



SOCIETY FOR AMERICAN ARCHAEOLOGY

June 7, 2024

Project Manager
BLM Monticello Field Office
365 North Main Street
Monticello, UT 84535
ATTN: Monument Planning

RE: Bears Ears National Monument Draft Resource Management Plan

Dear Project Manager:

The Society for American Archaeology (SAA) is pleased to provide feedback on the Draft Bears Ears National Monument (BENM) Resource Management Plan (RMP) and Environmental Impact Statement (EIS) as released by the Bureau of Land Management (BLM) and the US Department of Agriculture Forest Service (USFS). The BENM area is the ancestral homeland of many tribal communities whose cultures continue to connect with their heritage in contemporary times. This culturally rich landscape is an essential record of the human history of North America. Its preservation offers opportunities for responsible, respectful, and collaborative archaeological research and interpretation to better understand this past, and to inform the present about adaptations to the environmental and social challenges we face today. The RMP must protect these cultural resources while facilitating their study.

The SAA is an international organization that, since its founding in 1934, has been dedicated to research about and interpretation and protection of the archaeological heritage of the Americas. With more than 6,000 members, the SAA represents professional and avocational archaeologists, archaeology students in colleges and universities, and archaeologists working at tribal agencies, museums, government agencies, and the private sector. The SAA has members throughout the United States, as well as in many nations around the world.

RECENT HISTORY OF THE SAA AND BEARS EARS NATIONAL MONUMENT

The SAA, along with other archaeological organizations, submitted an amicus brief on November 19, 2018, on behalf of plaintiffs in the cases filed in the US District Court for the District of Columbia: Hopi Tribe et al. v. Trump et al. (Case Nos. 1:17-cv-02590 [TSC], Civil Action No. 1:17-cv-02605 [TSC]; Civil Action No. 1:17-cv-02606 [TSC]). The brief challenged President Trump's authority to issue the proclamation altering the Bears Ears and Grand Staircase-Escalante National Monuments' boundaries and, in practical effect, to excise protected

objects from the monuments or diminish the protection of archaeological resources to facilitate surface-disturbing activities. The SAA expressed its support for restoring the original boundaries for the monuments in a letter to President-elect Biden's transition team on December 4, 2020, as well as a letter thanking Secretary Haaland for the Department of the Interior's report urging the restoration of the monuments on June 18, 2021. Finally, the SAA, as a friend of the court, filed a brief earlier this year in the 10th Circuit Court of Appeals in opposition to the State of Utah's lawsuit against the current administration for the restoration of the monuments.

COMMENTS ON THE DRAFT RMP

Restoration of the BENM requires that the archaeological resources within its boundaries receive the highest legal protection. To maximize the stewardship of those resources, we offer the following comments on the Draft RMP:

1. Stopping the looting and other forms of intentional destruction: while unintentional destruction of the monument's cultural objects is of primary concern, looting and vandalism have damaged archaeological sites and artifacts, particularly tribal objects of cultural patrimony and spiritual importance to the Indigenous community on the monument's cultural landscape. The damage done by these activities to both the archaeological record and Native American heritage cannot be overstated.

To prevent vandalism and unintentional damage to archaeological sites, educating the public on federal penalties and respectful visitation is a good step, but it may not be enough to prevent looting. To address this issue, we recommend the RMP take the following measures: (1) conduct a comprehensive inventory of the cultural objects found in the monument; (2) expand the volunteer site stewardship program to monitor and document any changes to the inventoried objects through site visits, including natural, unintentional, and intentional changes; (3) use drone surveillance as needed and permitted; and (4) ensure there is sufficient law enforcement to deter and prevent looting.

2. Conducting a comprehensive inventory of cultural resources: the monument needs a complete inventory of cultural resources within the BENM, as per Section 110 of the National Historic Preservation Act. Without such an inventory, the BLM and the American public will not wholly understand the BENM, its past inhabitants, and their relationship to the land and their descendants. According to archaeologists who have worked extensively in the area, approximately 9,000 recorded archaeological sites lie within the restored monument boundaries.¹ Since only about 10% of the land in the BENM has been professionally surveyed and inventoried to date, the total number of sites is likely much greater. Experts estimate that at least 100,000 sites are present within the BENM, closely associated with Native American tribes of the Southwest (Hopi, Navajo, Uintah and Ouray Ute, Ute Mountain Ute, and Zuni, among others) whose

¹ R.G. Matson & W. Lipe (2017) Modeling Archaeological Sites and Forest History on Cedar Mesa, SE Utah. 14th Biennial Conference of Science & Management on the Colorado Plateau & Southwest Region. Flagstaff, AZ.

ancestors' presence in the area dates back at least 12,000 years.² Without a comprehensive inventory, the monument won't be able to effectively assess the threat of allowed discretionary use decisions to the monument's protected objects.

