

Utah Tribal Leaders Association



Kenneth Maryboy

Chairman, Utah Tribal Leaders

Navajo Nation Council Delegate

March 26th, 2010

Lawrence Bear

Skull Valley Band of Goshutes

Jeanine Borchardt

Chairwoman, Paiute Tribe of Utah

Curtis Cesspooch

Chairman, Ute Tribe of Uintah/ Ouray
Reservation

Gwen Davis

Chairwoman, NW Band of Shoshone
Nation

Ernest House Sr.

Chairman, Ute Mountain Ute/ White
Mesa Ute

Rupert Steele

Chairman, Confederated Tribe of
Goshute Reservation

Dear Senator Bennett,

The Utah Tribal Leaders request full engagement and consultation with local and regional tribes in county-by-county land use planning and legislative processes that are underway. One or more native tribes occupied each county in the state for thousands of years, prior to pioneer immigration to the region. Because of this, the tribes of Utah each have strong cultural and spiritual ties, treaty rights, and interests in places throughout Utah that lie outside of reservation boundaries. If assistance is needed in defining which tribes have interests in which ancestral locations please contact Forrest Cuch, Director of the Utah Division of Indian Affairs.

Most tribal members continue to practice traditions and seek the solace of public lands as a source of strength in who they are. This letter is intended to inform decision makers of the interest and need for involving tribes in land use planning and legislative efforts concerning public lands. In addition to normal consultation procedures, the Utah Tribal Leaders request that the lead congressional office work directly with each tribe in these county processes.

The Utah Tribal Leaders is supportive of pursuing congressional legislation so long as individual tribes are involved early, their rights and interests are duly considered, and they are provided with sufficient time, and funding if needed, to define interests for themselves on public lands throughout the state.

On behalf of the Tribal Leaders of Utah,

Kenneth Maryboy,

Chairman, Utah Tribal Leaders

Kenneth Maryboy, Chairman, Utah Tribal Leaders Association, address, email



Council Delegates:
Davis Filfred
Kenneth Maryboy

Aneth Chapter
Aneth, (Navajo Nation) Utah
RESOLUTION OF
THE ANETH CHAPTER

AC-AUG-10-161



Chapter Officers:
John Billie, President
Bill Todachennie, Vice-President
Brenda Brown, Secretary/Treasurer
Calvin Thomas, Grazing Committee

THE ANETH CHAPTER MOVES TO ACCEPT AND SUPPORT THE
“UTAH NAVAJO SAN JUAN COUNTY LAND-USE LEGISLATIVE
PROPOSAL” TO PROTECT NAVAJO RIGHTS AND INTERESTS ON
FEDERAL LANDS FOR FUTURE GENERATIONS

WHEREAS:

1. Pursuant to 2 NTC Section 4002, The Aneth Chapter is a duly certified chapter of the Navajo Nation who has the power and authority to approve and rescind resolutions enacted thru its membership; and
2. Through the Established Plan of Operations, The Aneth Chapter delegates the authority to the Elected Chapter Officers to enact plans that are in the best interest of the community; and
3. The Aneth Chapter has the authority to act on behalf of its community to recommend, support, and approve community related projects; and
4. The Aneth Chapter has accept to support the announcement made by Utah State Senator, Bob Bennett on March 23rd, 2010, of the intention to pursue the creation of a Congressional Land-Use Bill that will likely result in the designation of wilderness, boundary and management changes to National Parks and Monuments and the zoning of different regions of the county for protection and development; and
5. Senator Bennett's office has requested information from the Utah Navajo related to land use, natural resource use, and motorized access needs of the Utah Navajo community members; and
6. The Utah Navajo are in the process of creating a land plan to inform this and future land management processes in which the Tribe holds interests; and
7. The Aneth Chapter accepts and approves this request, which was presented before the Aneth Chapter Membership in which a legal quorum was present.

THE ANETH CHAPTER MOVES TO ACCEPT AND SUPPORT THE
"UTAH NAVAJO SAN JUAN COUNTY LAND-USE LEGISLATIVE
PROPOSAL" TO PROTECT NAVAJO RIGHTS AND INTERESTS ON
FEDERAL LANDS FOR FUTURE GENERATIONS

NOW THEREFORE BE IT RESOLVED THAT;


1. The Aneth Chapter accepts and supports the "Utah Navajo Land-Use Proposal" submitted to Senator Bennett's Office on August 18, 2010.
2. The Aneth Chapter supports the designation of a special management area (such as a National Conservation Area) in which the Navajo people's interests in these landscapes are acknowledged and co-management, shared decision-making, and revenue sharing are explored.
3. The Aneth Chapter supports the designation of current road less areas in San Juan County, Utah as wilderness.
4. The Aneth Chapter community members will identify motorized access routes to ensure that routes currently used to access ceremonial, hunting, gathering, and firewood collecting sites are not disrupted by wilderness designation.

CERTIFICATION

We hereby certify that this forgoing resolution was duly considered by the Aneth Chapter Membership at a duly called meeting at which a quorum was Present and that an approval was passed with a vote of 26 in Favor, 3 Opposed And 2 Abstained this 17th Day, the Month of August, in the year 2010.

Motioned by: Mr. Davis Filfred

Seconded by: Mr. Robert Whitehorse


John Billie, Aneth Chapter President


Bill Todachennie, Aneth Chapter Vice-President


Brenda Brown, Aneth Chapter Secretary/Treasurer


Davis Filfred, Council Delegate

Kenneth Maryboy, Council Delegate

PRESIDENT BEN SHELLY
VICE PRESIDENT REX LEE JIM



THE EXECUTIVE OFFICE
Window Rock

THE NAVAJO NATION

July 22, 2011

Mr. Juan Palma, *Utah State Director*
BLM Utah State Office
West 200 South, Suite 500
Salt Lake City, Utah 84101

Dear Mr. Palma,

This letter specifically addresses the request from Secretary of the Interior Ken Salazar to identify "crown jewel" lands administered by the Bureau of Land Management.

Modeled on the Washington County Bill, a lands-use legislative process was initiated in February 2010 by former Senator Bob Bennett in San Juan County, Utah. Given that roughly 20% of the county is within the Navajo Nation Reservation, that over 50% of the population are Native American and our centuries old and continued use of these lands; we initiated our own process to gather information on Navajo historic and current land values. Accompanying this letter is the book, *Diné Bikéyah*, describing this course of action.

The Navajo Nation is proposing the creation of the Diné Bikéyah National Conservation Area as it provides the best management approach for a diversity of uses and designations of the land, while directing resources towards priority cultural and natural resource protection issues.

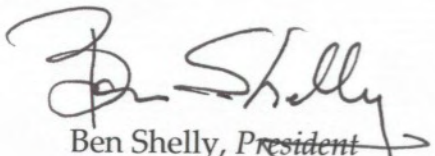
To honor our deep history in this region, we are proposing that the Navajo Nation have a formal role in planning and managing the Diné Bikéyah National Conservation Area. Because we actively use and rely upon these lands, management of the area should incorporate Navajo input to effectively protect its diverse resources. Federal agencies will also benefit from Navajo contributions to better inform decision-making and increase resources for management.

Even though, at this time we cannot supply a definitive spatial reference for Secretary Salazar's request we can identify areas of importance. We envision the Diné Bikéyah National Conservation Area containing all the contributing watersheds of the San Juan River in Utah. All BLM wilderness study areas and areas within the Citizen's Red Rock Wilderness Bill within or bordering the Diné Bikéyah National Conservation Area should be legislated as wilderness. Furthermore, within this region are Cedar Mesa, Comb Ridge, Elk Ridge, Dark Canyon, Montezuma Canyon, and San Juan River that are of particular importance to Navajo

people, as well as, national treasures to all American citizens, therefore, they should be seriously considered by President Obama for National Monument designation.

Thanks to you Mr. Palma and Secretary Salazar. We look forward to discussing this important work with you in the near future.

Very Respectfully,



Ben Shelly, ~~President~~
THE NAVAJO NATION

MEMORANDUM OF AGREEMENT

Between

SAN JUAN COUNTY, UTAH

(Hereafter "THE COUNTY")

as represented by the San Juan County Board of Commissioners

And

NAVAJO NATION

(Hereafter "THE NAVAJO")

as represented by the Executive Director, Navajo Nation Division of Natural Resources

(collectively "the Parties")

WHEREAS:

- A. The Navajo have deep connections to their ancestral lands and continue to exercise their sustenance, social, ceremonial and spiritual traditions in support of their beliefs and practices across San Juan County;
- B. Likewise many residents of San Juan County, many from early pioneer days, have similarly strong attachments to the land and their way of life;
- C. The mountains, mesas and red rock canyons of San Juan County are landscapes of national and global significance for their archaeological, cultural, recreational, economic, scenic, wildlife and wilderness values;
- D. Other natural resources of significance to the County include: minerals, vegetation for grazing, timber, water resources, etc;
- E. These landscapes have been the subject of debate and uncertainty over their use and management;
- F. San Juan County is a political subdivision of the State of Utah legally responsible for all planning decisions made in the County on behalf of its residents;
- G. San Juan County, recognizes the interest that the Navajo Nation, as a Government with jurisdiction on the Navajo Portion of San Juan County, has on behalf of the Utah Navajo;
- H. The Parties acknowledge that they have strong mutual interests in promoting sustainable management of public lands, and in the wellbeing of current and future San Juan County residents.

