

EXHIBIT ONE

A TIMELINE: THE RELATIONSHIP OF THE PUBLIC LANDS INITIATIVE WITH THE TRIBES AND THEIR MEMBERS

I. Summary of Timeline

The timeline that follows this summary points to key benchmarks in the efforts of Native Americans to have their Bears Ears proposal seriously considered in the Public Lands Initiative (PLI) process. The timeline also reflects the thousands of hours of time and thousands of Native American voices that have gone into our proposal. Documents referenced in this Exhibit are available by contacting utahdinebikeyah@gmail.com.

Native Nations, including the Hopi, Navajo, Uintah and Ouray Ute, Ute Mountain Ute, and Zuni and Native Americans representing the Utah Diné Bikéyah (UDB) organization have been working respectfully and collaboratively with all parties to protect the Bears Ears landscape for more than five years. During that time, we have made this matter a top priority and, as catalogued in our proposal, have dedicated an extraordinary amount of productive time on public land issues in eastern Utah.

In 2010, Senator Robert Bennett initiated a process to resolve issues of conservation and development of public lands in eastern Utah. We pledged to participate in that effort, but it died when Senator Bennett was not returned to office. In 2013, Congressman Rob Bishop, later joined by Congressman Jason Chaffetz, began a similar process, called the Public Land Initiative (PLI), which was described as an "open, collaborative," and "ground-up" effort.

But the PLI was designed to rely heavily on the county commissions. The Bears Ears area is in San Juan County. The Native American population of San Juan County, mostly Navajo, is 46.6% of the citizenry according to 2014 U.S. Census Bureau statistics.

However, despite our deep interest and years of efforts, Native American communities and governments have been excluded from the Public Land Initiative process in San Juan County.

Throughout the last six years, San Juan County and the Utah congressional delegation have demonstrated that they either do not understand how to reach Native American Tribes and individuals, or they are unwilling to do so. For example, San Juan County did not announce its 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. In spite of the fact that the results of the PLI are intended to become federal law, there has been little effort to substantively engage the federally-recognized, sovereign Tribes in Utah, and no effort to engage Tribes outside of Utah with whom the United States has a trust relationship.

The unfairness of forcing Native Americans to work through San Juan County is shown by the County's key decision-making processes. Native American Tribes and local communities attempted to engage at every stage in the process. Then, during the public comment opportunity afforded by San Juan County in 2014, the Navajo Nation and UDB were assured that the Bears Ears proposal would be included as “Alternative D” on the list of County identified alternatives. One week before the first open house, San Juan County broke this agreement and excluded Alternative D from the county list of alternatives, even though it represented the views of half of the San Juan County population.

Despite this action of not listing the Bears Ears proposal as an alternative, county residents overwhelmingly endorsed Bears Ears, which received 64% of the total local comments of support. San Juan County's own documents show that the low-conservation, heavy-development "Alternative B" received just two comments of support--less than 1%. (See San Juan County Public Comments Nov. /Dec, 10140, attached to this Exhibit). This Alternative B was eventually endorsed by the San Juan County Commissioners as their preferred alternative in August, 2015.

Native American efforts to engage directly with Representatives Bishop and Chaffetz have been met with similar results. For example, in a phone conversation on July 7, 2015, Mark Maryboy of UDB was told by Congressman Chaffetz 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 built the cliff dwellings in San Juan County and have confirmed their origin stories within the Bears Ears landscape. The Bears Ears Inter-tribal Coalition requested a meeting in August to discuss its proposal. There has been no response.

In stark contrast to the PLI, the Administration has been responsive to our recent requests to consult on a government-to-government basis about our interests in protecting the Native values of the Bears Ears landscape. For example, the Bears Ears Inter-Tribal Coalition invited Administration officials to join Tribal members to hear Native American interests across this landscape. Leaders from each of the five tribes expressed their deep spiritual and physical connections to this place and expressed their unwavering commitment to see it preserved whether it be through a National Conservation Area or National Monument.

