

Prepared Statement of

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Testimony before the

**House Committee on Natural Resources**  
**Subcommittee on Federal Lands**  
**U.S. House of Representatives**

Legislative hearing on

*H.R. 5780: Utah Public Lands Initiative Act*

Wednesday, September 14, 2016

Thank you and good morning Chairman McClintock and committee members. Thank you members and staff for the opportunity to speak today. My name is Regina Lopez-Whiteskunk. I serve as the co-chair of the Bears Ears Inter-tribal Coalition (BEITC) and as a council-woman for the Ute Mountain Ute Tribe.

It has been stated on many occasions, from local and national interests and at each level of government that the Bears Ears landscape deserves protection. The pertinent question turns to “how.” How should the Bears Ears cultural landscape be protected for the generations to come? Several tools are available to meaningfully protect these public lands. However, the Public Lands Initiative (PLI) is not the appropriate vehicle for preserving and protecting our nation’s treasures within southeastern Utah. PLI falls dramatically short of what the BEITC requested in our October 15, 2015 proposal to President Obama calling for the designation of 1.9 million acres as a Bears Ears National Monument (Exhibit A).

Due to a number of shortcomings within the complex PLI bill, the BEITC does not support PLI. The BEITC originally set out our opposition to the PLI and discontinuation of discussions with the Utah delegation in a December 31, 2015, letter (Exhibit B). Since that period, it has become increasingly clear that the BEITC’s decision to withdraw from PLI discussions is validated. A second letter, a subsequent press release, and a final letter, each reaffirm the BEITC’s refusal to continue empty discussions with the Utah delegation (Exhibit C, D, and E). A hard look at the details of the PLI bill confirms the BEITC’s stance and reveals language favoring energy development and off-road vehicle use in the breathtaking and cultural resource-dense landscape.

At the heart of the BEITC’s national monument proposal is a comprehensive measure calling for true tribal collaborative management of the living landscape. With thousands of documented sites and cultural resources that inextricably connect tribes to these lands, the birth of the BEITC was necessary to immediately protect and preserve the area from rampant looting. However, participation from the five member tribes of the BEITC is severely diminished in the draft PLI

bill. Instead, PLI envisions a ten-member advisory committee with only a single tribal representative that is charged with advocating the interests of each individual tribe. As in our past discussions with the Utah delegation on PLI, tribal voices will continue to be drowned out by a ten-member committee designed for deadlock and inaction.

As drafted, PLI also fails to protect over half a million acres of the Bears Ears region as proposed by the BEITC. Not only were considerable efforts made to account for every acre in a proposed national monument, but considerable reductions of lands, that are also worthy of protection, were painstakingly not included in maps of the BEITC's proposed national monument. Our call to protect 1.9 million acres is already a conservative request. Anything less is tantamount to destruction of sacred sites that the identities of native people are affixed to.

PLI also proposes to transfer control over permitting and regulation of energy development on federal lands to the State, thus effectively placing cultural, air and water resources in greater jeopardy. While these sacred lands continue to be disturbed by uranium mining, recent spills of radioactive waste material, potash and other dirty conventional energy development, current lax regulation is not protective enough of the lands. The landscape deserves better. Our proposal, as provided in most national monuments, proposes that the area be completely withdrawn from mining.

In addition, designation of the Bears Ears landscape as a national conservation area, as proposed in the PLI, offers insufficient protections from the development of roads. Construction of new roads should be prohibited within the Bears Ears region, but the PLI proposes to grant thousands of miles of routes through culturally sensitive areas and wilderness. Irresponsible off-road vehicle use and enabling the state to develop roads runs counter to the protection of cultural resources.

At this time, I would like to take a moment to acknowledge the Ute Indian Tribe whose Uintah and Ouray Reservation would be dramatically impacted by the bill. Attending today's hearing are the Ute Tribe's Business Committee Vice Chairman Ed Secakuku and Members Bruce Ignacio and Tony Small. The Ute Indian Tribe must be heard before the full Committee considers this bill.

Buried in a section called "Innovative Land Management and Recreation Development" the bill proposes to take more than 100,000 acres of the Ute Tribe's lands for the State of Utah. Not since the late 1800's has Congress attempted to take Indian lands and resources to benefit others. This modern day Indian land grab should be universally rejected by Congress.

In addition to taking more than 100,000 acres of the Ute Tribe's lands, the bill would make management changes to another 200,000 acres of Reservation lands. The Tribe learned about these proposals when the discussion draft was released in January. The Tribe was never consulted on these proposals until after the fact.

This bill has been built on the back of the Ute Indian Tribe and their Reservation homelands. Let me be clear, a vote for this bill is a vote to steal Indian lands, diminish tribal self-determination, and set federal Indian policy back 100 years.

Thank you again for the opportunity to appear before you today to present the views of the BEITC on this important topic. We hope that our perspective will be of assistance, and I, along with my colleagues, am happy to answer any questions you may have.