THEREFORE THE PARTIES AGREE AS FOLLOWS:

1 Objectives and Desired Outcomes

- 1.1 The Parties agree to work together in the spirit of mutual respect and cooperation to recognize and consider how to effectively manage the outstanding natural, cultural and recreational resources on state and federal lands in San Juan County, as well as the socio-economic conditions for the enhancement of the quality of life for all San Juan County residents.
- 1.2 To promote the objectives in section 1.1, the Parties agree to collaborate to further the following specific outcomes:
 - 1.2.a Enhanced management of cultural and natural resources of importance to the Navajo, the County, and the general public;
 - 1.2.b Enhanced opportunities for economic and cultural development on lands within San Juan County;
 - 1.2.c Reduced conflict and increased certainty over land and resource management, including wilderness and access issues on public lands;
 - 1.2.d Improved communication and collaboration between the Navajo and the County in the management of federal lands within the County;
 - 1.2.e Enhanced access to financial resources to support long-term achievement of the above objectives and desired outcomes.

2 Scope of Collaboration

- 2.1 Over the next eighteen (18) months, the Parties will, according to an agreed schedule, meet to coordinate and collaborate in furtherance of the above objectives and on current issues and land planning efforts within or affecting the County. Each party will support these meetings with attendance appropriate to the agenda for each meeting. Issues will include:
 - 2.1.a The design and establishment of a Joint San Juan County and Navajo Land Forum to oversee implementation of this MOA, including development of a timeline, budget, work plan, and congressional and state outreach and stakeholder engagement strategies;
 - 2.1.b Development of options for federal policy and Congressional land use legislation to enhance conservation and sustainable development of San Juan County public lands;
 - 2.1.c Review of County, state, federal and other planning efforts including County Master Plan;
 - 2.1.d Discussion of possible SITLA/BLM land exchanges;
 - 2.1.e Collaborative management arrangements to improve communication and coordination with federal and state agencies; and,
 - 2.1.f Opportunities to collaborate on community development projects within San Juan County and on the Navajo Reservation in Utah.

3 Renewal of this Framework Agreement

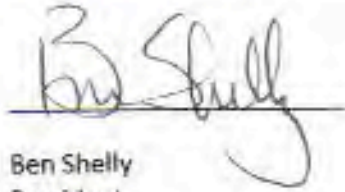
- 3.1 At the conclusion of the term of this Agreement, the Parties will undertake an evaluation of outcomes and, based on this evaluation, may negotiate a renewal of this Framework Agreement to:
 - 3.1.a Guide implementation of the recommendations resulting from this Framework Agreement; and,
 - 3.1.b Address other matters of importance to the Parties.

4 General Provisions

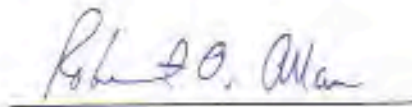
- 4.1 Other than as expressly provided in this Memorandum of Agreement and any agreement reached pursuant to it, this Memorandum of Agreement does not create, recognize, define, deny, limit or amend any of the legal rights and responsibilities of the Parties.
- 4.2 This Memorandum of Agreement may be amended or renewed by written agreement of the Parties.
- 4.3 This Memorandum of Agreement will remain in effect for 18 months or until terminated by either or both of the Parties by written notice to the other, and such notice shall state the reason(s) for termination. Subject to available appropriations, both Parties shall honor funding commitments made prior to the date of termination.

IN WITNESS WHEREOF the Parties have executed this Memorandum of Agreement on the 4th day of December, 2012.

SIGNED on behalf of the Navajo Nation

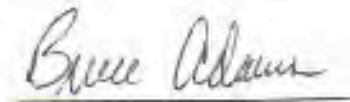


Ben Shelly
President
Navajo Nation

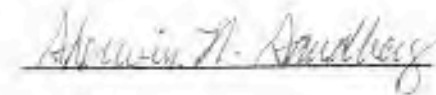


Witness

SIGNED on the behalf of the Board of San Juan County Commissioners



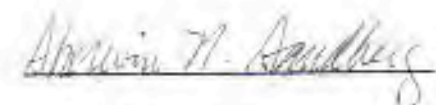
Bruce Adams
Chairman, Board of Commissioners



Witness



Kenneth Maryboy
Vice Chair, Board of Commissioners



Witness



Phil Lyman
Commissioner



Witness

ROB BISHOP
1ST DISTRICT, UTAH

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(435) 734-2270

125 SOUTH STATE STREET
SUITE 5420
SALT LAKE CITY, UT 84138
(801) 532-3244



Congress of the United States
House of Representatives

Washington, DC 20515-4401

February 15, 2013

COMMITTEE ON
ARMED SERVICES
(ON LEAVE)

COMMITTEE ON
NATURAL RESOURCES
CHAIRMAN, SUBCOMMITTEE ON
NATIONAL PARKS, FORESTS AND PUBLIC LANDS

COMMITTEE ON RULES

CONGRESSIONAL WESTERN CAUCUS
(IMMEDIATE PAST CHAIRMAN)

10TH AMENDMENT TASKFORCE
CHAIRMAN

Dear

Utahns value their public lands. These lands support a range of uses, including recreation, solitude, wildlife habitat, and resource development. However, the history and management of the public lands in Utah is long on episodes of contention and conflict, and short on examples of compromise and consensus. For decades, unsettled land-use designations have fueled distrust and acrimony. Much of the debate has centered on a false choice between multiple-use or land conservation. I reject this either-or proposition. Conservation and multiple-use can coexist. They each have an important role in making Utah a healthy, inviting, and thriving state. The long-term success of Utah depends on both balanced conservation and responsible development.

The existing gridlock and land ownership pattern has created countless problems between state and federal interests. Nearly 120 years after statehood, most Utah landholdings (school trust lands) still exist as a checkerboard pattern of isolated square-mile sections surrounded by federal lands. The small size of the individual state school sections and their location within the federal estate preclude the state from effectively managing its lands or from realizing their full potential for the school trust, the purpose for which the lands were originally granted.

After observing and participating in the public lands debate for many years, I believe we are in the midst of a paradigm shift. There is a growing consensus that a more reasonable, balanced use of the public lands can be achieved in Utah. Through conversations with county and state officials, conservation groups, industry, and the public, I believe Utah is ready to move away from the tired arguments of the past. We have a unique window of opportunity to end the gridlock and bring resolution to some of the most challenging land disputes in the state. The time has come for a sensible reassessment of land management and ownership patterns in Utah.

In order to strike an appropriate balance between conservation and responsible development, and to create greater certainty for the citizens of Utah, I am pleased to announce that I am initiating a process to develop federal legislation that seeks to address many of the issues that have plagued public land management in eastern Utah. The intent of this letter is to formally request comments from interested parties on public lands issues that are important to their respective organizations in this region of the state.

In order for your organization to play a meaningful role in this process, I ask that you provide a written, prioritized list of public land designations it wishes addressed – including wilderness, other land designations, or other considerations. Priorities should not be limited to land designations; additional legislative proposals or priorities you would like to see addressed in the prospective bill should also be included. Given the significant scope of this process, each individual item that is submitted, whether it is wilderness or some other designation, must have a unique overall ranking to help my office understand your priorities.

The benefits of land conservation and multiple-use are well-known and obvious. Your organization's list of priorities will help inform and shape the discussion with our county partners as we attempt to craft legislation that will help accomplish the appropriate balance of conservation and multiple-use on Utah's public lands and help sustain and elevate our quality of life for generations to come.

Utah is blessed with unparalleled landscapes, recreational opportunities, and world-class natural resources. This effort will be both time-consuming and challenging – but it's worth it. I look forward to working with you as we move into the next phase of this critically important endeavor. I ask that you please provide your list of priorities via email to Fred Ferguson in my Washington, D.C. office (Fred.Ferguson@mail.house.gov) no later than March 15, 2013.

Sincerely,



Rob Bishop
Member of Congress

Diné Bikéyah National Conservation Area



Monticello, Utah. On August 9, 2013, Navajo Nation and Utah Diné Bikéyah representatives offered their vision for Navajo ancestral and federal public lands within San Juan County. At the request of Utah Congressman Rob Bishop, the 1.9 million acre Diné Bikéyah National Conservation Area that includes wilderness designations and co-managed areas was presented to an open house convened at the San Juan County Courthouse in Monticello, Utah.