With these circumstances in mind, the Bears Ears Inter-Tribal Coalition is formally submitting its proposal to the President and, at the same time, to Congress through Congressmen Bishop and Chaffetz. We continue to appreciate the engagement of the Administration, and would welcome the sincere interest of the Utah delegation. If the delegation is willing to pursue our proposal through legislation, we would welcome discussions leading to that result. However, in either case, the Tribal antiquities continue to be damaged and our cultural values continue to be threatened across the Bears Ears landscape. We therefore urge prompt action on our proposal.

II. Timeline

2009

- March: President Obama signs Senator Bennett's Washington County Lands Bill. Many counties throughout Utah request inclusion in the next bill.
- March: Utah Tribal Leaders Association begins regular discussions on how best to engage in future land-use negotiations to advance Native American interests on public lands. (UTL Agenda-6/25/09, 8/6/09, 11/12/09)

2010

- February: Senator Bennett initiates land-use planning initiative in San Juan and seven other counties in Utah. An intensive and collaborative land-use negotiation process ensues that involves dozens of organizations that meet every few weeks for six months.
- May: Kenneth Maryboy invites Mark Maryboy and Gavin Noyes, Utah Program Director for Round River, to help develop a plan to represent Utah Navajo interests in the Bennett process. Mark serves as a consultant and

community liaison to a small team of land planning experts and prioritizes the opinions of grassroots people, elders and the inclusion of all Tribes throughout the region.

- May: June-August- All seven Navajo Chapter Houses in Utah approve resolutions of support for Mark and other leaders to carry out ancestral mapping of lands and development of the Bears Ears proposal in San Juan County.
- June: Utah Navajo leaders initiate a 2 1/2 year-long cultural mapping effort including Navajo elder interviews, data collection, and policy research studying co-management, as well as local, state, and federal policies.
- August: Utah Navajo leaders approve a draft proposal in advance of Senator Bennett's deadline. This proposal is not released or made public because Senator Bennett's time in office expired before a bill could be introduced (Bennett was defeated at his state Republican convention.)
- October: Second round of elder interviews initiates to collect more detailed information about Native American cultural uses in San Juan County.

2011

- March: Utah Navajo cultural interviews are complete.
- April: The "Navajo Lands of Interest" (NLOI) pre-proposal map is widely distributed throughout Utah and in Washington DC. Leaders from all sides express strong support for Utah Navajos in advancing interests regarding their ancestral lands.
- July: UDB releases book describing Native American interests to the public, 8,000 copies are distributed throughout Utah and in Washington DC. (Copies are available by emailing utahdinebikeyah@gmail.com.) Major press events are held in Bluff and Salt Lake City and the President of the Navajo Nation weighs in with his office's support. The book helps generate significant recognition that Native Americans have a right to engage in conservation of this region, a concept with which most Utahns seem unfamiliar.
- July: Navajo Nation President Ben Shelley asks Secretary Salazar in a letter to protect Bears Ears as a National Monument because it is one of our country's "Crown Jewels."
- September: Formal land planning initiates for the Bears Ears region by the leadership of Navajo Nation Division of Natural Resources.
- October: UDB signs an MOU with the Navajo Nation to formalize development of the Bears Ears proposal.

