits those projects promise to deliver.

Late last fall, during a telephone interview from his offices on Capitol Hill, Congressman Bishop told me that he decided to pursue the grand bargain when he realized that the old conflict-based manner of tackling disputes had failed. “I’ve got to break paradigms and try something new,” he said. But why something so ambitious in a place so difficult? Bishop invoked a favorite quotation, one that he and others often attribute, perhaps apocryphally, to Dwight Eisenhower: “Whenever I run into a problem I can’t solve, I always make it bigger. I can never solve it by trying to make it smaller, but if I make it big enough I can begin to see the outlines of a solution.”

Eventually, any such plan will be introduced into Congress as a bill that spells out what’s being traded for what. And in theory, a grand bargain that has the support of all sides would stand a decent shot of navigating the hyper-partisan halls of Congress to become law.

A few years ago, if you had asked which politician would emerge as the Great Compromiser on wilderness, Bishop wouldn’t have been anybody’s first choice. Now 64, he’s a seven-term congressman from Utah’s First Congressional District, which stretches across the top of the state. The federal government manages nearly two-thirds of Utah’s land, and Bishop firmly believes Uncle Sam is terrible at the job. He has likened federal ownership to Soviet collectivism, and he argues with a pungent eloquence—he’s a former high school debate coach—that the government should get out of the stewardship game and revert the land to local management.

“When you try to control the land from a four-, five-hour flight away, the people always screw up,” he told me. He has repeatedly fought to weaken environmental laws and neuter federal agencies like the Bureau of Land Management, the National Park Service, and the Forest Service.

Yet Bishop is no wild-eyed back-bencher. He’s chairman of the powerful House Committee on Natural Resources, with sway over issues ranging from energy production to mining, fisheries, and wildlife across one-fifth of the nation’s landmass. Last fall he helped kill renewal of the 51-year-old Land and Water Conservation Fund—which raised billions for recreation and state and federal land acquisition, until it could be overhauled. (The fund was reauthorized in
mid-December, but for only three years.) The League of Conservation Voters has given Bishop a 3 percent lifetime rating. Still, he can be a powerful ally, as his work on the grand bargain shows. Bishop’s effort is a genuine attempt to solve the kinds of long-stewing western land-use conflicts that, at their worst, devolve into potential violence.

Time is running short for Bishop, however. The Obama administration has given him room to cobble together a deal with conservationists, ranchers, Native Americans, energy companies, and others—the kind of huge, grassroots pact that most parties would prefer. But if an agreement isn’t reached soon, the president appears poised to step in and do some preservation of his own, in the form of a major new national monument in eastern Utah called the Bears Ears. The clock is ticking.

For some critics, though, the deal struggling to be born is a devil’s bargain. And it has exhumed a pressing version of an age-old question: How much can you compromise before you sacrifice the very thing you’re trying to save?

Last September, nearly three years after Bishop sent out his letter, I traveled to eastern Utah to check on the progress of his idea. Initially, Bishop had asked various groups—everyone from the Utah Farm Bureau to the Nature Conservancy—to put their wish lists to paper within a month. In the years since, more than 1,000 meetings have been held, involving dozens of interested parties, as counties worked on detailed proposals to submit to the offices of Bishop and his congressional colleague, representative Jason Chaffetz, a Republican whose district includes southeastern Utah. Now everyone was waiting to see how the congressmen would merge these often conflicting dreams into one plan without pissing off everybody. Deadlines have come and gone. “It’s a total mess,” one staffer told me, referring to the difficulty of the process.

Still, it’s easy to see why several environmental groups are interested. Over the years, Utah’s deeply red political culture has often kept the state’s enviros on the defensive, simply trying to prevent losses. The Southern Utah Wilderness Alliance, or SUWA, has filed so many lawsuits to stop development on state and federal land that its enemies call it “Sue-Ya.” From 1930 to 1980, more than half the lands in Utah that environmentalists would have called wilderness and are managed by the BLM—some 13 million acres—were lost to drilling, roads, and other development. Since 1980, however, greens have held the line. Less than 2 percent of would-be wilderness acres have been lost, thanks to efforts that have included land exchanges, lawsuits against oil and gas drilling, and other tactics, SUWA says.

“Utah has always been hard,” says James Morton Turner, author of The Promise of Wilderness, a history of modern wilderness politics. “It is the trail that wilderness has never been able to get to the end of. It is steep, straight uphill, hot and dusty.” Utah received no designated wilderness under the 1964 Wilderness Act; even today the state has fewer wilderness acres than Florida. The conflict over land and what to do with it has simmered for decades.

But Bishop’s idea strikes a chord with SUWA’s 58-year-old executive director, Scott Groene, who sees an opportunity to gain the kinds of permanent protections the group has long sought. A huge chunk of Utah—more than three million acres—exists in a limbo state known as wilderness study areas. These places are neither fish nor fowl; Congress has granted WSAs wilderness-like
protections while they’re studied for permanent status. But some WSAs have been in a holding pattern for upwards of 35 years.

Groene believes that haggling to protect lands that already enjoy a degree of protection is “just a waste of our time.” Millions of additional acres of unguarded BLM lands are still out there, unprotected even by WSA status, according to environmentalists’ surveys. Greens also have their eyes on gaining wilderness protection for some Forest Service lands in eastern Utah. Traditionally, the Forest Service’s guiding principle has been embodied in the slogan Land of Many Uses, which means allowing everything from sheep grazing to timber harvests to mountain biking. Wilderness protection, by contrast, is the most stringent status available for federal lands. Motors and mountain bikes are prohibited; resource extraction is allowed only in cases involving preexisting mining claims and leases. Environmentalists have shown a willingness to be flexible, though, by considering less restrictive designations, such as national conservation areas, which block drilling but allow some other uses.

Still, the wish list is long. For example, above Moab, environmentalists want wilderness status for the forested La Sal Mountains that serve as the town’s watershed, now national forest. To the north, they want protection for the Book Cliffs, one of the largest nearly roadless places left in the lower 48. They also want protection for places of staggering beauty and lonesomeness such as Bowknot Bend, where the Green River coils back on itself at the bottom of a canyon of sun-­fevered rock. In his most optimistic moments, Groene, a former “hippie lawyer” who now wears dad plaids, allows himself to dream of a day when his group could shut its doors, its mission all but accomplished.

But what would cause the other side to budge?

To look for an answer, I fly into Salt Lake City and drive due east, past the ski resorts of the Wasatch, until the land flattens and bleaches and oil jacks nod their equine heads. This is Uintah County. On the same day Bishop sent his first letter to groups like SUWA, he sent a second, different letter to the elected commissioners of Uintah and every other county in Utah—the level of government that, to Bishop, best serves the ideal of local control. Bishop acknowledged the long stalemate over their public acreage. Then he told the locals how to break it. Wilderness, he wrote, “can act as currency”—chips that can be cashed in, in exchange for projects like drilling pads, mines, and airports. “The more land we’re willing to designate as wilderness, the more we’re able to purchase with that currency.”

This was new, and it would change the way wilderness skeptics looked at the W-word. The counties of eastern Utah, which had been bloodied and economically frustrated by wilderness stalemates as much as any counties in the state, took notice.

No place illustrates this better than Uintah County. Millions of years ago, the Uinta Basin was a vast, shallow inland sea. Today, beneath the ground, there’s an ocean of hydrocarbons that could make Uintah one of the next global hot spots for energy extraction. The county, which is nearly the size of Connecticut and covers much of the basin, already has more than 7,100 oil and gas wells—and a world-class pollution problem—but that’s nothing compared with what boosters hope for. The ground holds huge amounts of additional oil and natural gas, plus oil sands and oil shale. The energy isn’t found only in Uintah: in 2012, the most productive oil well in the lower
48 was located outside Moab, and as many as 128 more wells could appear in the area in the next 15 years, the BLM projects.

In Vernal, the Uintah seat, I speak with county commission chairman Mike McKee, an ex-farmer who explains the problem as he sees it. The feds own nearly 60 percent of his county, including many of those potential future oil lands, where would-be drillers are subjected to Washington’s bureaucratic red tape, the shifting energy policies of successive presidential administrations, and lawsuits, all of which can make drilling on federal lands more difficult and uncertain than drilling on state lands. If counties like Uintah compromise, officials want dependable assurance that companies really will be able to drill.