“For the Navajo, to collaborate in the management of the Diné Bikéyah National Conservation Area ensures that these lands will be managed in a manner that protects our deep interests,” Fred White, Executive Director, Navajo Nation Department of Natural Resources.

Congressman Bishop, on February 15, 2013, seeking input, notified environmental, industry, local government and Utah Diné Bikéyah representatives of his intent to develop a lands bill for Eastern Utah. In addition to the San Juan County Open House, Bishop’s staff scheduled similar information gathering meetings throughout eastern Utah. Whereas, legislative processes have been initiated before to resolve the debate over public lands and wilderness protection in San Juan County, organizers have never before included the Navajo in these discussions.

“Contrary to the beliefs of many, southeastern Utah was not an empty place waiting to be inhabited by settlers or discovered as a playground, but rather it was our home and for many Paiute and Ute people as well. We all, as well as others like the Hopi and Zuni, maintain strong ties to this place now called San Juan County, Utah”, Mark Maryboy, Utah Diné Bikéyah Director and Former San Juan County Commissioner.

In response to 2010 legislative efforts by former Utah Senator Bennett the Navajo Nation and Utah Diné Bikéyah began to identify priority areas for wilderness and other land-use designations. Interviews and mapping exercises with Navajo Elders and Medicine Men were conducted to identify important cultural areas and a biological assessment was completed to map wildlife habitats. The resulting maps were combined to determine the boundaries of the Diné Bikéyah National Conservation Area.

San Juan County possesses some of the largest contiguous wilderness in the continental US, however no formal designations have yet been achieved. It is widely recognized that no Utah lands bill will be successful unless it originates from the affected County. Unlike other Utah counties, the Navajo Nation may have the potential to achieve a critical mass of support: the Navajo Reservation covers over 20% of the land base in the County; Navajos represent over half its resident population; a Navajo, Kenneth Maryboy, holds one of the three local Commissioner positions,

and Navajo actively use these public lands for hunting, gathering and ceremonial purposes.

At the end of 2012, the Navajo Nation and the San Juan County Commission entered into an agreement to jointly undertake a land planning process. The joint planning agreement includes a commitment to produce a land-use plan that identifies specific land use designations within San Juan County. Since its inception regular meetings have occurred between the parties' representatives to identify common interests and to assist with Representative Bishop's efforts.

The stated goals proposed for the Diné Bikéyah National Conservation Area are: 1) provide clear management toward the protection of cultural and biological resources over other land-uses; 2) increase funding allocation to improve management of resources for this region; 3) create a process that recognizes the legitimate interests of the Navajo on federal land; and 4) provide a means of incorporating the extensive and valuable knowledge of the Navajo into land management decisions.

Additional information, background material, photos and maps are available on the Utah Diné Bikéyah web site: <http://www.utahdinebikeyah.org/utah-navajo.html>

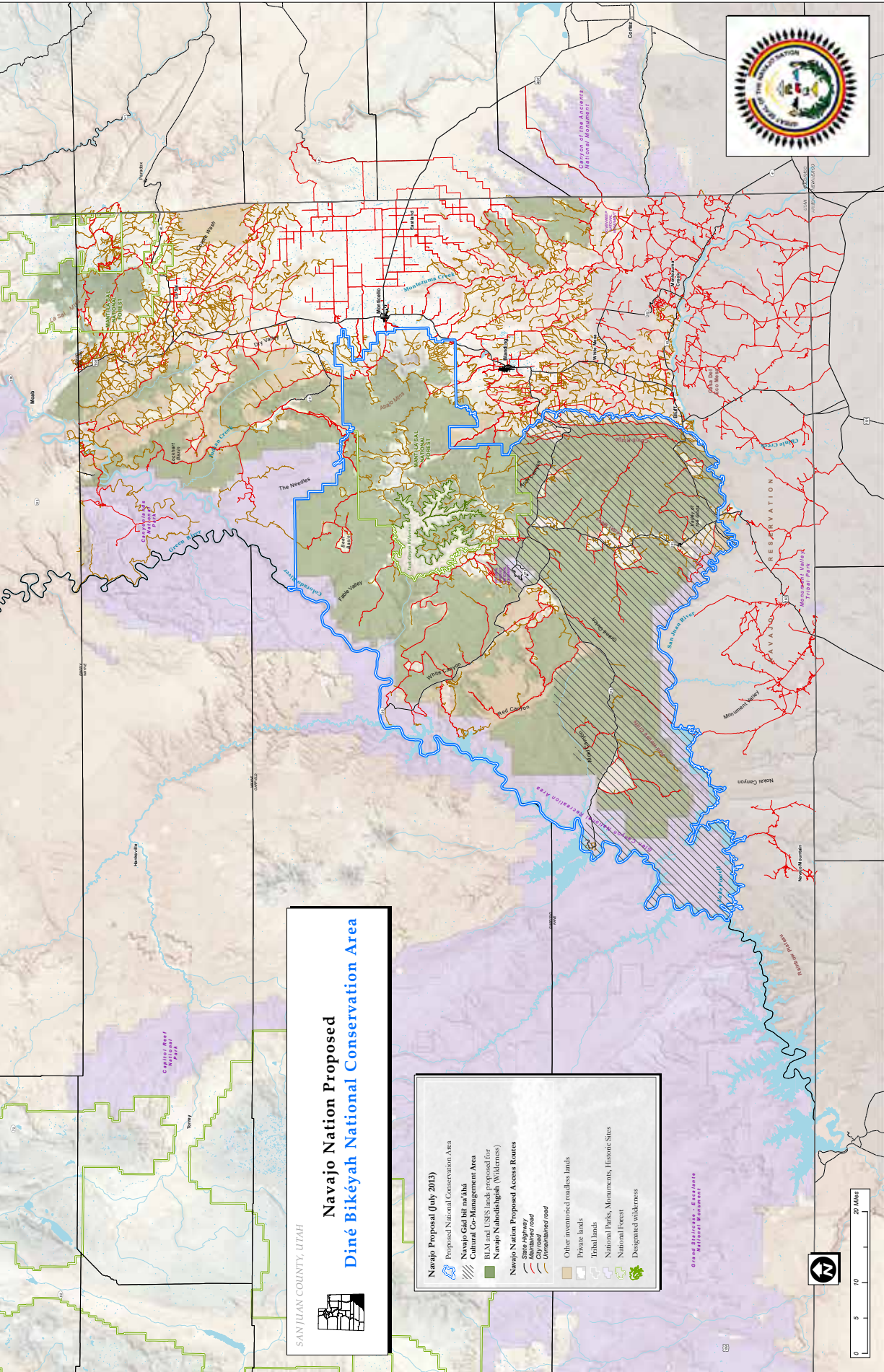
Contacts:

Frederick H. White, Executive Director, Navajo Nation Division of Natural Resources,
Frederickhwhite@frontiernet.net, (928) 871-6594

Mark Maryboy, Director of Utah Diné Bikéyah, mark@maryboymgt.com, (435) 630-7488



Utah Diné Bikéyah Board Members: Jonah Yellowman, Dorothy Redhorse, Mark Maryboy, Leonard Lee, and Chairman Willie Grayeyes.



Diné Bikéyah Conservation Area

The Utah Diné Bikéyah, in cooperation with the Navajo Nation, is proposing the creation of the Diné Bikéyah National Conservation Area within Navajo ancestral land in southeastern Utah. The 1.9 million acre conservation area includes wilderness designations, as well as a comanagement relationship to ensure the sustainable continuation of culturally important activities.

Background

Diné Bikéyah is the land of the Navajo People. Diné Bikéyah exists as a physical being, and within the hearts of all Navajo, as it has nurtured and sustained life since the beginning of existence. The Navajo, who reside in what is now the State of Utah, wish to communicate to other fellow Utah and American citizens their deep connections and commitments to these lands. These perspectives expressed are not new, but they have rarely been voiced beyond Navajo people. As many continue to argue about the fate and appropriate use of these lands, they continue to be desecrated and dishonored. Therefore, the Navajo have chosen to share their Elders' wisdom, as there is so much hanging in the balance for future generations.

Contrary to the beliefs of many, southeastern Utah was not an empty place waiting to be inhabited by Mormon settlers or discovered as a playground for city people, but rather it was the home to Navajo and many Paiute and Ute people as well. Each of these tribes, as well as others like the Hopi and Zuni, maintain strong ties to this region now called San Juan County, Utah. Furthermore, several distinct civilizations over thousands of years were here before all others, and their uniquely intact archaeological record is sacred to all Native American people and of great significance to American history.