2012

- January: Utah Dine Bikeyah Board of Directors is set and organization launches to provide guidance on proposal development, conducts regular ceremonies and holds community/ house meetings to discuss the Bears Ears project with their communities.
- February: Navajo Nation President and UDB present UDB book and NLOI map to the Utah State Legislature. Many Utah officials express support for the Native American effort to protect spiritual sites on public lands within the Bears Ears landscape.
- March-December: Navajo Nation and UDB engage San Juan County Commissioners in discussions to pursue a collaborative County-wide Joint Planning process, assuming that Congressional leaders would initiate a new planning process.
- July: Congressman Bishop begins informal meetings with governments and stakeholders. Neither Tribes or UDB are listed as early participants.
- August: During several meetings, UDB tells San Juan County Commissioners Phil Lyman and Bruce Adams of its goal to seek protection for Bears Ears area either as a NCA through the legislative process, or as a NM through the Antiquities Act. They express a desire to participate in developing a joint legislative position spanning Native and non-native interests.
- October: San Juan County Commissioner Phil Lyman invites UDB Board Members to his office and tells them that Native Americans they shouldn't be commenting on public lands issues, much like he doesn't tell the Scottish government what to do after his ancestors left Scotland. UDB carries out its own research and learns that Native Americans have every right to engage in public land planning.
- December: The Navajo Nation and San Juan County sign a Memorandum of Agreement to undertake Joint Planning for all public lands in San Juan County. The identified purpose of Joint Planning is to create a shared vision supported by commissioners and the Navajo Nation.

2013

- January: The Navajo Nation and UDB complete Bears Ears data collection and analysis. Navajo Nation decision-makers utilize this data to make policy decisions.
- January: Navajo/San Juan County Economic Development Committee forms under Joint Planning agreement.
- February: Bishop Public Lands Initiative launches and the Navajo Nation and UDB is invited to participate. Congressman Bishop does not list the Ute Mountain Ute, San Juan Paiute, or Tribes outside of Utah as early participants.

(See Letter from Congressman Bishop to Utah Dine Bikeyah, 2/15/13, launching Public Lands Initiative).

- April 17th: The Navajo Nation presents its proposal to San Juan County, State of Utah officials, and Utah Congressional delegation at Monument Valley. Discussion of Bears Ears proposal lasts for over two hours. (See SJC NCA Supporting Maps 3/28/13, and Navajo Nation Press Release and UDB Press Release, 8/9/13) The Navajo Nation proposal did not result in any response from the Utah congressional delegation or substantive discussions.
- May: Joint Planning meetings are put on hold while San Juan County develops its internal proposal. San Juan County questions the legitimacy of the Navajo Nation proposal (See letter from UDB to SJC on 5/21/13).
- July: Navajo Nation submits the Bears Ears proposal for Bishop's August, 2013 deadline. San Juan County does not respond to the Navajo proposal prior to this deadline and does not publicly submit a position to Congressman Bishop.
- August: Congressional leaders organize field trips including one led by UDB and hold public hearings in San Juan County. At the public hearing, San Juan County residents sling racist insults at Native American attendees. The Utah delegation does not intervene and subsequently Native Americans stop attending public meetings in northern communities of San Juan County. (Letter from UDB to Congressman Bishop sent on 8/12/13 details this event and the negative impact it has on race relations in SJC.)
- September: Bishop's legislative deadline passes without Congressional action.

2014

- January: Commissioner Lyman selects individuals to join the San Juan County Citizen Lands Committee.
- May: Commissioner Lyman leads an armed militia on an all-terrain vehicle ride into sacred Recapture Canyon trespassing into an area closed to motorized vehicles.
- June: Joint Planning agreement between Navajo Nation and San Juan County expires and San Juan County is unresponsive to UDB letters regarding Joint Planning agreement.
- July: UDB formally asks SJC and its newly formed Citizens Lands Council to respond to the Bears Ears proposal by August 15 so that parties can understand the likelihood of creating a shared proposal, or determine if a National Monument request should be made (See UDB to SJC letter 7/9/14). San Juan County does not respond, except by phone to communicate that they will engage with the Bears Ears proposal on their own timeline once SJC's proposal is complete.