McKee stands before a rainbow-colored map in a conference room. It shows the new protections that Uintah County officials think they can stomach and what they want in return. The map is the outcome of dozens of meetings involving everyone from snowmobile groups to the Wilderness Society, McKee explains, and similar maps have been cobbled together all over eastern Utah. Up in one corner, there’s a new wilderness area in the Uinta Mountains. Another is marked in the south, for Desolation Canyon. (“Their ultimate prize,” McKee says of environmentalists. “A spectacular area.”) Negotiations are ongoing about the possibility of turning Dinosaur National Monument into a national park. And a blob of gray covers roughly half the map—a proposed new “energy zone,” where current or future oil or gas drilling or tar-sands operations could occur.

It might be hard to find enough common ground to facilitate any huge deals simply by swapping lands. But Utah has something else to grease the bargaining wheels. During the statehood processes that occurred when the West was settled, the federal government gave new states land, arranged in a checkerboard pattern, most of it to be logged, mined, or grazed, with the proceeds largely helping to fund state schools. In Utah today, these trust lands make up 6.5 percent of the entire state—millions of acres. But since they are still arranged in checkerboard patterns, many sit inside federal lands that are now wilderness study areas; they’re like holes in a doughnut.

Critics, including Bishop, say this effectively makes the land undevelopable, leading to underfunded schools. (The real cause of that problem, many believe, has been Utah’s tax-averse citizenry.) However, these state lands can be legally mined and drilled, and the federal government has to allow access to them, even through potential wilderness. That’s why Groene calls them “a ticking bomb.”

Many on both sides would like to see them on the trading block. Environmentalists want the development threats removed. Counties and state legislators want the parcels traded out for other lands that are more accessible. Both sides have something to gain.

During the time I spend researching the grand bargain in Utah, many people tell me that what is unfolding might represent the future of land conservation in America. “This could be a model for other states to resolve these issues in a constructive way,” says Mike Matz, who directs wilderness conservation projects for the Pew Charitable Trusts, one of the nation’s largest conservation groups. Utah’s collaboration has spurred counties in Wyoming to try to settle the future of hundreds of thousands of WSA acres there. Whether this trend should be applauded is hotly debated, however.

Land conservation in the U.S. is harder today than ever. The easiest places to protect—the high country of peaks, pines, and pikas—have already been taken care of. What generally remains are
lower-elevation lands that have more claims on them, whether from off-road drivers, mountain bikers, or energy companies, according to Martin Nie, director of the Bolle Center for People and Forests at the University of Montana. Add a highly polarized Congress that won’t pass anything even remotely controversial and you’ve got a formula for inaction. “The market is dictating that tactics need to change,” says Alan Rowsome, the Wilderness Society’s senior government-relations director for wildlands designation.

Enter collaborative dealmaking. Collaborations have their roots in the watershed groups that formed in the late 1990s, during the Clinton administration. Collaboration often comes down to stakeholders—ranchers, loggers, ATV groups, environmentalists—sitting in a room and negotiating about lines on a map. The goal is to strike a balance between the needs of nature and the ever greater demands of people. Over the past 15 years, some of the nation’s largest and most respected environmental groups—including Pew, the Wilderness Society, and the Sierra Club—have played active roles in collaborations around the West. At its best, collaboration has helped break logjams in stubborn public-lands conflicts and has created a new way forward to protect significant chunks of the map.

But some environmental watchdogs, wilderness specialists, and academics worry that the approach is also setting dangerous precedents. In their pursuit of land preservation and wilderness, critics charge, environmental groups frequently horse-trade inappropriately with the public’s lands—shutting out dissent, undercutting their conservation mission, and even eroding bedrock environmental laws.

Many say the new collaborative trend began in a remote place in eastern Oregon called Steens Mountain. In 2000, environmentalists and ranchers brokered a complex agreement that involved new wilderness and land exchanges, and also created a novel management area on public land that would be overseen in part by the ranchers themselves. Some environmentalists praised the compromises, but to Janine Blaeloch, founder and director of the watchdog Western Lands Project, the deal smelled funny. Blaeloch was particularly concerned about how conservationists gained protections around Steens only if they “paid” for them with outright losses of other public lands or by agreeing to reduced protections elsewhere. Blaeloch dubbed it “quid pro quo wilderness.”

The trend soon gained popularity in Nevada, where four-fifths of the state is managed by the federal government. Having had success with a deal in Clark County, which surrounds fast-growing Las Vegas, Democratic senator Harry Reid tackled a more collaborative effort in a large county to the northeast, Lincoln. At first glance, the 2004 Lincoln County Conservation, Recreation, and Development Act seemed like a success: it created 14 wilderness areas covering nearly 770,000 acres. The bill had the support of the Wilderness Society and the Nevada Wilderness Coalition, the latter supported financially by a Pew-backed group called the Wilderness Support Center.

But a closer look revealed a disturbing deal. Nowhere did the Lincoln County bill break more with the past than by going against a long-standing government policy of trying to keep federal lands in federal hands. Instead, according to historian James Morton Turner, it required the feds to sell more than 103,000 acres of public land at auction.

Twenty years ago, when environmentalists haggled over protecting lands, they sometimes compromised in a way that temporarily returned hoped-for wilderness acres to the kitty while
they continued fighting to protect them at some future date. In Nevada, the environmental groups hadn’t simply delayed protection for public lands; they allowed them to be sold off entirely.

Inspired by Lincoln County, other collaborative efforts followed, including a controversial 2008 deal across the state line in southwest Utah’s Washington County and another in the dry Owyhee country of southwest Idaho in 2009. And why not? “Collaboration” sounds great. It suggests consensus and compromise—the idea that everyone will be heard and their ideas made part of the finished product. But as George Nickas, executive director of Wilderness Watch, has said, compromise sometimes means “three wolves and a sheep talking about what’s for dinner.”

In short, whether collaboration is a good thing or not depends a lot on where you stand—and what you stand to gain. A 2013 study found that the groups most likely to collaborate are large, professional environmental organizations that often represent diverse agendas. According to Caitlin Burke, a forestry expert in North Carolina who has studied collaborations, if such trends continue, “we will see a marginalization of smaller, ideologically pure environmental groups [whose] values will not be included in decision making because they are unable or unwilling to collaborate.”

Idaho’s Owyhee Initiative, for instance, which steers issues like ranching in southwest Idaho, has banned from participation groups that have successfully litigated to reduce grazing in areas of the Owyhee. The initiative, however, preserves a role for more mainstream groups like the Nature Conservancy and the Wilderness Society.

Despite appearances, collaborations are undemocratic, argue critics like Gary Macfarlane of Friends of the Clearwater, an environmental group in northern Idaho. The public already has a process for how changes can be made to our public lands, Macfarlane says: the 1969 National Environmental Policy Act. Macfarlane describes it as “a law that tells federal agencies to look before you leap” and says you have to allow all interested parties to participate. The act also mandates that the best available science be considered. Collaborations don’t have to do that, says Randi Spivak, director of the public-lands program for the Center for Biological Diversity.

Then there are the concerns about wilderness. Designation of new wilderness areas has often been a centerpiece of collaborations over the past 15 years. But in order to push wilderness through, the big environmental groups have been willing to make sometimes disturbing compromises, critics say—even to the Wilderness Act itself.

Compromise has long been a central part of wilderness politics, of course. The 1964 Wilderness Act took eight years and 65 bills to become law, and the final act grandfathered in some grazing and mining. But the old compromises were largely about boundaries—what’s in and what’s out. The new deals embrace a more insidious type of compromise, not just about where wilderness will be, but also about how it will be managed.

“Our fear is that some conservation groups look at the 1964 act as the place to begin a new round of compromises,” says Martin Nie. That shift, he adds, “could threaten the integrity of the system.”

In collaborative efforts, large conservation groups that badly want to protect wilderness must deal with groups that sometimes loathe the idea, so conservationists increasingly feel pressure to
make wilderness more palatable to opponents—and that means watering it down, says critic Chris Barns, a longtime wilderness expert who recently retired from the BLM.

The number of special provisions—exceptions added to a wilderness bill, almost always leading to more human impact—has increased in the past several years, according to a 2010 study in the International Journal of Wilderness. The Lincoln County deal was saddled with a raft of such provisions. The Owyhee deal, given a thumbs-up by such groups as Pew and the Wilderness Society, lets ranchers corral cattle using motorized vehicles, which is supposed to be forbidden in wilderness. The result of such compromises, Barns and others say, are areas known as WINOs—“wilderness in name only.”

Another problem with these exceptions is that they become boilerplate for future bills, Barns says. A provision that first appeared in 1980 has since turned up in more than two dozen wilderness laws. Such changes might seem small, says Barns, but they erode, bit by bit, America’s last wild places.