The beautiful expanse of land between the four sacred mountains, Mount Blanca, Mount Taylor, San Francisco Peaks, and Mount Hesperus is the Navajo's place of origin. Here spiritual traditions are rooted. Today, the Navajo continue to rely on and utilize these public lands for practicing ceremonies, gathering herbs and firewood, hunting for game, rejuvenating spirits, and caretaking of sacred places. Oral traditions, stories, spring from the canyons and mountains of San Juan County.

Every Navajo child learns about the legendary Chief Manuelito who was born north of Cedar Mesa in a Diné village at Bears Ears. His bravery and leadership rescued many Navajo from being captured by the United States government, earning him a strong place in history. Likewise, many Navajo are tied to the region north of the San Juan River as their ancestors also resided here. Presently administered by the Bureau of Land Management and the US Forest Service, this area is open to livestock grazing, hunting, mineral exploration, and all forms of motorized use, all with no recognition for its significance to Diné People. The voice of the Diné must be heard and be reestablished as effective stewards for these lands.

Unfortunately, the Washington DC decision makers, environmental groups, or even many other residents of San Juan County do not understand or appreciate how Navajo people view public land or utilize its resources. The historical relationship between the Navajo and the United States and Utah governments has not often been favorable. There are very few examples where outcomes have been respectful of Diné perspectives, or to the desires of the people.

International Human and Indigenous Rights

Globally, there is a growing recognition of the pragmatic and ethical necessities to recognize the rights of indigenous populations and to fully involve them in processes of land use planning and management. The Declaration on the Rights of Indigenous Peoples, adopted by the United Nations in 2007 and recently signed by President Obama, calls for indigenous peoples' participation in all decisions that affect our lives; recognizes subsistence rights and rights to lands, territories and resources; outlaws discrimination against indigenous peoples; and defends the right to remain distinct and to pursue visions of economic and social development.

In America, Native Americans occupy a unique legal position, as American citizens, entitled to the same legal rights and protections under the Constitution as all other citizens enjoy, as well as members of self-governing tribes. Native Americans are descendants of peoples who possessed their own inherent rights. These rights are of particular importance with respect to decisions regarding public land management designations that may permanently affect the use of and access to these lands. Vast portions of federal and state public lands constitute the ancestral territories of Native American tribes. These lands remain sacred and in many cases economically, culturally, and spiritually vital to the tribes. The Government of the United States has an obligation, both legal and moral, to involve tribes in major decisions affecting access and use.

Over the last few decades, the US government has taken important measures to ensure that Native Americans' claims on public lands are recognized, especially where designations impose restrictions on the general citizenry, as is the case in wilderness and similar types of protected areas. Thus, international treaties, precedence, and US policy support the participation and co-management arrangements that the Diné people are now seeking.

Wilderness and Ecological Values

Wilderness designations or the presence or absence of roads have been central to the debate over land management in San Juan County. Even though the Wilderness Act does not mention native people, its inherent restrictive measures do ensure protection from development and recreation impacts better than other federal land classifications.

Another priority is the Navajo's ability to access areas for hunting, gathering, ceremonial, and spiritual reasons. Therefore, the continued use of select roads is very important to Diné People, while many existing roads that are facilitating damage should be decommissioned.

This effort is largely characterized as describing and mapping areas that are important for Navajo cultural reasons. It should be understood that much of Navajo culture evolved and stems from the animals that share this land, as the land cannot be separate from the animals it supports. Because the land-use debate in San Juan County has focused so much on the presence or absence of roads, many other important land-use factors have been ignored. The Navajo are hopeful that the discussions can be broadened to better include a greater suite of ecological values.

Utah Navajo Land Planning Process

To identify Navajo interests on public lands within San Juan County this proposal was developed based on a series of interviews and mapping exercises with Utah Navajo Elders and Medicine Men. Additionally, available data sets on wildlife habitats within the county were collected and a biological assessment was completed. The resulting interview and biological assessment maps were combined and analyzed to best determine the boundaries of the Diné Bikéyah National Conservation Area.

Protection of the rich cultural heritage sites within San Juan County is a top priority for the Navajo. Diné Elders speak clearly and consistently about their desires for a voice in determining land management in San Juan County. Development, recreation, and grazing impacts are negatively affecting cultural sites and land uses of the Diné people. Federal agencies have not been able to protect these resources alone. Therefore, stronger policies, and the means by which the Navajo can assist with monitoring and enforcement activities are needed.

San Juan County Land Planning Process

Legislative processes both past and present have been initiated to resolve the debate over public lands and wilderness protection in San Juan County. However, organizers have not included Navajo in these discussions. Therefore in response to recent legislative efforts the Utah Diné Bikéyah and the Navajo Nation collaborated to gather cultural information, ecological condition, development threats, and wildlife habitat data sets, whereby they could be assembled and utilized to identify priority areas for wilderness, National Conservation Areas, National Monuments and other Congressional and administrative land-use designations.

Even though San Juan County possesses some of the largest tracts of contiguous wilderness in the continental US, no protection has been achieved. This is largely because it is widely recognized that no land plan will be brought before Congress by the Utah congressional delegation unless that plan originates from the affected County. Building such local constituency is very challenging in Utah. However, unlike other counties in Utah, the Navajo Nation has the potential to be the catalyst to achieve this critical mass of support: the Navajo control over 20% of the land base in San Juan County; Navajos represent over half the resident population; a Navajo individual holds one of the three local Commissioner positions, and Navajos actively use public lands for hunting, gathering and ceremonial purposes.

Consequently, at the end of 2012, the Navajo Nation and the San Juan County Commission entered into an agreement to jointly undertake a land planning process. The joint planning agreement includes a commitment to produce a land-use plan that identifies specific land use designations within San Juan County.

In April of 2013 the Navajo Nation presented to the San Juan County Commissioners and to Utah Congressional representatives the 1.9 million acre Diné Bikéyah National Conservation Area as their formal position for the negotiations. As the negotiations with the County and Congressional representatives continue, the Navajo remain optimistic a successful outcome is possible. However, in the event of these negotiations failing, both the Navajo Nation and Utah Diné Bikéyah have agreed to pursue a National Monument designation.

Diné Bikéyah National Conservation Area

The Navajo Nation and Utah Diné Bikéyah are proposing the creation of the Diné Bikéyah National Conservation Area extending north along the border of the Navajo Reservation to the southern boundary of Canyonlands National Park. A National Conservation Area provides the best management approach to this region, as it allows for a diversity of uses and designations of the land, while directing resources towards priority management issues, such as cultural and natural resource protection.

The goals proposed for the Diné Bikéyah National Conservation Area are: 1) provide clear management prioritization toward the protection of cultural and biological resources over other land-uses; 2) increase funding allocation to improve management of resources for this region; 3) create a process that recognizes the legitimate interests of the Navajo on federal land; and 4) provide a means of incorporating the extensive and valuable knowledge of the Navajo into land management decisions.

Navajo Role

To honor the deep history and continuing interests of the Navajo Nation in this region, the Nation is proposing to have a formal role in planning and managing the Diné Bikéyah National Conservation Area. Because the Navajo actively use and rely upon these lands, management of the area should incorporate Navajo input to effectively protect the diverse resources encompassed by the National Conservation Area.

For the Navajo, the opportunity to collaborate in the management of the Diné Bikéyah National Conservation Area ensures that these lands will be managed in a manner that protects their deep interest in San Juan County. Federal agencies will also benefit from Navajo contributions to planning and management through more diverse input informing decision-making, and increased resources for management and enforcement.

Conclusion

Diné people have long been observers in the debate over management of public lands in southwestern Utah. This is not because they do not care, or do not want to play an active role in the stewardship of these lands and natural resources. Simply, no one asked. This is the time to share Navajo concerns and to help maintain these lands in their natural state for generations to come. The Navajo have centuries of knowledge that has been passed down, and collectively they have an obligation to see that the beauty, sacredness, and abundance of life of these lands is restored and maintained.

The Native American history in San Juan County is of global significance. The era of looting, vandalism, and wanton development should now end. Native people must have a role in protecting these sites. Their perspectives will improve the future management of these lands through ancient values and conservation practices informed by native wisdom of tribes that have occupied this landscape for millennia. Navajo People believe this path forward will lead to healthier lands and stronger people and communities throughout San Juan County.



Utah Diné Bikéyah

May 21, 2013

Dear Commissioners Adams and Lyman,

Thank you for your active involvement in the Navajo Nation and San Juan County joint land planning process. The Utah Diné Bikéyah Board met on May 14th, and reviewed the plan provided to Mark Maryboy. We look forward to receiving the details of a County plan along with an accompanying map to further discuss our mutual goals at our next Joint Planning meeting. I understand that Nick Sandburg and Mike Taylor have set this date for June 18th but the location is currently still unknown.

Since our meeting on April 17th, the Utah Diné Bikéyah Board of Directors also learned that in despite of our explicit responses on April 17th, County representatives continue to criticize and question the Navajo's ability to lead the development of our vision for our ancestral lands. These comments and attempts to undermine our legitimacy must stop if we are to continue working together.