- August: Navajo Utah Commission unanimously adopts a resolution of support (Resolution NUCAUG-616-14) endorsing the permanent protection of lands in San Juan County, UT as a National Conservation Area or National Monument. Copies are provided to the UT Congressional Delegation and relevant members of the Obama Administration.
- September: UDB conducts outreach to new Navajo Nation officials and Tribes throughout southwest.
- September: Hopi Tribal Chairman Herman Honanie sends a letter of support for the permanent protection of the Bears Ears landscape to the UT Congressional Delegation.
- September: Ute Mountain Ute request renaming of proposal. UDB drops the proposal name “Utah Diné Bikéyah” and replaces it with “Bears Ears.”
- September: UDB reports to Secretary Jewell on the inability of Native Americans in SJC to obtain any kind of response to its conservation proposal, even after 18 months of diligent effort. (See UDB letter to Secretary Jewell 9/19/14)
- September: Six of seven Navajo Chapter Houses in Utah adopt resolutions of support for Bears Ears
- September: Utah Congressional delegation asks San Juan County to include the Navajo Nation in its legislative proposal development process and to deliver one or more positions by the end of the year.
- October: San Juan County confirms its July agreement to include Bears Ears proposal in SJC list of alternatives for its public process.
- October: San Juan County proposes five Open Houses in Oljato, Bluff, Blanding, Monticello, and LaSal to hear local preferences for land-use alternatives. Only one meeting is scheduled in a Native community. UDB offers to convene additional meetings on reservation, provide translation skills, and create radio ads to ensure people hear about event. SJC agrees and asks UDB to partner on Open Houses. SJC also asks UDB to run the open house at the Navajo Mountain community without representation from SJC due to the high travel cost, and provides UDB chairman Willie Grayeyes with copies of maps of alternatives.
- October: San Juan County excludes Bears Ears proposal from its list of land-use alternatives for its public process. UDB asks why the County has asked it to partner on Native outreach if the County is not including the Native proposal for Bears Ears.
- October: SJC adds one Open House in the Aneth community (on-reservation), but fails to run radio ads, send flyers to Chapter Houses, or even obtain the mailing addresses for hundreds of San Juan County residents who retrieve

their mail at PO Boxes in Arizona. Consequently, Native American turn-out was low at San Juan County Open Houses (25-35 people total).

- November: UDB organizes seven Town Hall Meetings to ensure that all Native American communities in Utah have the ability to submit comments to the PLI process. UDB conducts outreach by running radio ads and posting flyers at Chapter Houses. 250-350 Native community members attend discussions.
- November: All Pueblo Council of Governors unanimously adopts a resolution of support (Resolution No. 2014-17) endorsing the protection of the Greater Cedar Mesa Landscape in San Juan County, UT. Copies are provided to the UT Congressional Delegation and relevant members of the Obama Administration
- December: Bears Ears proposal wins 64% of support from San Juan County residents during public process. Alternative B that San Juan County eventually adopts receives two comments of support, or less than 1% of total.
- December: Navajo Nation and UDB representatives go to Washington, DC and report again to the Utah congressional delegation that San Juan County is not responsive to the Native American proposal in the legislative process.
- December: UDB is told by SJC that it may no longer participate in Bishop's PLI. (See letter from UDB to SJC on 12/13/14)
- December: Bishop's informal legislative deadline passes without Congressional action.

2015

- January: San Juan County Commissioner Rebecca Benally replaces Commissioner Kenneth Maryboy as County representative for the majority Navajo district.
- January: Phil Lyman tells UDB that it has no standing in San Juan County and rejects UDB's request to participate in Citizens Lands Council. Lyman says he represents Utah Navajos as Chairman of the San Juan County Commission and challenges UDB's ability to represent Navajo people. UDB explains that its MOU with the Navajo Nation and resolutions of support from Utah Chapter Houses gives it the authority to represent local land-use desires. UDB sends a letter to Congressmen Bishop and Chaffetz asking to work.
- January: Navajo Nation seeks guidance from Congressman Bishop on how to engage in the PLI. No substantive response is received. (See NN letter on 1/30/15, also see UDB handout to SJC on 2/3/15)
- February: The entire Utah Congressional delegation sends a letter to stakeholders and Tribes announcing the upcoming release of a map and

legislative language for PLI on March 27. Areas of “collaborative agreement” are listed as priority designations. (See letter sent on 2/4/15)