The large environmental groups involved in these deals say such criticisms are off base. “For us, what it comes down to is, as the nation grows, there are less and less wild places left in America,” says Alan Rowsome of the Wilderness Society. “And we want to protect them as soon as possible, because if you wait ten years or fifteen years or twenty years, that place may not be protectable. It may not be as wild a place, or as open, or as important to protect.”

As for the criticisms about horse trading, Pew’s Mike Matz says, “I would submit that these deals have always been complex. At the end of the day, we are entirely comfortable with the deals we have struck.”

But Athan Manuel, lead lobbyist for the Sierra Club on federal-lands issues, acknowledges some of the criticisms. “We don’t have to get some of these bad deals just because we think the atmosphere is going to be worse next year,” Manuel says. “I think we sometimes suffer a crisis of confidence in the environmental community.”

Which brings us back to Utah and the grand bargain. With Pew and the Wilderness Society heavily involved throughout much of the process, critics were watching and worrying. Though Bishop hadn’t yet unveiled his final proposal, some didn’t like what they were hearing—that green groups were willing to swap out Utah’s school trust lands for parcels located elsewhere, so that wildlands could be consolidated and the state could more easily drill for oil and gas. “It’s wilderness for warming,” Randi Spivak says. “We should be keeping fossil fuels in the ground.”

“It’s painful,” SUWA’s Groene acknowledges, “because everything you give to Utah you have to assume will be sacrificed.” But the kinds of ethical dilemmas that collaborations have posed elsewhere? He’s still waiting on them. “The whole goal was to be put in that terrible place where we had to decide” those kind of things, he says. But they aren’t even there yet.

When I asked people for a place that exemplified the challenges and promise of the grand bargain, many pointed to San Juan County, which anchors Utah’s bottom-right corner. Though larger than New Jersey, it has only 15,000 residents, many of them conservative sons of Mormon pioneers.
The current county-commission chairman there is a man named Phil Lyman, who for the past three years has spearheaded the county’s public-lands advisory council, a citizens group that is charged with helping officials craft a proposal to give to Bishop. In the midst of that work, Lyman was convicted of leading an illegal ATV excursion into Recapture Canyon, an area that had been partly closed to protect ancient Native American ruins.

Lyman lives in Blanding—at 3,600 people, the county’s largest town—which was founded by his great-grandfather in the 1890s. It has a bowling alley, a bank, and a few wide streets that seem designed to take tourists elsewhere. On Main Street, old ranchers limp in and out of the San Juan Pharmacy. Down the block, I find the door to Lyman’s accounting office open. A sign inside invites visitors to take a complimentary copy of the Book of Mormon.

To environmentalists, Lyman, 51, symbolizes all that is backward in Utah. To others, he’s a hero for resisting government overreach. The day I meet him, he’s still waiting to find out if he’ll go to prison over his conviction for conspiracy and trespassing. (He was already fined and in mid-December would be sentenced to ten days in jail.) He scratches his head at the furor he has caused. It was all a misunderstanding, he claims.

“I’m the poster child for gun totin’, beer drinkin’, ATV drivin’, ” he says. “I’m an accountant!” He doesn’t even own an ATV. “But I do have a fire in the belly about hurting innocent people,” he says.

We drive into the sagebrush desert in Lyman’s pickup, and he tells the same story I’ve heard elsewhere about how reluctant he was at first for his county to join the grand bargain. All it would do is stir up trouble for years, with no resolution—and the county was already trying to start talks with a Navajo group. But once he decided to get on board, swayed by his elected duty to give the approach a try, Lyman threw himself into it.

To everyone’s surprise, people with different viewpoints actually started talking to each other, Lyman says. Around eastern Utah, cooperation was in the air. The Wilderness Society joined the grand bargain early on. So did Pew, though it generally pursued its own track. In the spirit of mediation, greens told Bishop that in some places they would be willing to accept less proscriptive national conservation areas instead of a stricter wilderness designation, which many counties feared.

Working county by county, the collaborators nailed down the first tentative deal—a single puzzle piece in the larger grand bargain—in the fall of 2014 in Daggett County, a smaller county in northeastern Utah. (Individual deals like this, the hope went, would eventually be submitted to Congress as one overarching Utah lands bill.) Among other things, the agreement designated over 100,000 acres of wilderness and conservation areas in exchange for the acquisition of a large natural-gas facility and future development of a ski area.

Momentum was building. Summit County, home to Park City, asked to contribute to the Public Lands Initiative. An election in Grand County, home to Moab, saw ultraconservative commissioners voted out and a more receptive slate voted in. At various times, as many as eight counties across eastern Utah were in play.

But just as the grand bargain looked most promising, the wheels started to come off. One month after Daggett County inked its deal, elections swept very conservative candidates back into power there. The new county commission reneged on the agreement that had just been
celebrated. As Groene sees it, Bishop had made a crucial error by telling county officials that they had the power to stop any negotiation if they didn’t like how it was going. If you’re a small-town politician in rural Utah and you strike a deal that makes a lot of concessions to environmentalists, he says, “then all the people you know are going to yell at you in the grocery store the rest of your life. Politically, they can’t play that role in these small towns.”

When Daggett County reneged, Bishop didn’t seem to have a Plan B to keep momentum going elsewhere, Groene says. Bishop calls this criticism “terribly unfair.” After all, he says, “anyone can walk away” from this process—even the environmental groups.

Last summer, Lyman’s San Juan County was the last of seven counties to hand in its blueprint to Bishop. It called for 945,000 acres of protection, a mix of wilderness and national conservation areas. Parts of famous geologic landmarks such as Cedar Mesa, Comb Ridge, and Indian Creek, with its world-class rock climbing, would get bolstered protection. It was far more than many people expected—or that many others could tolerate.

“No one would have predicted that San Juan County would’ve come up with a proposal that included a million acres of land protection, and part of that protection uses the W-word,” says Josh Ewing, director of the group Friends of Cedar Mesa.

Yet the proposal still needs a lot of work, conservationists say. For one thing, the county’s plan (along with several others’) contains language inactivating it from the Antiquities Act. This law gives the president the power to preserve landscapes by creating national monuments on federal land without requesting local input or consulting Congress. Because San Juan County and other eastern Utah counties are more than 60 percent owned by the feds, many state politicians hate the act, calling it the epitome of government overreach. While the county sees the exemption as insurance that its hard work won’t result in a monument, conservationists consider an exemption a deal breaker.

Then there’s the Native American issue. About half of San Juan County’s residents are Native Americans, and about one-quarter of the county is reservation land. Because of a general lack of outreach, but also by their own choosing, only a few Native Americans participated in the county’s grand-bargain planning. “It’s a trust thing,” Lyman acknowledges. “I don’t blame any Navajo personally who doesn’t trust the white community, the federal community, the county.”

Lyman drives up Highway 95, the road where Seldom Seen Smith yanks survey stakes in Edward Abbey’s 1975 novel The Monkey Wrench Gang, and turns onto a dirt road. He stops the truck among Mormon tea and sagebrush, where the earth is slowly reclaiming the ruin of an old uranium mill. Bones of rebar poke through concrete. Lyman tells me that his grandfather once owned the nearby uranium mine, one of the richest around.

Conservationists want protection here. But under the county’s proposal, this would be an energy zone. Right now, Lyman says, there isn’t a mine operating anywhere from Durango to Hanksville. “Let’s really draw the line,” he says. “West of here would be the wilderness they want, and east of here would be the really productive public lands, managed intelligently. Real people, good jobs, putting food on the table.”

He toes a loose bit of concrete and squints into the hammered brightness of a desert noon. “When you’re from here, and your ancestors were part of this,” he says, grabbing his chest, “you ask
yourself, What am I doing? What’s our legacy? Do we have anything to leave and show we were effective?”

Is this place God’s cathedral or man’s quarry? I’m reminded that how you answer depends on where you stand and where your grandfather stood before you.

On my other morning in San Juan County, I head out with Josh Ewing to see an alternate future for this place. After a 90-minute bounce over rough roads, Ewing stops his truck and disappears among old-growth juniper. I jog after him. We’re atop Cedar Mesa, a massive high plateau whose edges are fissured with canyons and that once was the northwestern frontier of a prehistoric civilization, home to the ancestors of today’s Hopi, Zuni, and others.