Good working relations are based on respect and common interests. Round River repeatedly demonstrates respect for our decisions and has provided us with the research, advice, and information we desire in a professional manner. We respect the expertise they provide us, just as they respect our leadership of this work. The County's persistence in challenging RRCS' role is unsettling and threatens our ability to move forward.

At our next meeting, we intend to listen and discuss the opinions you share with us. We also ask that you listen to and understand why we are asking for the things in our proposal. We hope we can develop a shared position to forward to Congressman Bishop in the coming weeks/ months and that moving forward, we can have a productive relationship with San Juan County.

With Respect,

Willie Grayeyes, Chair, Utah Diné Bikéyah



Utah Diné Bikéyah

Willie Grayeyes
Utah Diné Bikéyah, Chairman
Navajo Mountain, UT 84536
Willie Grayeyes williegrayeyes@yahoo.com

Mark Maryboy
Utah Diné Bikéyah, Director
Montezuma Creek, UT 84510
Mark Maryboy mark@maryboymanagementgroup.com

August 12, 2013

RE: Decorum at San Juan County Open House

Dear Congressmen Bishop and Chaffetz,

We appreciate the commitment you have shown in working with the Utah Diné Bikéyah to craft legislation for the public lands in San Juan County that would take into account Navajo traditions and uses of these lands. We have spent much time over many months meeting and talking with Utah Navajos in order to craft the Diné Bikéyah proposal, which we have shared with you. Similarly, we have met often with you and your staff, and we value the professional working relationship that we have formed over these past months.

It is precisely *because* of the close working relationship with you that we were surprised and disturbed by your failure to step up and admonish those that were making disparaging remarks that were aimed at Navajos at the San Juan Open House meeting, Friday, August 9. These spiteful remarks were insulting and painful to Navajos. Such remarks serve only to perpetuate the racism that lingers in San Juan County. As our elected officials, your failure to step up and uphold appropriate decorum at the meeting could be viewed as your acquiescence in such behavior and attitude.

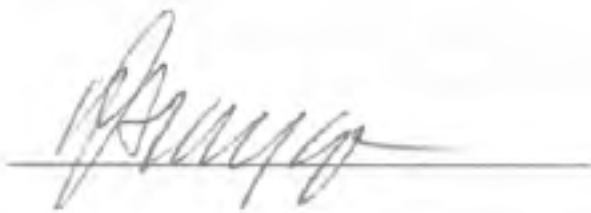
WWW.UTAHDINEBIKEYAH.ORG

Navajos and members of the Utah Dine' Bikeyah board attended the San Juan County Open House in order to continue the discussion with you regarding Navajo interests in the use and management of the public lands in San Juan County. We attended this meeting in good faith, anticipating that other residents of San Juan County would do the same, in order to make progress on a potential public lands bill for San Juan County.


At the Open House meeting, Utah Navajos expressed their desire to conserve and protect the public lands used traditionally by Navajos, in a respectful manner. We noted that we have used these lands since the beginning of time, for food, medicine, dry wood collection for cooking and heating, and for traditional Navajo ceremonial purposes, and that we continue to do so. Although we have been removed and relocated to the Navajo Nation south of the San Juan River, we consider much of the public lands in San Juan County to be The Peoples' land, Diné Bikeyah.

Navajos make up approximately 50% of the population in San Juan County, and we revere these lands as our homelands. Sadly, there is a long history of racial injustices to the Utah Navajos, at the county, state and federal levels. Putting these injustices aside, we have entered into this public lands process in good faith, and we have expressed our interest to you in continuing to participate in the process, and to continue building on the relationships we have formed with you and your staff. However, we ask for your assurances that future meetings and discussions will be respectful of everyone's interests, including that of the Navajo.

Sincerely,

A handwritten signature in dark ink, appearing to read "Willie Grayeyes", written over a horizontal line.

Willie Grayeyes

A handwritten signature in dark ink, appearing to read "Mark Maryboy", written in a cursive style.

Mark Maryboy

Copy: Kenneth Maryboy, Bruce Adams, Phil Lyman



Utah Diné Bikéyah

July 9, 2014

Bruce Adams, Chairman
San Juan County Commission
Post Office Box 9
Monticello, UT 84535
Phone: 435-587-3225

Re: Request for San Juan County endorsement of Dine Bikeyah conservation proposal

Dear Chairman Adams,

The Navajo Nation and the Utah Dine Bikeyah (UDB) organization have been engaged in Joint Planning on land and natural resource management with San Juan County for the past eighteen months. As you know, the Joint Planning MOA has expired and we have not yet discussed whether, or how to move forward. UDB Board Members met last week to determine how best to continue to advance its proposal to protect the proposed Dine Bikeyah National Conservation Area. UDB's preferred course of action is to work cooperatively with the County, but the slow pace of progress and lack of detailed plans from San Juan County are causing us to question this approach.

In order to inform UDB's path forward, we request either a letter of support from the San Juan Commissioners endorsing the components and boundaries of the Dine Bikeyah proposal; or a written description of the extent of County support for the Navajo position. We request a written response by August 15, 2014. While we prefer to work with the County and the Utah Congressional delegation to advance our proposal, we reserve the right to pursue other methods of conservation such as a National Monument designation through the Antiquities Act.

UDB has worked hard to interview elders, collect data, research policies, and understand the desires of San Juan County government and stakeholders. We have presented detailed maps and positions for San Juan County to consider and have shown you our interests on the ground. To date, we have seen little from San Juan County identifying official areas of support and/or conflict with our proposal. Furthermore, the San Juan Commission has yet to articulate any substantive proposal for conservation of public lands and resources important to the Navajo.

The original goal of the Joint Planning MOA was to develop a shared vision for public land management in San Juan County. The UDB Board remains interested in this model, however we also recognize there are other paths forward to reach our goals. We are open to additional discussions and information sharing prior to August 15th, but we must receive an

understanding of the County's position by this date to assess the likelihood of achieving our long-term conservation outcomes. UDB views its conservation proposal as necessary to protecting Navajo culture, traditional lands, and for ensuring that the needs of the Navajo and other Tribes are met over the long-term. We are encouraged to hear that SJC has formed a Lands Committee to make recommendations on the Dine Bikeyah proposal and other conservation efforts, but do not know the status of this undertaking.

In other developments, UDB became an IRS approved charitable organization this week and has hired a part-time staff to help the organization realize its independence and better carry out its mission. We realize that it will take time to establish ourselves, but are excited to play a leadership role among Utah Navajo people to better advance the educational and land management priorities as we move forward.

Regardless of the path forward for Joint Planning, UDB values the stewardship roles and ties to these public lands we share with other County residents. We hope you decide to join us in advancing this vision with a letter of support, and look forward to your reply.

Sincerely,

A handwritten signature in black ink, appearing to read 'Willie Grayeyes', written over a horizontal line.

Willie Grayeyes
Chairman, Utah Dine Bikeyah

Cc: Honorable Rob Bishop, US House of Representatives, Fred White, Director of Navajo Nation Division of Natural Resources, Cody Stewart, Governor's Energy Advisor, State of Utah



Utah Diné Bikéyah

September 19, 2014

Secretary Sally Jewell
Department of Interior
1849 C Street, N.W.
Washington DC 20240

Via email: Nicole_buffa@ios.doi.gov; tommy_beaudreau@ios.doi.gov

Dear Secretary Jewell,

I am writing to you to express the concerns of the Utah Dine Bikeyah Board of Trustees about Governor Herbert's recent comments regarding national monuments in Utah. If you are not familiar with these comments, here is the link for your information:

<http://utahpolicy.com/index.php/features/today-at-utah-policy/3503-herbert-no-new-national-monument-in-utah>

While there is much talk of the promise of the Bishop legislative initiative, from the Navajo perspective, we have seen little to no recognition of our proposal for how public lands should be managed. We have diligently conducted outreach and held meetings to show and explain our painstakingly researched proposal for a 1.9 million acre national conservation area or national monument. We have been in regular contact with Rep. Bishop's staff, other Congressional staff, as well as county officials. Yet almost eighteen months after unveiling our proposal, we have seen no maps from the county, Rep. Bishop's office, or other stakeholders. Further, we have no clear idea of substantive problems or agreements local, state or federal politicians may have about our proposal.

Given that we have been the most transparent, early participants in this effort, we are disappointed that our efforts have been largely ignored to date. While I am sure that Governor Herbert does not speak for you, his words are giving a false impression to Navajo and other Utahns who want to see this landscape protected by a national conservation area or national monument. I believe it is important that you clarify publicly that he does not speak for you. This is important both for the integrity of the Bishop process and for retaining legitimate tools like the Antiquities Act to protect lands of such vital importance to our Navajo heritage.