- February: Hualapai Tribal Council unanimously adopts a resolution of support (Resolution No. 06-2015) endorsing the Bears Ears Conservation Proposal. Copies are provided to the UT Congressional Delegation and relevant members of the Obama Administration.
- February: Navajo Nation President Ben Shelley asks Utah Governor Herbert to support Tribes in protecting the Bears Ears landscape. Governor responds that the Nation needs to get its proposal to Congressman Bishop and Chaffetz “as soon as possible.” (See UDB letter on 2/9/15)
- February: UDB informs Congressmen Bishop and Chaffetz that it has tried and failed to re-engage with San Juan County and its Citizens Lands Council and wants to be included in PLI. UDB requests a meeting directly with Congressional staff to discuss critical issues that need to be detailed prior to the March 27 release of draft legislative language. (See UDB letter on 2/9/15) No substantive response is received from the Congressional offices, but assurances are given by phone that UDB and Native American interests will be included..
- February: Due to Congressional pressure, San Juan County invites the Navajo Nation, Ute Mountain Ute, and UDB to try to negotiate a shared position through a series of future meetings. A new legislative deadline is set for March 27. (PLI letter from Utah Congressional delegation 2/4/15)
- February: White Mesa Community of the Ute Mountain Ute joins UDB and appoints Mary Jane Yazzie as a Board Member to include Ute perspective in Bears Ears proposal.
- March: At the urging of San Juan County Commissioners, and without consulting Tribes or informing UDB, the Utah State Legislature passes HB 393¹, which undermines major portions of the Bears Ears proposal by designating it as an “Energy Zone.” This bill aims to streamline development and declares grazing, energy and mineral development to be the “highest and best use” of public lands.

¹ Legislative language can be found at: <http://le.utah.gov/~2015/bills/static/HB0393.html>. Utah Code section 63J-8-105.8 lists “grazing agricultural commodity zones.” According to the state, grazing is the highest priority in these zones, and the historic level of livestock grazing in these zones has been unreasonably, arbitrarily, and unlawfully restricted by federal land managers. In San Juan County, the “Grand Gulch Region Grazing Zone,” (63J-8-105.8(2)(dd)), the “Cedar Mesa East Region Grazing Zone, (63J-8-105.8(2)(ee)), the “Dark Canyon/Hammond Canyon Region Grazing Zone, (63J-8-105.8(2)(ii)), and the “Chippean/Indian Creek Regional Grazing Zone,” (63J-8-105.8(2)(jj)), are included.

- March: Navajo Nation Council unanimously adopts a resolution of support endorsing the designation of Bears Ears as a National Conservation Area or National Monument. Copies are provided to the UT Congressional Delegation and relevant members of the Obama Administration.
- April: Bishop imposed legislative deadline passes without Congressional action.
- March, April, & May: Four negotiation meetings are held between San Juan County, Tribes and stakeholder groups. These meetings have strong representation from Native American leaders and residents, but meetings are poorly run. For example agendas are never prepared, a neutral facilitator is not provided (SJC always leads), and parties are not asked to bring anything new to the table (See UDB letter to Congressman Bishop/ Chaffetz 7/8/15)
- April: Commissioner Lyman convicted of illegal trespass in his 2014 ATV ride. (See SL Tribune 5/1/15)
- April-May: The Wall Street Journal, New York Times, Salt Lake Tribune and others feature the Bears Ears proposal and the PLI.
- May: UDB and supporting organizations send letter to Representative Bishop and Chaffetz indicating what they will support/ oppose in a legislative proposal.
- May: The Bears Ears website surpasses its goal of 10,000 petition signatures of support only four weeks after launching.
- May: Congressman Chaffetz staff inform the Navajo Nation that legislation will be introduced in July, 2015.
- June: All Pueblo Council of Governors sends a letter to the UT Congressional Delegation and the Obama Administration clarifying that their earlier resolution of support (Resolution No. 2014-17) endorsing the protection of the Greater Cedar Mesa Landscape should be considered support for the Bears Ears Conservation Proposal.
- June: Negotiations between the SJC Citizen Lands Council, UDB, and the Navajo Nation fail to produce any results. Furthermore, at the final meeting, neither UDB nor the Tribes are invited to attend. They are told that the SJC Commissioners did not require any further information to make its final decision. (Letter from UDB to Chaffetz 7/9/15)
- June: SJC Citizens Lands Council votes on a final proposal to SJC Commissioners without input or participation from Ute, Navajo, San Juan Paiute Tribes or UDB.
- July: Congressman Chaffetz' office assures UDB Board Members that Native American interests will be heard by Congressman Bishop prior to release of