Ewing—bespectacled, fast talking, a climber who fell hard for the red-rock country and is now director of Friends of Cedar Mesa—hustles through the sage and sand. “It gets in your bones,” he says as we walk past yucca and prickly pear, ripe with purple fruit. “It’s got that beauty combined with the archaeology.”

The junipers part, and the earth yawns open in a canyon of tall sandstone walls striped like candy. High on one wall perch several ancient cliff dwellings. We follow steps hacked into the stone that lead to ledges—the ground falling away 500 feet—until we reach walls, stone rooms, a granary. In the dimness of a kiva, or ceremonial room, a half-dozen gnawed corn cobs stand upright as if in an artist’s still-life. Ewing guesses the place is 800 years old.

Ewing shakes his head: this side canyon and its relics aren’t protected in the plan San Juan County submitted to Bishop, he says, and they won’t survive another millennium without help. “Things don’t stay the way they are by not doing anything,” he says. Here was that difference again: while Lyman wanted to leave a legacy by developing the land, Ewing and other conservationists wanted to do so by protecting it. His group estimates that there are more than 100,000 archaeological sites in the greater Cedar Mesa area—cliff dwellings, burial sites, kivas, petroglyphs, and pictographs. “There are probably closer to a quarter-million.”

I tell Ewing how, all that week in places like Moab, environmentalists said that the grand bargain was already on life support. The counties’ proposals were totally unrealistic, they said. Even Pew recently stepped back from talks, saying it couldn’t abide an Antiquities Act exemption. Ewing is more optimistic.

“I don’t think a legitimate negotiation has started yet,” he says. Only after Bishop unveils his draft proposal, he predicts, will the real, painful trade-offs happen. Why would he force his conservative constituents off their positions any sooner?

And if that movement doesn’t happen? I ask Ewing.

Then this play is over, he replies, at least as far as the legislative effort is concerned.

At the cliff’s edge, we talk about the possibility of a Plan B. For years conservationists have been working two tracks, also prodding President Obama to declare a massive national monument in eastern Utah before he leaves office. The prospect infuriates many rural Utahans, who still feel stung by Bill Clinton’s creation of Grand Staircase–Escalante National Monument in 1996. The pressure has given an urgency to the process.
Ewing sweeps an arm before us to introduce the leading monument candidate: the Bears Ears, a 1.9-million-acre triangle of land that would encompass all of Cedar Mesa, including more than 40 mini Grand Canyon systems that few people ever visit. (The name comes from the twin rock towers that rise over the landscape.) Twenty-five Native American tribes, some of them historic enemies, have united to urge Obama to create the monument.

As SUWA’s Groene sees it, the old battle lines are being drawn again, pitting cowboys against Native Americans and environmental groups. On one side are the counties, supporting a flawed grand bargain. On the other, tribes and greens pushing a monument that county officials hate. This time, however, the Great White Father in Washington, D.C., is black. He has declared or expanded more national monuments than any previous president and, sources tell me, is ready to give an underserved people what they want. (The White House did not respond to requests for comment.)

The night before I leave San Juan County, I have dinner in the village of Bluff with Mark Maryboy, the first Navajo to serve as a county commissioner there. Maryboy is as tall and lean as a piece of jerky, and he wears the pointed boots of a former rodeo bronc rider. I ask him why the Bears Ears is so important to Native Americans.

Maryboy doesn’t answer directly. Instead he tells stories. He says his grandparents used to live on Cedar Mesa. He says the Navajo have stories about everything—about the horned toads on the mesa, about how the sun is called Grandpa, about the male and female winds that live just north of the Bears Ears, and how, when a person has a breathing problem, he will seek out the right one to heal it. There are hundreds of stories, he says.

Only after I leave him do I understand what he meant. He wasn’t talking about acres. He was talking about a way to live.

On January 20, Bishop and Chaffetz unveiled their draft proposal. It would give added protections to about 4.3 million acres of Utah, roughly split among 41 new wilderness areas and 14 national conservation areas, as well as seven “special management areas.” To try to address Native Americans’ concerns, the proposal would create a nearly 1.2-million-acre conservation area for the Bears Ears, to be managed by federal agencies and advised by a commission containing some native people. It would expand Arches National Park and add more than 300 miles of wild and scenic river protection.

On the other side of the ledger, the proposal would release nearly 81,000 acres of WSAs, meaning that they could no longer be considered for wilderness status. It would create large zones for energy development. It would hand over some 40,000 acres of federal land to state and local governments. And it would give Utah right of way to a large majority of those contested 36,000 miles of dirt tracks that spiderweb eastern Utah’s canyon country, often on federal land—clearing the way for the state to open them to off-road vehicles, or improve them, or even pave them, despite the wishes of Uncle Sam. As for the Antiquities Act—that part, curiously, was not addressed, so the counties will be able to suggest their own wording. The final bill “must include language that guarantees long-term land use certainty,” Bishop’s office wrote in a summary of the proposal.
Everyone was destined to be unhappy with aspects of the draft, Lynn Jackson, a Grand County commissioner, tells me, adding: “This is what compromise looks like.”

It may also be what failure to achieve compromise looks like, because reviews by environmentalist were rapid and negative.

To the eyes of SUWA’s Groene, the deal would give the farm to counties, off-road users, energy companies, and the state of Utah in exchange for little sacrifice on their part. “Those are swell-sounding numbers,” he says of the wilderness acreage, “but this whole thing falls like a house of cards when you look at what those numbers mean on the ground.” Several of the new wilderness areas, for instance, would lie within existing national parks, where the lands already enjoy significant protections. Taken together, Groene says, the proposal “actually means less protection than currently exists, advancing the state of Utah’s quest to seize our public lands and igniting a carbon bomb.”

So what now? Everyone will demand changes. The congressmen will take those demands and reemerge with a final proposal. “My name is on it,” Bishop told me last fall. “I’m not playing games with it. I’m not putting in stuff that I’d be willing to barter later.” The timeline for all this? Bishop seemed eager to keep things moving. He was clearly exasperated with the grinding process.

But environmentalists are no longer in the mood to play ball. “The bill is unacceptable and unsalvageable,” Groene says. “If they’d be willing to have a do-over, we would be willing to have discussions.” In San Juan County, Groene’s group won’t negotiate at all—they want the Bears Ears National Monument.

Another significant defection happened three weeks before Bishop’s draft appeared, when the Bears Ears Inter-Tribal Coalition announced that it was formally withdrawing from the Public Lands Initiative and throwing all its efforts into lobbying Obama for a national monument, citing months of missed deadlines, delays, and “no substantive engagement” with its concerns. “We don’t feel we can wait any longer,” the group said.

Weeks earlier, before all this, I asked Bishop if he was still optimistic about his grand bargain. “If it’s an even-numbered day, I feel positive,” he quipped. The Obama administration had been encouraging, he said. “They have never given me a deadline for anything per se.”

It was hopeful for Bishop to think that after so much work, the proverbial win-win was still within reach. Now that seemed more unlikely than ever. The Native Americans had been alienated. And despite Bishop’s assurances, time was running short to push anything through Congress during an election year, even with the support of powerful Utah senator Orrin Hatch. The only certainty was that even the players on this stage didn’t know what was coming next—whether it was the end of Utah’s wilderness wars or just the close of yet another dyspeptic chapter.

“Make sure you’ve got popcorn,” said Casey Snider, Bishop’s legislative director. “It’s going to be quite a show.”

Christopher Solomon (@chrisasolomon) is an Outside contributing editor.
**Bears Ears should be a national monument**

Letter to the Editor: Albuquerque Journal, Published: Tuesday, February 23rd, 2016

I’D LIKE TO add a fervent second to Kevin Washburn’s op-ed in the Journal of Feb. 7 on Cedar Mesa and Bears Ears in San Juan County, Utah.

As an archeologist, but perhaps more importantly as someone who grew up in Utah – a descendant of people who came to Utah with one of the handcart companies of 1860 and many later immigrants – I can attest not only to the magnificent beauty of the land but also to the importance of the ancient lifeways represented there.

This is perhaps one of the last areas in the entire world that is large enough to reveal not only an occasional isolated structure but also many of the details of prehistoric and historic life. Tiny villages next to fields and gardens are scattered over the landscape. Little granaries are perched high in seemingly unscalable rock faces. Panels of figures pecked into canyon walls represent stories and legends we will probably never understand, but here it is possible to comprehend the rough outlines of entire prehistoric and historic cultural systems.