Though we continue to participate in the Bishop process, our current unsatisfactory experience causes us grave concern that this effort is merely a distraction. We have had no contact with Utah Senators or their staff that indicate they are working on similar legislation or that they will work to get Bishop legislation through the Senate. We want permanent protection, and recognize the Senate must be involved if it is to happen legislatively.

314 W 300S, SLC, UT 84101
(385)202-4954
www.utahdinebikeyah.org

Thank you for addressing our concerns as we work to be good partners in a difficult, flawed process to date.

On Behalf of the staff and Board of Trustees,

A handwritten signature in black ink, appearing to read "Grayeyes", written over a horizontal line.

Willie Grayeyes, Chairman

Utah Dine Bikeyah Organization

Cc: President Ben Shelley, Navajo Nation

Sharilene Jeff, Executive Director, Navajo Nation Division of Natural Resources

LANDS BILL PUBLIC COMMENTS (Nov./Dec. 2014)
Prepared by Nick Sandburg, San Juan County

12-8-14

<u>Comments</u>	<u>Alternative or Proposal</u>
33	Lands Council Alternative A
2	Lands Council Alternative B
93	Lands Council Alternative C (some proposed additional protected areas)
24	San Juan Alliance Proposal (includes some who noted Alt. A as second choice)
300	Dine Bikeyah Proposal - includes petition of 246 signatures (21 with comments; 194 SJC residents, 52 likely non-SJC residents w/out-of-county/state mailing addresses); 97 comment letters + 7 likely non-SJC resident comments + 2 unsigned/unaddressed comments; and 9 verbal comment transcripts
1	Greater Canyonlands NCA (The Nature Conservancy)
1	Red Rock Wilderness
1	All Share and Get Along
1	No preference until details of legislative narrative worked out
1	Any proposal should be as limited as possible and no road closures
10	No Bill [continue current management; or Alt. A if pushed (2); no road closures]
467	Total (may include some duplicate comments from same commenter)
	Three resolutions supporting Dine Bikeyah efforts (Navajo Utah Commission, Navajo Mountain Chapter, and Oljato Chapter)
5	Additional non-resident comments supporting various alternatives or proposals



Utah Diné Bikéyah

December 13, 2014

Bruce Adams, Chairman
San Juan County Commission
Post Office Box 9
Monticello, UT 84535

Re: Congressman Bishop's Land-Use Initiative

Dear Chairman Adams,

Unfortunately, we were not able to resolve anything during our phone discussion yesterday. I was surprised to learn what different views we each hold on this planning process to date. I want to communicate that UDB still wants to work with San Juan County, however if the San Juan County Commission does not want to work with us please let us know.

We have been working on this land plan for almost five years, yet despite our efforts we have made little progress toward identifying components of a shared proposal between the Navajo Nation and San Juan County. After the MOA expired in June we wrote a letter to you stating that we need to see progress on this front (by August 15th) if we are to stay engaged. San Juan County never responded (See letter dated July 9th, 2014.) We were told last week that the San Juan County Commission does not know whether to move forward or how despite what UDB understood to be an agreement to meet in December to try and develop a shared proposal to advance according to Congressman Bishop's timeline.

While we were in Washington DC this week we did not say that Navajo people have "never been included" in land planning in SJC. I feel as if they have, but Navajo Nation officials and the UDB Board Members are frustrated by the lack of progress made thus far and by the inconsistent treatment of the Navajo proposal (We understood on October 6th that the Navajo Nation proposal would be Alternative D.) What we told Casey Snider and Colton Miles on Tuesday is that the legislative path remains our preferred path forward, and we need to see progress in the near term to understand if this path is viable. The UDB Board and Navajo Nation officials are open to meeting with San Juan County to try and negotiate a shared position as we set out to do more than two years ago.

Sincerely,

Gavin Noyes
Executive Director



January 30th, 2015

The Honorable Rob Bishop

United States House of Representatives
123 Cannon House Office Building
Washington, D.C. 20515

Re: Eastern Utah Public Lands Initiative

Dear Congressman Bishop,

Congratulations on your recent appointment as Chairmen of the House Natural Resources Committee in the 114th Congress. This is a significant accomplishment and I look forward to working with you and your staff in the months ahead to advance the Utah Eastern Public Lands Initiative and other important bills. As you are aware the Navajo Nation has been a leader in bringing local people together in San Juan County and has presented your office with a proposal to protect the cultural interests of the Diné on federal lands in southeastern Utah.

To best support this legislative process, the Navajo Nation is seeking clarity on next steps for working with your office, San Juan County, and others to ensure that Navajo positions are well represented in the final bill. Support continues to grow among Navajo communities, Utah Chapter House officials, and among other Tribes for protection of the Bear & Ears region. This proposal includes the establishment of a 1.9 million acre National Conservation Area, wilderness areas, and a model agreement for collaborative management between land management agencies, the Navajo Nation, and other Native American Tribes. Prior to the drafting of legislation I would like to present and discuss collaborative management language to your office as this component is of high interest for inclusion in the final bill.

Navajo Nation officials hope the legislative process in San Juan County is successful and we request feedback from your office on when and how to move forward. Please contact me at your earliest convenience and also include Gavin Noyes, Executive Director of Utah Diné Bikéyah (UDB). UDB holds a Memorandum of Understanding with the Navajo Division of Natural Resources to represent Diné community interests in this project and UDB should be included in all communications and discussions as we move forward.

Thanks for your efforts to advance this important legislation and for your commitment to including the voice of Diné People as we move forward.

Sincerely,

A handwritten signature in black ink, appearing to read "Sharilene Jeff". The signature is fluid and cursive, with a large, stylized initial "S" and "J".

Sharilene Jeff, Executive Director, Navajo Nation Division of Natural Resources

Cc: Congressman Jason Chaffetz, Secretary Sally Jewell, Governor Gary Herbert, and SJC Commission Chair Phil Lyman



Utah Diné Bikéyah Message to SJC Lands Council

February 3rd, 2015

I. Project Background

- a. 5 years ago this month Senator Bennett started this lands process
- b. We have followed all protocols and have shown respect to all involved
- c. SJC and the NN had an MOA to develop a shared proposal
- d. UDB represents the Navajo Nation through an MOU
- e. We gave SJC commissioners our proposal in April, 2013
- f. We have not yet seen a County position

II. Bear's Ears Proposal- Entire purpose is to protect cultural resources

- a. 1.9 million acre NCA
- b. Collaborative Management
 - i. Firewood Access
 - ii. Sacred Sites
 - iii. Cultural Education/ Tourism
- c. Wilderness Designations

III. Navajo Community Support

- a. UDB held 8 Town Hall Meetings in November across reservation
- b. Diné expressed broad support for Bear's Ears protection
- c. Over 400 comments submitted to SJC
- d. UDB detailed all issues including chainsaws, atv's, bulldozers and wildlife. Navajo people want an NCA/ NM and wilderness

IV. Path Forward

- a. Prefer to work together
- b. We hope to see some kind of protection by the end of Obama's term
- c. UDB is here to stay and we are committed to working for the long-term good of San Juan County on conservation, education, and jobs

UDB Position- We want to sit down with SJC to describe in detail why this proposal meets the needs of Utah Navajo People and develop a shared proposal.

Questions-

- 1) When can UDB meet with SJC?
- 2) When can UDB meet with the UT delegation?
- 3) What is the Path Forward?
 - a. We have asked Congressional staff to facilitate the negotiation process. Will there be a negotiation?
 - b. If so, what is the role of the NN?

Congress of the United States

Washington, DC 20515

February 4, 2015

Dear Public Lands Initiative Participants,

The Utah Public Lands Initiative (PLI) has transformed the way local communities confront federal land management issues in Utah. February 15 will mark the three-year anniversary of this multi-county, grassroots planning process. The goal then was to bring land-use certainty, economic development, land conservation, and enhanced land management models to eastern Utah counties. We're pleased to report that our goals are still very much attainable and we are on track to move forward in the near future.

A coalition of counties, tribal leaders, and over 120 different interest groups has crafted more than 60 detailed proposals outlining each group's desired land-management outcomes. Our offices have hosted nearly 1,000 meetings, driven over 50,000 miles, and spent countless hours digesting maps, bill language, and broad-ranging policy proposals. Our county partners have also led local working groups, lands councils, and public meetings to assist their efforts in identifying areas and policies that merit consideration in PLI.

The next step in the process will involve the release of a map and a legislative proposal. The draft map and proposal will be crafted by our offices and released to the public on March 27, 2015. The draft map and proposal will include areas and policy provisions that have been discussed over the past three years. The draft will attempt to incorporate the ideas and recommendations of the various participating entities including counties, tribes, the State of Utah, conservation organizations, SITLA, and others interest groups.