The agencies must make completing a cultural object inventory using tribal knowledge, predictive models, and archaeological surveys an Assessment, Inventory, and Monitoring (AIM) priority. Funding is always an issue, especially when budgets are shrinking. So, we suggest you seek collaborative projects with external grant funding projects with external grant funding that include holders of Indigenous knowledge, professional archaeologists, and trained tribal and nontribal volunteers. Predictive models, permitted drone mapping, and digital recording can accelerate and reduce the cost of survey and inventory operations. We look forward to reviewing the details of your approach in your science plan.

3. Implementing a landscape-scale approach to preservation: once the Section 110 inventory is finished, the RMP must manage the identified cultural resources on a landscape basis. Programmatic, landscape-scale management of the BENM's archaeological resources is the only way to effectively preserve and interpret the history and cultures of the peoples who called that area home in their proper contexts and to do so in a timely and cost-efficient manner. Typically, monument objects are not isolated sites, features, or artifacts but are part of an interconnected network of natural and built entities that collectively express how humans occupied and used the landscape. An archaeological site doesn't end at a dwelling or community wall. It extends into the surrounding landscape with ceremonial, agricultural, quarry, production sites, foraging and hunting grounds, paths and roads, and much more.

The Alternative E zonal and tribal land management approach effectively implements this holistic land management strategy. However, the proclamation declares the entire monument landscape as an object that defines the monument's boundaries, but we did not find anything in the draft plan that indicated how you plan to extend holistic land management to maintain the integrity of the monument landscape object. Tribal land management practices will likely do this naturally, but from an archaeological record preservation standpoint, we recommend you identify and protect cultural landscapes across the monument.

4. Addressing a changing environment: climate change impacts our physical world and, with it, the tangible remains of our past, irreplaceable cultural resources that inform our histories, cultures, and heritage values. The draft plan suggests a solid commitment to using climate science and Indigenous knowledge-based practices to preserve the archaeological record of the monument's cultural landscapes.

² W. Lipe (2017) Bears Ears: The Cultural Landscape. In *Archaeology Southwest Magazine*, Volume 31(4)/32(1), "Sacred and Threatened." Pp 5.

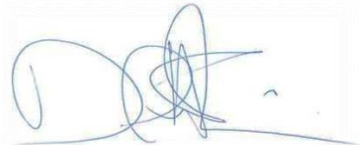
Beyond this, the history written in the monument's landscapes provides opportunities for archaeological research, coupled with Indigenous knowledge, to provide data and insights into how people in the past dealt with challenges from climate change. Their reactions may help us understand how we will and should react to current climate challenges. The RMP and subsequent science plan should allow for continued responsible and collaborative research and inquiry into the archaeological record of Bears Ears.

5. Ensuring tribal involvement: we applaud the agency's strong commitment to tribal co-stewardship. Your arrangement with the Bears Ears Commission (BEC) provides the model for others in the emerging co-stewardship movement to follow. Monument land is the land of their ancestors and is their heritage. It is only fitting and to the monument's broader benefit that they have a strong voice in managing their heritage.

Under Joint Secretarial Order 3403, the BLM and USFS must continue recognizing trust and treaty responsibilities. Tribal consultation and collaboration must continue as significant components of federal land management priorities for preservation, conservation, and recreation within the BENM. Federal officials must continue to work closely and actively with the tribes in identifying and properly managing all the monument resources essential to Native American cultures—not only archaeological sites but Traditional Cultural Properties and natural resources that play critical roles in tribal spiritual and religious practices.

The BENM is a natural, historical, and cultural treasure that the SAA and many other groups and individuals worked hard to preserve and protect from adverse policy decisions. The RMP must protect the treasures it holds. The landscape-scale holistic land management approach most effectively employed in the RMP's Alternative E and enhanced with the suggestions presented here is the most effective strategy for doing this while facilitating allowable discretionary uses on a noninterference basis. A comprehensive object inventory is essential to this strategy, as is the RMP's implementation of tribal co-stewardship through the BEC, a turning point in responsible federal land management.

Sincerely,

A handwritten signature in blue ink, appearing to read 'D. Sandweiss', written over a light blue grid background.

Daniel H. Sandweiss, PhD, RPA
President