Three years ago, a group of Utah citizens and many others, including Indian tribes in Utah, New Mexico and Colorado, approached Utah Rep. Rob Bishop, chairman of the House Natural Resources Committee, and Rep. Jason Chaffetz, about a way to conserve both the beauty and the archeological sites. This they agreed to do. A recent poll that found 66 percent of Utahns support the effort to make Bears Ears a national monument may have encouraged them.

However, the Public Lands Initiative released on Jan. 20, which purported to do this, has instead done the opposite and constitutes a plan that would result in a giveaway to those who would plunder both the natural and cultural resources. What seemed to offer a hopeful resolution of opposing values is instead a sad disappointment.

We can only hope that President Obama will rectify the impending tragedy by using the 1906 Antiquities Act to declare Bears Ears a national monument. I intend to urge President Obama to do this and hope that others will too.

CAROL J. CONDIE
Albuquerque

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**Preservation Is a Civil Rights Issue**

Jonathan Bailey  Indian Country Today Media Network
2/25/16
When it comes to treating Native peoples and their ancestral lands with respect, some politicians and outdoor enthusiasts seem to have a double standard. When ISIS ravages the antiquities in the Middle East, it is a deplorable show of terrorism, when your neighbors, politicians, decision-makers, and even individuals you consider as friends and family are vandalizing, developing, and otherwise destroying the antiquities and heritage of Native American peoples, it is declared as progress.

We have politicians and decision-makers who believe that Native American heritage is not worthy of preservation. Utah congressman Rob Bishop is quoted saying that Native American sites, specifically in reference to prehistoric paintings and carvings, are “not antiquities.” Utah also intends to spend fourteen million tax dollars on a conquest to eliminate federal management from Utah public lands—a move that Utah can only afford if thousands upon thousands of sacred Native American sites are bought, sold, and developed in favor of corporate and private interests.

**Bottom line:** we can start by listening to the many tribes who have allied to protect a region in southern Utah, known as the Bears Ears, as a National Monument. The 1.9 million acre proposal would provide better federal protections to a valued cultural landscape that would be otherwise vandalized, looted, and prospected for development.

We can continue by paving access for Native peoples to become a part of the political process by reforming a voting system that impedes many from voting. We must also become more inclusive to Native peoples with land management decisions, including full observance of the “good faith efforts” required by Section 106 of the National Historic Preservation act, to identify cultural sites and mitigate damages from undertakings on Bureau of Land Management land. We can also repair a land management system that has not grown up with the cumulative impacts of social media, illegal off-road trail pioneering, and the disclosure of sensitive locations. We should also no longer allow lease proposals to be recycled when they were pulled in favor of Native American heritage.

Another blatant disregard for Native American heritage comes in the form of the Public Lands Initiative (or PLI), working almost exclusively in favor of corporations and poorly managed off-road access. In short, the PLI would open loopholes within all special management designations therein, allowing for any and all protections to be significantly diminished. Furthermore, the bill would allocate all BLM lands within six counties, which is not currently protected or protected within the PLI, as open for energy development. The bill also blatantly acts against the 25 tribes requesting sacred lands to be preserved as the Bears Ears National Monument. Within the PLI, the tribes’ proposal would be cut by nearly 800,000 acres, downgraded to a National Conservation Area, and would weaken the idea of cooperative management by relegating the Native American voice down to two “management advisors.”

The bill also transfers massive amounts of BLM land into state management, including 156,000 acres of the culturally-rich San Rafael Swell. Considering that the state of Utah has historically unfavorable responses to cultural resources and a record which heavily favors development at any cost, land swapping in Utah's favor is, in essence, judicial murder to these fragile cultural environments. Finally, the bill encourages an increase in off-road vehicle use in landscapes where sensitive cultural resources are in danger of or currently being destroyed by trail pioneering. Many of these trails actively drive upon or access sacred sites, fracturing artifacts, increasing vandalism, and, at times, dismembering human burials.
We, as a people, must strive for better. Although preserving the treasured vestiges and landscapes of the ancestors to Native peoples is a blatant civil rights issue, these places also overwhelmingly inhabit public lands where it is each and every U.S. citizen’s duty and opportunity to respect, treasure, and protect the past for the very same rights of their children and grandchildren.

Jonathan Bailey is an artist devoted to the protection and long-term preservation of cultural resources and the landscapes that enclose them. His work can be found in his latest book: “Rock Art: A Vision of a Vanishing Cultural Landscape” with essays by Lawrence Baca, Greg Child, Andrew Gulliford, James Keyser, William Lipe, Lawrence Loendorf, Lorran Meares, Scott Thybony, and Paul Tosa or via his website or Instagram.

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**Navajo Nation wins decision over voting districts in Utah county**

Friday, February 26, 2016

Indainz.com

The [Navajo Nation](http://www.navajonation.gov) has won a major decision in a voting rights case in Utah. When the [lawsuit was filed in 2012](http://www.indiancountrytodaymedianetwork.com/gallery/Feature/182101), Native Americans represented 50.4 percent of the population in [San Juan County](http://www.sanjuancounty.org), according to the [U.S. Census Bureau](http://www.census.gov). Yet Native voters were packed into one district, preventing them from asserting greater influence in a county where they are essentially the majority.

Recognizing the disparity, Judge Robert J. Shelby ordered the county to draw a new map for its districts. The decision was a complete victory for the tribe and the tribal members who served as plaintiffs.

"Because Navajo Nation has successfully shown that the county had race-based motives in maintaining the boundaries of District Three, and the county has failed to show that its plan for District Three was in pursuit of a compelling government interest, the court concludes that District Three is unconstitutional under the Equal Protection Clause and the boundary lines for the San Juan County Commission Districts must be redrawn," Shelby wrote in the [33-page ruling](http://www.indiancountrytodaymedianetwork.com/gallery/Feature/182101).

According to the decision, Native Americans represent 92.81 percent of the population in
District Three. Although some Native Americans live in District One and District Two, they are outnumbered by non-Natives.
As a result, while Native voters in District Three have consistently elected a Native candidate since 1986, voters in District One and District Two have "invariably returned a white commissioner," Shelby noted.
The Native population in the county fell to 46.6 percent in 2014, according to the Census Bureau. But redrawing the county map could still increase Native representation on the commission, whose chairman, Phil Lyman, is a non-Native who has been convicted of leading an illegal ATV ride through Recapture Canyon, an area that's home to ancestral tribal villages and archaeological resources.
Lyman was sentenced to 10 days in jail and three years probation, The Deseret News reported in December. Incidentally, the illegal ride was promoted by the Bundy family and Ryan Bundy, who has been indicted with an illegal occupation of a federal wildlife refuge in Oregon, participated in the May 2014 incident.
The other two commissioners are Rebecca Benally, a member of the Navajo Nation, and Bruce Adams, who is non-Native.
The commission's non-Native majority has been cited as one of the reasons why Republican lawmakers in Congress won't support the proposed Bears Ears National Monument. Both Lyman and Adams are Republicans but an overwhelming majority of voters in the county, have supported protections for the land. Benally also has voted in support of protections when the issue has come before the commission.
"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," Navajo Nation Council Delegate Herman Daniels, Jr., said last October. Daniels and his colleagues also note that six of the seven Navajo chapters in Utah support the monument designation.
The Navajo Nation was represented by the Navajo Nation Department of Justice and outside attorneys in the voting rights case. Navajo Attorney General Ethel Branch credited the Navajo Nation Human Rights Commission and its executive director, Leonard Gorman, with helping push the issue to the forefront.
"The leadership of Leonard Gorman and the Navajo Nation Human Rights Commission was critical in initiating and pursuing this claim to ensure the fair and equal treatment of the Navajo residents of San Juan County, Branch said in a press release. "Their work should be commended."

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Tribes – and majority of Utahns – want Bears Ears monument...
It’s outrageous that Lynn Jackson claims out of state tribes are pushing “local” (San Juan County) tribes to adopt the Bear’s Ears, saying that he knows they do not REALLY want a monument because they are too ignorant to know what monument designation means, while he does (“My View: Draft PLI really is about compromise, balance...”Feb. 11 edition of The Times-Independent).

How pompous — and overtly racist.

The principal tribes wanting the designation are local as it gets, far more than Jackson and his Bureau of Land Management administrator credentials. “White Mesa Utes” originated in Allen Canyon (Avikan) on the south side of the Abajos in view of the Bear’s Ears in the heart of the monument proposal. They are the only tribe that has land inside the proposed monument.