Our offices will give deference to local zones of agreement and consensus where they exist. In areas where consensus has not been reached, our offices will do our best to minimize local impacts. We recognize that some groups may oppose the draft proposal and while we welcome comments and the opportunity to address these concerns, we realize it's impossible to achieve 100% consensus.

Thank you for your participation in PLI. Virtually all local officials, interest group leaders, and members of the public have participated in good-faith and want to see PLI succeed. We would not be on the cusp of a paradigm shift of this magnitude without each of these people and their efforts. Thank you.

Sincerely,



Rob Bishop
Member of Congress



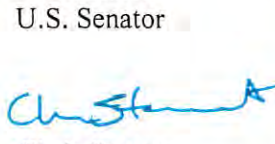
Orrin Hatch
U.S. Senator



Jason Chaffetz
Member of Congress



Mike Lee
U.S. Senator



Chris Stewart
Member of Congress



Mia Love
Member of Congress



Utah Diné Bikéyah

February 23, 2015

The Honorable Rob Bishop
United States House of Representatives
123 Cannon House Office Building
Washington, D.C. 20515

Re: Bear's Ears Proposal and Public Lands Initiative

Dear Congressman Bishop,

On February 12th, President Shelley of the Navajo Nation asked Governor Herbert for support in advancing the Bear's Ears proposal during the Native American caucus in Salt Lake City. The governor's advice was to get our proposal to you and Congressman Chaffetz as soon as possible.

As you are aware, planning around the Public Lands Initiative has been moving at a fast pace in San Juan County for the past several weeks. Based on recommendations of your staff, Utah Diné Bikéyah (UDB) has been trying in earnest to re-engage with the San Juan County Commission and understand the path forward for advancing the Navajo proposal through these channels. This process remains uncertain. The Navajo Nation and UDB's main concerns at this point are that we still have no clarity on the path forward despite a rapidly approaching deadline of March 27th. We still have no understanding of the level of support we have from Commissioners for the Bear's Ears proposal, nor do we know when they might take a position. As a result, we would like to work directly with your office to ensure that Navajo needs are understood and included in the draft map and legislation you are preparing.

Toward this goal we want to meet to discuss key elements of the Navajo proposal and provide you details that are currently under development.

Items we are prepared to discuss now and deliver to you in the coming weeks include:

- 1) Draft Collaborative Management legislative language
- 2) Definition of "Nahodishgish" and Wilderness recommendation boundaries within NCA
- 3) Amendment of the NCA boundary to accommodate Ute Mtn Ute Tribe request in Cottonwood Wash

Thank you for your consideration of the Bear's Ears proposal and please let us know when you are available to meet.

Sincerely,

Willie Grayeyes
Chairman, Utah Dine Bikeyah

Cc: Congressman Jason Chaffetz, Senator Orrin Hatch, Senator Mike Lee, Secretary Sally Jewell, and Governor Gary Herbert



Utah Diné Bikéyah

July 9th, 2015

Honorable Jason Chaffetz
U.S. House of Representatives
Washington, DC 20515

Dear Congressman Chaffetz,

Thank you for taking the time to talk by phone with Utah Diné Bikéyah (UDB) representatives on Tuesday about the Bears Ears proposal and the legislative process in San Juan County. I am disappointed to hear that legislation is no longer being considered for the summer Congressional session given the many deadlines that we have been working hard to meet. We understand the desire to get legislation “done right,” rather than “done fast,” but we are also concerned that the new legislative timeline will burden this bill with the politics of a presidential campaign that may get in the way of its success. I hope we are wrong.

We understand the complexities involved, but if possible we would like to learn by early September the extent to which the Bears Ears proposal will likely be included in the legislative package. We are particularly interested in the external National Conservation Area boundary, the wilderness designations, and the creation of a role for Tribes in collaboratively managing the area. These are important benchmarks for us to understand in the context of the many detailed interests we hold in the region.

Like you, we are frustrated that we still do not know how far apart the San Juan County Commissioner position is from UDB’s position. We were pleased to hear that the San Juan County proposal boundaries have gotten larger, however we have no evidence that this is the case because they have not yet taken a position. 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 of. 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.

You also commented on the importance of the San Juan Citizens Committee’s proposal and the work it has done over the past year. Commissioner Phil Lyman formed this committee around the same time he began planning his ATV ride into Recapture Canyon and his role is problematic because of his anti-federal stance toward land management. By its own admission this committee has failed to include meaningful, or representative participation from Native Americans yet the

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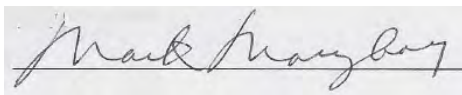
Commissioners seem inclined to follow this group's lead. UDB does not hold any ill-will toward commissioner Lyman, but his actions reflect attitudes that exist in San Juan County that threaten sacred sites and the human heritage that we are trying to protect. Native Americans make up 53% of San Juan County citizens and UDB believes their voices should also be reflected in the Public Lands Initiative process.

When UDB set out to engage in the Bennett process and later in the Bishop process we followed all of the protocols that were in place according to both US and Navajo protocol. We sought support from Chapter Houses to develop a plan, we engaged Utah Navajo elders in establishing our vision, we entered into an MOU with the Navajo Nation, we launched joint planning through an MOA between SJC and the NN, we engaged the Chapter Houses and NN Council in developing our proposal, we sought input and kept government officials well informed, we are engaging other Tribes to ensure that their needs are included, and we continue to conduct traditional ceremonies to ensure we are moving forward correctly. This has required a great deal of effort on our part, and it is the reason that I feel an obligation to advance the cultural values held by Native Americans for this landscape and ensure protections are put in place that will serve future generations of Americans.

As we mentioned on the phone Ute, Navajo, Hopi, Zuni, Cochiti, and other Native American Tribes maintain oral histories that link them to the Bears Ears landscape. These are not myths or legends, but these stories passed down by elders represent the oral archives of entire nations. The archaeological record corroborates these histories further. I feel strongly that these Native American Tribes be included in the process and outcomes of this legislative process. This diversity of people who have occupied this landscape is an integral piece of the human story and these individuals deserve to be part of its future.

Thank you again for the opportunity to share our opinions and desires for this region and we look forward to meeting with you again soon.

Sincerely,

A handwritten signature in cursive script, reading "Mark Maryboy", written in dark ink on a light-colored background.

Mark Maryboy

Board Member

Utah Diné Bikéyah

BEARS EARS INTER-TRIBAL COALITION

A Coalition of the Hopi, Navajo, Ute Indian Tribe, Ute Mountain Ute, and Zuni Tribes

August 5th, 2015

Honorable Rob Bishop
Honorable Jason Chaffetz
U.S. House of Representatives
Washington, DC 20515

RE: Native American Tribes Request Involvement in Congressman Bishop's Public Lands Initiative

Dear Representatives Rob Bishop and Jason Chaffetz,

Elected officials from the Navajo Nation, Hopi, Zuni, and Ute Mountain Ute Tribes met on June 30th and July 16th to discuss the proposed Bears Ears National Conservation Area/ National Monument. We are aware that San Juan County advanced a proposal to your office and despite multiple attempts to work with San Juan County and your offices over recent years, we are concerned about how Tribes and the Bears Ears proposal are being considered in your legislative process. The undersigned Native American Tribal governments request inclusion of the Bears Ears proposal, as well more intensive engagement with Utah tribes, and engagement of Tribes outside of Utah in the discussion of legislation.

The lands within the Bears Ears conservation proposal are shared ancestral lands of more than one dozen tribes, and are sacred to Native Americans throughout the Southwest; they need to be permanently protected. As you are aware, twenty-five Tribes have endorsed protection for the Bears Ears area and surrounding lands as a means of protecting a wide range of cultural resources on public lands in San Juan County. As we have before, we request inclusion of the full Bears Ears proposal as a National Conservation Area or National Monument in your legislation. Such a designation must identify conservation of the area's irreplaceable cultural resources as the primary purpose, and include strong conservation standards including a full mineral withdrawal while allowing Native American traditional uses to continue. Our Tribes have a strong interest in the area and are also seeking a formal role in the collaborative management of this landscape with the Federal agencies.

Congress and the Federal Government hold a federal trust responsibility in their relationship to tribal governments and as such we request that the Bears Ears Inter-Tribal

Tribes for Bears Ears

Coalition be included in legislative negotiations impacting our ancestral lands prior to introduction of draft legislation. It is not sufficient to consult only with Tribal governments that hold reservation lands in San Juan County (Ute Mountain Ute, Navajo Nation, and San Juan Paiute). These Tribes, of course, need to be at the table, but it is equally important to be inclusive of the Hopi, Zuni, Apache, Pueblo, and Paiute and Ute Nations that lie outside of San Juan County, since we do have strong interests and deep connections to these public lands that transcend beyond political state boundaries. We appreciate the willingness of federal officials from the Departments of Interior and Agriculture to respond to Tribes' recent request to discuss the Bears Ears landscape and hope that your offices will similarly engage Tribal governments in your process.