Draft language. Chaffetz agrees to “consider” including Tribes outside of San Juan County. UDB asks know the degree to which Chaffetz will support Bears Ears by early Sept. (Letter from UDB to Chaffetz 7/9/15)

- July: Chairman Chappoose of the Uintah and Ouray Ute Indian Reservation Tribal Business Committee sends a letter of support for the Bears Ears conservation proposal. Copies are provided to the UT Congressional Delegation and relevant members of the Obama Administration.
- July: Bears Ears Inter-Tribal Coalition formalizes its leadership to advance the Bears Ears Proposal and meets with federal officials from Washington DC at Bears Ears.
- July: With the addition of the Hopi, Zuni, Ute Mountain Ute, and Ute Indian Tribes; 25 tribal governments now endorse designating Bears Ears as either a National Conservation Area or National Monument through official letters and resolutions of support.
- July: Bishop imposed legislative deadline passes without Congressional action.
- July: UDB organizes a Bears Ears panel discussion with Ute Mountain Ute, Congressman Chaffetz and Governor Herbert’s PLI representatives at Utah’s Annual Native American Summit in Provo, Utah. Sixty people attend. At this conference, Navajo Nation President Russell Begaye also asks conference attendees to support Tribes in protecting Bears Ears. No substantive follow-up discussions occur with Utah officials after this conference.
- August: Chairman Heart of the Ute Mountain Ute Tribe sends a letter of support for the Bears Ears Conservation Initiative. Copies are provided to the UT Congressional Delegation and relevant members of the Obama Administration.
- August: San Juan County Commissioners unanimously adopt Citizens Lands Council recommendations.
- August: Five Tribes of the Bears Ears Inter-tribal Coalition requests a formal meeting with Congressman Chaffetz and Bishop and inclusion prior to the release of draft language. (See letter sent on 8/5/15)
- August: Congressman Chaffetz, Utah officials, and San Juan County Commissioners meet with the Navajo Nation President Begaye and suggests that Native American interests are well represented by San Juan County officials. The President points to the tally of local comments received in 2014 and asks how this could be the case. Commissioner Benally offers no explanation.
- August: UDB meets with Congressman Chaffetz’s staff and informs them that the opportunity to negotiate with UDB has ended and that Tribes are now in

charge. Staff agrees to reach out to the Bears Ears Inter-tribal Coalition to set up a meeting.

- August: On August, 5, 2005, Alfred Lomahquahu and Eric Descheenie, Co-Chairs of the Bears Ears Inter-Tribal Coalition, write Congressmen Bishop and Chaffetz a three-page letter. The letter details the current situation and requests a meeting in order to discuss the Tribe's proposal and to "work with you towards meaningful conservation legislation on an accelerated time line." This does result in any substantive discussions. (See letter sent on 8/5/15)

Outstanding Request: Congressmen Bishop and Chaffetz have not yet responded to the Bears Ears Inter-Tribal Coalition request to meet and discuss their interests in PLI. (See letter sent on 8/5/15)