The Times could have a field day with this, as many of the tribal representatives have been quite outspoken in their support of the monument and direct and specific in their criticism of the process Lynn calls “balanced,” particularly the Maryboys (Diné in San Juan County) and Regina Lopez-Whiteskunk (a Ute). The Utah Diné Bikéyah and their chairman, Willie Grayeyes, have been vocal in their support of the monument, and frustration with the charade Bishop and Chaffetz have promulgated with the Public Lands Initiative.

How about local white people? I’m one of few people who have actually worked most of my adult life in the proposed monument, on the mountain and in the canyons, calling Elk Ridge my true home since 1979, fighting illegal grazing, old growth logging, and ORV and oil and gas encroachment.

Sixty-six percent of Utahns want the monument, according to a January poll by Colorado College.

So who is it Jackson feels is “extremist?” Apparently, we’re the majority!

—Danny Kent

Moab

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**Op-ed: Herbert is wrong about Bears Ears monument, and it’s not just Navajos who know it**

By Herman Daniels Jr.
Gov. Gary Herbert recently delivered a letter to President Obama urging him to refrain from designating a new national monument in the state. The governor raised the specter of the controversial Grand Staircase-Escalante National Monument designated under the Clinton administration and warned that "history shows this sort of action will only exacerbate an already tense situation and will further perpetuate the longstanding public lands conflict."

In so doing, Herbert chose to conveniently ignore longstanding efforts by Native Americans, including Utah Navajos, to protect the Bears Ears. Herbert's assessment of the repercussions of a possible Bears Ears National Monument is both biased and inaccurate. While national monuments do impact local communities, studies and experience show that most monuments spur economic growth, create jobs for locals and are a positive addition to communities. A Bears Ears National Monument would benefit local Native and non-Native American residents of San Juan County financially and practically, to say nothing of the natural and cultural resources it would protect. Additionally, the Bears Ears landscape is deserving of attention for the immense role it plays in the social, cultural and spiritual lives of Native American people in the region.

The Bears Ears Inter-Tribal Coalition — a partnership of Zuni, Navajo, Hopi, Uintah and Ouray Ute and Ute Mountain Ute Tribes — is seeking national monument status to protect the natural and cultural resources of the Bears Ears, including cliff dwellings, rock art and the gravesites of our ancestors, for generations of Americans to come. The Public Lands Initiative, unfortunately, fails to satisfactorily protect the region and does not respect Native American connections to the Bears Ears. Rather than including meaningful input from tribes, the PLI process has, on the whole, actively excluded the valuable opinions of Native Americans whose ancestral ties to this land date back thousands of years.

Despite false statements that seek to minimize the strong popular support for a Bears Ears National Monument, as a Navajo Nation council delegate who represents Utah Navajos, I know that we are not divided. The other tribes represented in the coalition are also firm in their support. While a small handful of local Utahns oppose a national monument designation, we cannot ignore the large majority that supports one.

The Bears Ears region is already public land, and it should remain public for all Utahns and Americans to enjoy. This is a people's movement at its heart. The goal is to heal the land and people, to mend rifts between all, not to divide.

Presidential use of the 1906 Antiquities Act has been criticized for a century, primarily by those who wish to develop public lands instead of protect them. However, throughout the past century challenges have failed. The reality is that the Antiquities Act is an invaluable tool in the protection of public lands for the future.

These "longstanding public lands conflicts" are nothing new, and should not discourage the president from designating Bears Ears — the country's most significant unprotected cultural landscape — a national monument.
Herbert's views do not represent the majority of Utah's Navajos, who overwhelmingly support a Bears Ears National Monument. And with two out of three Utahns supporting permanent protection of a Bears Ears National Monument, according to the 2016 State of the Rockies poll, it seems the governor is out of touch with what most Utahns want, too.

Herman Daniels Jr. is a Navajo Nation Council Delegate representing Shonto, Naa'tsis'Áán, Oljato and Ts'ah Bii Kin.

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My view: Once it's gone, it's gone forever

By Barbara Wise
For the Deseret News
Published: Monday, Feb. 29 2016 12:00 a.m. MST

Summary
The draft public lands Initiative is no bargain and is not the product of a fair and inclusive process of negotiation and compromise.

No longer am I able to enjoy walking out in the middle of nowhere with nothing but vastness and tranquility to feed my soul. I have multiple sclerosis (MS) now and am limited in what I can physically do. But this does not deter my love and support of wilderness. Rather it deepens my appreciation for Utah’s wild lands and desire to see wild places protected in perpetuity.

The anti-wilderness crowd often tries to argue that wilderness is a bad thing because wilderness is by definition “roadless” and the construction of new roads is prohibited. In other words, people can’t drive their ATVs into it.

But the reality in Utah is that there is plenty of room for both landscape-size wilderness areas and designated ATV routes. Even if all the remaining wild lands in Utah were formally protected as designated wilderness, there would still be thousands of miles of dirt routes for ATVs.

But as someone with MS, I can testify firsthand that people of all abilities are comforted simply by knowing the stunning beauty of southern Utah’s wild places endures. I don’t need to reach every corner to experience the value of wilderness. As Wallace Stegner so poignantly wrote more than 50 years ago, “even if we never do more than drive to its edge and look in … it can be a means of reassuring ourselves of our sanity as creatures, a part of the geography of hope.”

I was heartened when Rep. Rob Bishop began an effort to resolve public lands issues in eastern Utah through a “grand bargain.” I liked the idea that negotiation and compromise among the counties and conservationists could provide a reasonable way to resolve conflicting interests.

But the draft Public Lands Initiative is no bargain and is not the product of a fair and inclusive process of negotiation and compromise. Rather, it is essentially a wish list from the rural county commissions in eastern Utah — counties that represent only a tiny fraction of Utah’s total population.
The draft PLI designates more land as fossil fuel development zones (where oil, gas, tar sands and oil shale are prioritized over all other uses) than it designates as wilderness. This will not only destroy unspoiled wild lands, but also fuel climate change. This is outrageous, especially at a time when as a world community we have vowed to make the changes necessary to prevent the destructive havoc of global warming.

The draft PLI fails to protect some of our most spectacular wild places. This includes the Bears Ears region, which Native American tribes are asking President Obama to protect as a national monument. Huge parts of the Bears Ears landscape are included in the fossil fuel development zones, such as the amazing labyrinth of canyons called White Canyon, even though they are laden with archaeological sites.

And roads? The draft bill gives them away like Halloween candy. The counties would receive highway “rights-of-way” for thousands of miles of now-disputed routes, many of which cross wildlands deserving of protection.

If the draft Public Lands Initiative becomes reality, our entire state will be transformed. Whether you are able-bodied and love to camp and hike in wild places, or not able-bodied and cherish the chance simply to drive to the edge and look in, you will lose something you love that can never be replaced. As someone with MS, I know what it is to face loss. But the loss of our wild places due to this terrible piece of legislation is not a loss any of us should tolerate.

Barbara Wise grew up in a small mining town in southwest Colorado where the environmental impact of extraction is visible. She currently lives in Salt Lake City.

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on 28 February 2016. UtahPolicy.com (blog)

As Chairman of the House Committee on Natural Resources, Rep. Rob Bishop (UT-01) questioned the White House’s Managing Director of the Council on Environmental Quality, Christy Goldfuss.

During the [hearing](http://www.rollcall.com/2016/02/29/9703558/rep.-bishop-asks-white-house-official-about-a-national-monument) of the Subcommittee on Oversight and Investigations, Rep. Bishop asked Ms. Goldfuss if her office was, “actively working on a national monument proposal for Bears Ears in San Juan County.”

As an employee of President Obama’s administration, Ms. Goldfuss said she couldn’t talk about a National Monument. (Video of exchange is available [HERE](http://www.rollcall.com/2016/02/29/9703558/rep.-bishop-asks-white-house-official-about-a-national-monument).)

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**Public Lands Battle Escalates in Utah**

Roll Call, Washington DC, Feb. 29, 2016, 8:38 p.m.
As President Barack Obama considers expanding on his already record-breaking use of the Antiquities Act to protect federal lands as national monuments, pushback is coming from states such as Utah, where the latest battle is unfolding.

Since his election, Obama has designated or enlarged 22 national monuments, setting aside 4 million acres of land and adding 261.3 million acres of water and reefs in the Pacific Ocean near Hawaii for preservation under the Antiquities Act. The vast acreage being preserved in the Pacific puts Obama at the top of the list of presidents in terms of conservation, and he is pushing to do more.