Despite more than two years of dialogue with local stakeholders, we are concerned that the Public Lands Initiative Process and San Juan County have thus far failed to reach out to, consult, and respond to feedback from Tribes within or outside of Utah. For example, six Navajo Chapter Houses in Utah and the overwhelming majority of San Juan County residents that weighed in during the County's public comment period endorsed the Bears Ears conservation proposal. Despite this local support, the County's proposal ignores tribal input. Worse still, Tribes from outside of Utah have been afforded no opportunity to provide feedback or engage in the process. In order for Tribes to consider supporting any legislation that affects our ancestral lands, we must first be engaged. We invite you to present at one of the monthly Inter-tribal Coalition meetings so that we can meet elected official to elected official, or we can schedule a separate time.

We desire engagement in your legislative effort, but due to the lack of inclusion of Native voices in San Juan County we have also been briefing federal agencies on Native American conservation desires for the region. Tribes want protection of the Bears Ears conservation proposal regardless of how it happens, but are concerned at the lack of involvement of Tribes in the Public Lands Initiative thus far. We hope that you will engage the Bears Ears Coalition of Tribes in developing your legislation and that you introduce a bill that provides strong protection for the full Bears Ears National Conservation Area / National Monument proposal in short order. We request that you give Tribes the opportunity to work with you towards meaningful conservation legislation on an accelerated timeline.

Thank you for your prompt attention to this matter. We look forward to your response.

Sincerely,



Alfred Lomahquahu, Jr. Co-Chair, Bears Ears Inter-Tribal Coalition, Vice-Chairman, Hopi Tribe



Eric Descheenie, Co-Chair, Bears Ears Inter-Tribal Coalition, Office of the President and Vice President The Navajo Nation



Utah Diné Bikéyah

August 25, 2015

Hon. Rob Bishop
Hon. Jason Chaffetz
U.S. House of Representatives
Washington, DC 20515

RE: Bears Ears Conservation Proposal and Bishop Public Lands Initiative

Dear Representatives Bishop and Chaffetz,

Thank you for including Utah Diné Bikéyah (UDB) and Native American Tribes in the Public Lands Initiative (PLI). UDB has been working respectfully and collaboratively with all parties to protect the Bears Ears landscape for more than five years now. We are concerned that despite this effort that is widely supported by a majority of Utah Navajo, the Bears Ears proposal was ignored by San Juan County officials when it advanced its legislative request to your offices. We hope that you will correct this omission prior to releasing draft legislative language.

Specifically, we are concerned by the following aspects of SJC's proposal:

- 1) Less than 50% of the areas we identified as culturally important areas were included. Critical lands that need protection include: Beef Basin, the Abajo mountains, Elk Ridge, Dark Canyon, White Canyon, Red Canyon, Nokai Dome, the confluence of the San Juan River, Cottonwood Wash, Arch Canyon, Tank Mesa, Posey Wilderness areas (adjacent to Canyons of the Ancients National Monument), and the La Sal Mountains.
- 2) Expansive swaths of SJC that were proposed for conservation were later designated "Energy Zones" by SJC and the Utah State legislature. Encroachment of the SJC Energy Zone on our proposal is not acceptable.
- 3) Cultural activities such as firewood collection, hunting, and herb collection are not explicitly protected in SJC's proposal.
- 4) Hard release language regarding wilderness and the Antiquities Act was included which is something UDB will oppose.

Between February, 2010 and April, 2013 UDB worked collaboratively with San Juan County officials through the Navajo Nation's Joint Planning process to develop a shared plan for land conservation, economic development, and improved communications among local people. Our experience was disappointing for its lack of results, but it also exposed prejudices that plagued the process and outcomes. As we have done before, we are asking for your help to ensure that local Native American voices are included in the draft Public Lands Initiative (PLI) legislative language.

At its outset UDB understood the PLI's stated aim was to bring together Utah Navajos, Utes, and other San Juan County residents in a transparent, inclusive process to determine the future of public lands in the county. Unfortunately, so far the process has failed to meaningfully include the perspectives of Native People.

There were several failures of process and Native American representation along the way including the following:

- a. San Juan County never responded to the Bears Ears proposal that was formally presented by UDB and the Navajo Nation on April 17th, 2013 in Monument Valley at The View Hotel. UDB representatives answered questions from state and Congressional officials for more than 2 hours during this meeting, yet received no response. (See letter from UDB to SJC 7/9/14)
- b. The overwhelming majority of San Juan County respondents (64%) voted for approving Bears Ears as a National Conservation Area. SJC officials never acknowledged the public results or tried to understand this local desire prior to approving “Alternative B” that received less than 1% (2 votes) of local support. (See San Juan County’s public lands bill comments tally 12/8/14)
- c. San Juan County Commissioners and the Utah State Legislature passed HB 393¹ in 2015 that undermined major portions of the Bears Ears proposal by designated it as an “Energy Zone” without consulting Tribes or informing UDB. This bill aims to streamline development and declares grazing, energy and mineral development to be the “highest and best use” of public lands.
- d. Negotiations between the SJC Citizen Lands Council, UDB, and the Navajo Nation failed to produce any results. Furthermore at the final meeting neither UDB nor the Tribes were invited to attend and were told that the SJC Commissioners did not require any further information to make its final decision. (Letter from UDB to Chaffetz 7/8/15) The Bears Ears proposal was not even considered by the Commissioners when it voted despite the overwhelming citizen support.
- e. SJC Commissioner Phil Lyman represents a significant problem that UDB is trying to correct in San Juan County in the desecration of sacred sites. (Letter from UDB to Chaffetz 7/8/15) It is frustrating to see a local leader convicted of conspiracy and driving on closed public lands divide Native and non-Native community members, federal and state officials, and conservation and development interests by forcing everyone to choose a side for or against his actions. Commissioner Lyman could not have been expected to lead a fair process in SJC, yet at this late date no one has held him or other SJC officials accountable to the purported standards of the PLI.
- f. UDB was treated very inconsistently by SJC. Sometimes SJC officials expressed a high degree of cooperation and willingness to work together, and at other times officials criticized UDB’s proposal.

You have heard about UDB’s experiences working with SJC officials for a long time. Now that the burden of representing all Utahns rests on your shoulders, we ask that you please rise to the occasion and come up with a bill that is inclusive of Native American interests. In this spirit, we very respectfully ask you to include the full Bears Ears proposal in your legislation to ensure the needs of the majority of people in SJC are met.

The Utah Diné Bikéyah organization has been advancing the Bears Ears Conservation proposal in accordance with the MOU it holds with the Navajo Nation Division of Natural Resources and resolutions it holds with Utah’s seven Chapter Houses. We have an all Native Board of Directors with representation from each of the seven Chapter Houses and the White Mesa Ute community in

¹ Legislative language can be found at: <http://le.utah.gov/~2015/bills/static/HB0393.html>

Utah. UDB has obtained resolutions of support from six of seven Chapter Houses in Utah, the Navajo Utah Commission, the Navajo Nation Council, and 25 tribal governments that endorse designating Bears Ears as either a National Conservation Area or National Monument with significant wilderness designations. UDB has built up its grassroots support at the community level by providing updates at Chapter House meetings, convening spiritual leaders at ceremonies, hosting townhall meetings, tabling at events and fairs, speaking at senior centers, and holding community meetings in the homes of UDB Board Members. The Navajo Chapter House resolutions of support represent approximately 6,000 residents living in San Juan County, Utah and the governments of twenty five tribal nations represent hundreds of thousands of additional U.S. citizens.

Finally, after years of briefing Tribal governments on the conservation needs of local Native people in SJC, UDB invited Tribes that share ancestral lands in SJC to adopt the Bears Ears proposal as their own to request this area be protected for future generations. In July, these Tribes formally organized themselves as the Bears Ears Inter-Tribal Government Coalition. As you look to meaningfully engage Tribes and Native interests in the PLI, please reach out to the Bears Ears Inter-Tribal Government Coalition to arrange a formal meeting in a government to government format. Eric Descheenie and Alfred Lomahquahu are the coalition Co-chairs and can be reached at:

Eric Descheenie: descheenie@hotmail.com

Alfred Lomahquahu: ALomahquahu@hopi.nsn.us

We also ask that you continue to meet with UDB so that we can communicate the needs and desires of grassroots people in San Juan County as the upcoming legislation comes together. Thanks for your attention to this matter and persistence in pursuing a legislative outcome that works for all Utahns and Americans.

Sincerely,

A handwritten signature in black ink, appearing to read 'Willie Grayeyes', written over a horizontal line.

Willie Grayeyes, Chairman of the Board
Utah Diné Bikéyah