



July 7, 2023

Senator Joe Manchin III, Chair
Senator John Barrasso, Ranking Member
Committee on Energy and Natural Resources
United States Senate
304 Dirksen Senate Office Building
Washington, D.C. 20510

Re: S. 1405 - Utah School and Institutional Trust Lands Administration Exchange
Act of 2023

Dear Chair Manchin and Ranking Member Barrasso;

The Bears Ears Commission consists of elected officials of the Hopi Tribe, the Navajo Nation, the Ute Indian Tribe of the Uintah and Ouray Reservation, the Ute Mountain Ute Tribe, and the Pueblo of Zuni. After decades of study and grassroots work, President Barack Obama and President Joseph Biden exercised their authority under the Antiquities Act to create and restore the Bears Ears National Monument (Monument) in Presidential Proclamations 9558 and 10285, respectively. These Proclamations established the Commission and recognize its authority to provide tribal expertise and traditional tribal knowledge to inform the management of this sacred cultural landscape. The Tribes have authorized collaborative management with the federal agencies through their respective governmental processes.

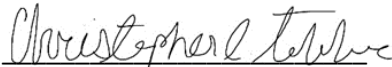
Most recently, the Commission has engaged in collaborative management with the Forest Service and Bureau of Land Management (BLM) to ensure the protection of the Monument's vast natural and cultural resources that the Commission tribes hold sacred. The Commission has also participated in a collaborative and ongoing planning effort to effectuate the mandates of Presidential Proclamations 9558 and 10258, which will culminate in the release of the first-ever Resource Management Plan for a national monument that incorporates tribal expertise and traditional indigenous knowledge. As a part of this effort, the Bears Ears Commission has reviewed information provided by the BLM and SITLA regarding the land exchange and supports S. 1405 because it will result in greater protections for the significant cultural landscape of the Monument. S. 1405 will provide for the transfer of Utah School and Institutional Trust Lands Administration (SITLA) parcels within the Monument to BLM in exchange for other BLM parcels around the State of Utah. While the Commission was not directly involved in negotiating this exchange, the BLM worked with individual Tribes to ensure that lands within Indian reservations would not be impacted by parcels selected by SITLA.

Recently, the Commission was informed by BLM that efforts were made to minimize any impacts to cultural and natural resources on parcels selected by SITLA. The Commission appreciates these efforts and has requested that BLM continue to provide the Commission with information about cultural resources or historic sites located on the parcels SITLA will acquire, as well as any documentation of efforts made to minimize any impacts to resources on these parcels. The Commission has also communicated to SITLA and BLM that the State of Utah and SITLA must comply with any federal and state laws that govern protection of cultural and natural resources on the parcels acquired by SITLA. While these lands are beyond the Monument boundaries, any cultural and natural resources on these lands are just as important to the Commission tribes and other tribes with ancestral lands within the State of Utah.

With these ongoing obligations in mind, the Commission supports S. 1405 and the protections that it will provide for the significant cultural landscape of the Bears Ears National Monument.

Thank you for your consideration of the Commission's position on this bill.

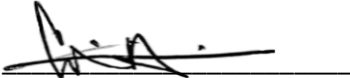
Sincerely,



Christopher Tabbee
Vice Chairman, Ute Indian Tribe
Co-Chair, Bears Ears Commission



Malcolm Lehi
White Mesa Councilman, Ute Mountain Ute Tribe
Bears Ears Commissioner



Curtis Yanito
Council Delegate, Navajo Nation
Bears Ears Commissioner



Craig Andrews
Vice Chairman, Hopi Tribe
Co-Chair, Bears Ears Commission



Anthony Sanchez Jr.
Head Councilman, Zuni Tribe
Bears Ears Commissioner