But those efforts could be stalled by a fight over a request from Native American tribes and environmental groups to designate 1.9 million acres of federal land in southern Utah as the Bears Ears National Monument. The lands on sweeping plateaus east of the Colorado River are filled with ancient artifacts, burial grounds and sites considered sacred by the Navajos and other tribes, and they include scenic areas managed by three federal agencies, including the National Park Service.

Under the Antiquities Act, the president has the power to authorize the preservation of federal land that holds historic, scientific and/or archeological interest. Once designated, the land would be off limits to new development such as gas and oil exploration and grazing allotments, although existing leases would continue.

“Obama has an incredible opportunity before him with the Utah proposal,” said Sharon Buccino, director for the Natural Resources Defense Council’s Land and Wildlife program. The decision has the ability to “make or break” Obama’s conservationist legacy, Buccino says, mainly because it would protect so many acres.

Republicans in the Utah congressional delegation, led by Reps. Rob Bishop and Jason Chaffetz, firmly oppose the Bears Ears proposal, still under Interior Department review.

“We believe the wisest land-use decisions are made with community involvement and local support,” the lawmakers wrote in a Feb. 12 letter to Obama. “Use of the Antiquities Act within [Utah] will be met with fierce local opposition and will further polarize federal land-use discussions for years, if not decades.”

Bishop and Chaffetz are proposing legislation they say would be an alternative to a monument designation, with some of the federal lands set aside for conservation, some for recreation and others for economic development, according to their discussion draft.

Much of the distrust of the national monument designation process in Utah stems from 20 years ago when the Clinton administration set aside 2 million acres as the Grand Staircase-Escalante National Monument despite state and local opposition. Since then, opposition has been building to the federal government’s land policy decisions, which affect about two-thirds of Utah’s land area.

In 2012, Republican Gov. Gary Herbert signed legislation that would require the United States to transfer all federal lands to the state for management, excluding five national parks and 33 designated wilderness areas.

The law set a 2014 deadline for the transfer, and the state has already begun to look into legal action to enforce it.
“Gov. Herbert believes that the state of Utah has three paths forward on this issue: negotiation, legislation, and litigation,” the governor’s spokesman, Jon Cox, said in an email.

“He would prefer a legislative resolution to the many public lands issues Utah faces, but unfortunately that isn’t always possible,” Cox said. “The state of Utah is actively pursuing several of these cases in court right now and reserves the right to pursue additional legal recourse in the future.”

Since the beginning of last year, 14 states, mainly in the West, have either passed or introduced legislation to support the transfer of federal land to the states for management, according to a January analysis by the National Conference of State Legislatures.

“The biggest benefit the states are exploring is the economic benefit from land transfer, and whether administration costs make it worthwhile,” said NCSL policy specialist Mindy Bridges. “Another trend within the legislation is it would be more geared toward Bureau of Land Management land, specifically not including congressionally delegated land,” such as national parks and wilderness preserves.

The Public Lands Council, which represents ranchers and businesses that depend on federal land, has no problem with federal protection of tribal lands, said the group’s executive director, Ethan Lane. But when it ties together millions of acres to protect the same site, it effectively shuts down economic development on lands peripheral to the monuments, he said.

“If you protect millions of acres of land, what does that do to the communities and local business that depend on the federal land? It kills them,” Lane said.

As for the Bears Ears proposal, the Interior Department said there would be an extensive public comment period before any decision is made.

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Celebrate Cedar Mesa event in Bluff

Three-day gathering features archaeology agenda

By Jim Mimiaga Journal staff writer

Article Last Updated: Monday, February 29, 2016 8:06am

Enlargephoto

John Peel/Durango Herald — From Beef Basin, an area being considered for federal protection under one alternative being considered by San Juan County, one can see the canyons above the Colorado River and Lake Powell.

Discover the natural and cultural wonders of southeast Utah during the Celebrate Cedar Mesa event in Bluff, Utah, on March 4-6.
The fifth annual event organized by Friends of Cedar Mesa features three days of service projects, research presentations, discussion groups, tours, and educational films on archeology and natural sciences in the region.

Osprey Packs, of Cortez, is a main sponsor.

“It’s a weekend full of events,” said executive director Josh Ewing. “It draws in researchers and people who have an appreciation for the cultural and natural resources of Cedar Mesa.”

Every year the event grows, he said, with a record 200 attendees last year, a number they expect to exceed this year.

“We double the population of Bluff for a weekend,” Ewing said.

On Friday, participants can sign up for service projects, building fence, cleaning up trash, improving trails, and installing educational signs. Friday night, the film River of Sorrows will play.

Saturday is the main gathering with presentations, slideshows and research updates at the Bluff Community Center.

Some of the speakers include Lance Porter, District Manager Canyon Country District; Vaughn Hadenfeldt, of Friends of Cedar Mesa; and Billy Shott, Glen Canyon Acting Superintendent.

Photographer RE Burrillo will present “The Lens of History: Documenting Impacts to Archaeological Sites on Cedar Mesa.

There will be updates on a campaign to have Cedar Mesa designated as the Bears Ears national monument. A Native American panel will give their perspective on the proposal.

Author Greg Child will moderate a panel on responsible recreation. Panel participants include Deer Hill guides, Wild Rivers/4Corners Adventures, Access Fund, and Sam Mix of Osprey Packs.

“One of the campaigns we will be rolling out is Visiting with Respect, an important message to leave artifacts where they are so they can be enjoyed by the next generation,” Ewing said.

Kay Shumway will give a presentation on the historic Shumway Cabin in Recapture Canyon. Jonathan Till, of Edge of the Cedars museum, will discuss Chacoan Roads, their meaning and social tradition.

Other presentations include the Cedar Mesa Perishables Project, wild plants, history of Cedar Mesa History, and a study on structural wood sites.

Saturday night there will be a chili potluck dinner, and an after party at Rusticks Gallery with live music by Durango band Running Out of Road. Sunday includes free guided hikes and workshops.

For more information on registration and event locations visit http://www.friendsofcedarmesa.org/celebrate/

jmimiaga@the-journal.com

Letter to the Editor, Grand Junction Sentinel, CO 2-29-16
Bears Ears region needs national monument recognition

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 purposed 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

Bears Ears must be protected

Letter to the Editor Moab Sun News 3-3-16

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.

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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 Unita 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.

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

By BRIAN MAFFLY | The Salt Lake Tribune March 2, 2016

First Published Mar 02 2016 10:12PM

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."

Brian Maffly covers public lands for The Salt Lake Tribune. Maffly can be reached at bmaffly@sltrib.com or 801-257-8713.

Twitter: @brianmaffly

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**Letter: Bears Ears must be protected**


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.

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**Public Lands Initiative only benefits a few**


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
Congressman Pushes New Land Management Plan In The West

Here and Now, WBUR Boston (NPR) Friday, March 4, 2016

President Obama has created or expanded more national monuments than any other American president, and he wants to add to that with the creation of the 2-million-acre Bears Ears National Monument. That land contains thousands of archaeological sites and is sacred to Native Americans.

Republican Congressman Rob Bishop of Utah says the federal government can’t manage the land it already owns, so it shouldn’t manage any additional land. Here & Now’s Peter O’Dowd speaks with him about his plan, which he says would better manage public land.

Note: An earlier version of this story incorrectly stated that Bears Ears was not yet under the purview of the federal government. We regret the error.

Guest

- Rob Bishop, Republican U.S. congressman, representing Utah’s 1st congressional district since 2003.

Public Lands Initiative draft undermines Wilderness Act

Guest editorial - Park Record (Park City, UT)

Erika Pollard, National Parks Conservation Association

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.

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**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 scrappy 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, hogs, 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.

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**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.

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**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
Salt Lake City

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**AIM Protest Shuts Down Senate**

by [Michael Orton](https://utah.politicalblog.wordpress.com/2016/03/08/aim-protest-shuts-down-senate/) • March 8, 2016, [Utah Political Capitol](https://utah.politicalcapitol.blogspot.com/) (blog)

Just before 3 PM Monday, as the Senate resumed normal business on second reading calendar, a group of 5 to 6 people who had patiently waited for the right moment, broke into shouts and unfurled banners and signs bearing symbols of the American Indian Movement, (AIM) condemning what they termed as the genocide of America’s native peoples.

The demonstration stemmed from the previous Senate defeat of [SB 170 – Indigenous Peoples Day](https://utah.capitol.house.gov/bill/2016/1sb170), sponsored by Senator Jim Dabakis (Democrat -Salt Lake City).

Angry shouts of “You’re on stolen land!,” and “Stop treating us like we’re dead! We’re still here, you know ?!” reverberated along the marbled walls normally reserved for polite and ordered discussion.

There was nothing polite or ordered about this demonstration that lasted several minutes before the disruptors could be led from the chamber gallery and into the hall on the fourth floor of Utah’s capitol building. From there, the noisy procession moved down a flight of stairs and to the same level as the Senate floor itself.

On hand to ensure public safety were several of the Sergeant-at-Arms staff and troopers with the Utah Highway Patrol,

The UHP has powers to police the capitol campus’ uniquely state-maintained jurisdiction.

Senate leadership quickly invited the protesters inside the Senate lounge for a closed-door meeting that lasted more than 90 minutes by some accounts and because the media were kept from the private discussions, none of the protesters’ names were obtained or released. Senate business quickly resumed with Senator Ralph Okerlund (Republican – Monroe) taking the President’s gavel. No arrests were made.

Some of the dissidents’ leaders specifically called-out Senator Todd Weiler (Republican – Woods Cross) who spoke and voted against Dabakis’ bill when it was presented last week. That became the basis for the disruption, seemingly a retaliatory move against Weiler and any of the other senators who voted to defeat the measure attempting to honor Utah’s Indigenous People.

During the Senate debate on March 1, it was noted that Utah already did have an “Indigenous People’s Day” on the books, designated as the Monday before Thanksgiving weekend in each November. Senator Dabakis had dismissed the supposed equality of the prior designation by
describing the November date as “lesser than a national holiday” when compared to Columbus Day, a holiday observed by schools, banks, and state and federal government. In the ensuing discussion on the bill’s merits, Senator Weiler, speaking in opposition, said that referring to Christopher Columbus as anything but a hero would be “rewriting history.”

In the ensuing discussion on the bill’s merits, Senator Weiler, speaking in opposition, said that referring to Christopher Columbus as anything but a hero would be “rewriting history.”

Indigenous peoples in modern-day America have become more politically active and assertive in public policy discussions that have traditionally been the purview of white and male decision makers.

Their activism actually has roots in the protests of the 1960s and 70s at a time when Alcatraz Island was occupied for several weeks. Last October, a tribal coalition sought President Obama’s assistance to designate hundreds of thousands of acres of public lands near “Bears Ears” in South Eastern Utah declared a national monument.

Native American activism comes at a time when Utah’s congressional delegation has introduced their “Public Lands Initiative,” led by Utah Congressman Rob Bishop (Republican) and summarily denounced as “wholly inadequate and insensitive,” patently insufficient to allow for honoring native people’s ancestors by Native American leaders.

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**Tribes oppose effort to stop Bears Ears National Monument in Utah**

Thursday, March 10, 2016

Indainz.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.

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7 eastern Utah counties stand behind public lands initiative

By Amy Joi O'Donoghue, Deseret News

Published: Friday, March 11 2016 5:05 p.m. MST

Summary

The leaders of seven eastern Utah counties reiterated their support Friday for the Public Lands Initiative process involving 18 million acres and being shepherded by Reps. Rob Bishop and Jason Chaffetz, R-Utah. They stressed the work is continuing.

SALT LAKE CITY — The elected leaders of seven rural Utah counties came together Friday to reiterate their support for the Public Lands Initiative process involving proposed land uses for 18 million acres.
Commissioners from Carbon, Duchesne, Emery, Grand, San Juan, Summit and Uintah counties met at the Utah State Capitol in a demonstration of faith in the public lands planning bill being shepherded by Reps. Rob Bishop and Jason Chaffetz, R-Utah.

"We have had numerous meetings with special interest groups and we have reached a consensus that is somewhere in the middle," said Uintah County Commissioner Mark Raymond.

Raymond added that if elected leaders had been asked five years ago if they would support the creation of any more wilderness areas, the answer would have been a "flat out" no.

"But as we have worked with these special interest groups, we have recognized their passion to protect certain lands," he said.

None of the commissioners said the draft discussion bill released by the congressmen in January is perfect. Leaders in Summit and Grand counties, for example, say changes are necessary.

Everyone, however, said the draft bill — which has come under vehement criticism by multiple environmental groups — strikes a compromise that recognizes the tenets of multiple use that include conservation of high-value landscapes, outdoor recreation, grazing and resource extraction.

"We have some concerns with the draft," said Grand County Councilman Lynn Jackson. "Some of our recommendations were followed and some were not. … It is the nature of compromise. No one is ever going to get everything they want."

Critics like the Southern Utah Wilderness Alliance say the "wilderness" areas in the lands proposal are in name only because they would allow present-day uses to continue such as grazing or helicopters. They assert the bill, too, tips too heavily in favor of industries like oil and gas producers or potash miners and gives away thousands of miles of trails and two-tracks in dispute to counties.

Rural leaders insisted Friday they want to stick with the imperfect process because it was built on the backs and voices of hundreds of local residents who not only yearn for certainty in land uses but want to see protections in place for landscapes.

"Over the years there has been a lot of work that has taken place, a lot of compromise and a lot of give and take," said Rebecca Benally, a Navajo tribal member who is on the San Juan County Commission.

The public lands bill or 'Grand Bargain' proposed by Bishop and Chaffetz was carved out after more than three years and thousands of meetings and hundreds of field trips. It calls for the creation of a new national monument in Utah, but in dinosaur country, not the Bears Ears in San Juan County like a coalition of tribes are pushing for.

Benally said local Navajo don't want a monument designation for the sacred area because it would restrict Native American access and activities and ignore their desires voiced in the Public
Lands Initiative process. The draft legislation sets up a National Conservation Area to protect Bears Ears.

"It will be the right decision for generations to come," she said, adding that the Public Lands Initiative process was tough and complex, involving more than 60 proposals.

"It’s like trying to push through mud. But how it is possible is we hold hands and push each other along and try to complete this journey," she said.

County leaders, too, bristled at the accusation by some critics who assert that because the draft bill grew out of a locally driven process it caves in to local economics for some at the expense of preserving scenic landscapes for all.

"This is the land I go out and recreate it in, the land our neighbors go out and recreate it in. We camp, we hunt, we fish," said Carbon County Commissioner Casey Hopes. "The people in our community do not want to see these things destroyed or taken away."

Chaffetz made a quick appearance at the conference and thanked leaders for sticking with the land planning effort.

"We are trying to do the right thing at the full political spectrum by having the maximum amount of people involved," he said. "And keep in mind — this is just seven counties in a state with 29 counties. Certainly we can come to fair, balanced resolution."

Leaders say they are hopeful they can continue to work on ironing out the conflicts and come to agreement among interested parties where the public lands bill has shortfalls.

"In order for the Public Lands Initiative to be acceptable to us there will need to be broad consensus in the bill," said Chris Robinson, vice chairman of the Summit County Council. "That being said, there is really a great opportunity — and hopefully it is not too late — if all the stakeholders could come together where a compromise could be wrought and this could live up to its name of the Grand Bargain."

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

By [JACK HEALY](https://www.nytimes.com) MARCH 12, 2016 New York Times

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.”

Val Dalton, a rancher who grazes cattle almost exclusively on federal land, said new federal protections “would put us out of business.”

To create a new monument out of Bears Ears “would be almost un-American,” Mr. Adams said. To create a new monument out of Bears Ears “would be almost un-American,” Mr. Adams said.

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.”

Letter: PLI a bad bill

By Heather Dove
For the Deseret News
Published: Sunday, March 13 2016 12:05 a.m. MST

Summary

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
This looks to be the make-or-break week for the Senate energy bill. Bloomberg BNA’s Ari Natter reported last week that Majority Leader Mitch McConnell could file for cloture, apparently to get past the hold placed by Nelson. But, he didn’t file cloture last week, and senators are heading out of town Thursday, so any cloture motion has to come soon. Also, in today’s edition, an exclusive interview with the Interior Department’s top coal regulator, the latest hurdle for Exelon’s bid to buy Pepco and the primary challenge to John Shimkus, who is aiming to be the next House Energy and Commerce chairman.

Another possible hang up to the Senate bill is Utah’s Bears Ears. Local tribes want it to be put off-limits to oil and gas drilling by President Obama, but Sen. Mike Lee has pushed for an amendment to the bill that would head off any declaration of the area as a national monument. The New York Times reported on the conflict over the land in a front-page story yesterday.

University students decry Bishop's public lands bill

By Amy Joi O'Donoghue, Deseret News
Published: Tuesday, March 15 2016 2:40 p.m. MDT

Summary

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.