

Testimony of Sean D. Reyes
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on
H.R. 4532, Shash Jaa National Monument and
Indian Creek National Monument Act
before the
Subcommittee on Federal Lands
House Committee on Natural Resources
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Good morning Chairman McClintock, Ranking Member Hanabusa, and members of the Subcommittee on Federal Lands. Thank you for inviting me to participate in this hearing. I'm pleased to support H.R. 4532, Congressman Curtis's bill establishing the Shash Jaa and Indian Creek National Monuments.

As I've considered what to say today, I confess that this past week, my thoughts – like many Americans' – have occasionally been interrupted by news and commentary about Super Bowl LII this weekend. And I became struck by some similarities between the NFL's premier game and the debate involving monuments in San Juan County. Without question, the issues we're discussing today are much more important than a football game; but if the Subcommittee will indulge me, I'd like to use the upcoming game as a metaphor to highlight three key reasons why Congress should pass H.R. 4532.

First, the Super Bowl attracts interest and support from many different people and organizations. But the game's most lasting impacts fall primarily on two groups: the teams fortunate enough to play in it and their dedicated fans.

I think this mirrors the debate about national monuments in San Juan County. As I see it, the "teams" are the Federal, Utah, local, and Tribal governments with interests in exercising careful stewardship over these stunning lands for the all the public's benefit. Utahns, however, have learned that monument designations can make it significantly harder to achieve that goal. If designated without due care for State, local, and Tribal interests, a monument can eliminate some of the multiple-use management strategies these governments might otherwise employ to maximize the public's beneficial uses of these lands.

The "fans," in turn, are San Juan County residents – people for whom the teams work year after year, and who have loved, worked on, and protected these lands

for generations. These residents depend on access to and use of these lands for a host of reasons: gathering firewood or medicinal herbs; hunting and fishing; ranching or grazing; performing sacred ceremonies; and visiting ancestors' graves, to name just a few. So while die-hard Patriots and Eagles fans may have consumed every tidbit about their teams for their emotional or intellectual sustenance these past few weeks, San Juan County residents use these lands for *literal* sustenance.

As a result, they know the land better than anyone else. They have a vested interest in caring for it more than anyone else. And they are our best source for making full use of the Antiquities Act's power – to protect “objects” – because they know which objects need protecting: antiquities such as Doll House, Moon House and House on Fire. Indeed, compared to San Juan County residents, Hollywood and other special interests are like the corporate executives who will leave Minneapolis this Sunday. They may momentarily celebrate a victory or rail against a defeat, but they face no permanent daily consequences from the monuments' designation. Instead, those daily consequences fall upon the teams and their fans – the governments and San Juan County residents.

Enter H.R. 4532. This bill establishes something unique in U.S. history: monument management councils that give all the teams a voice in land management – including, for the first time, the vitally important voice of the Tribes. This innovation allows the teams to provide custom-tailored responses to the fans' needs. And it delivers on shared-management-authority promises that the prior administration made (but did not keep) because such authority must come from Congress.

Second, despite that unprecedented responsiveness, neither the Eagles and Patriots nor the teams in San Juan County can participate willy-nilly. Rules are rules. Next Sunday, it's still ten yards for a first down and a five-yard penalty for a false start. And in San Juan County, rules will still apply to their public lands. Some of those rules – such as the way H.R. 4532 continues to ban extracting minerals from the Bears Ears designation – have caused some heartburn in Utah. Any assertion that this bill throws open public land to harmful development is akin to suggesting the Patriots get five downs to go ten yards – an outright falsehood. After all, monuments or not, these are public lands. They are not private lands. They are not tribal lands. They will continue to

be protected and governed through processes in which all our teams play a role. Just as important, the bill establishes funding for new law enforcement officers from local communities (such as sheriffs and their deputies) to help protect these lands from looting and vandalism. This new enforcement regime represents a significant improvement over prior federal enforcement in this region, which has resulted in serious hardships for many local residents.

The third point draws on distinctions between the Super Bowl and San Juan County monuments to support H.R. 4532. For example, this Sunday's game is a zero-sum contest; one team must win and the other must lose. But there is no reason that same mentality must apply to monuments in San Juan County. Instead, the management councils that H.R. 4532 establishes should govern these monuments under the same multiple-use principles applicable to other federal lands. This will accommodate beneficial uses by all interested parties. Because H.R. 4532 gives each team an equal management voice in San Juan County, everyone can win.

Additionally, football fans expect to see the ball repeatedly move from one end of the field to the other. Long scoring drives and booming kicks make for an exciting Super Bowl. But they make terrible politics. My hunch is that the members of this Subcommittee would not approve of land in your districts becoming a political football to be repeatedly thrown around by each succeeding presidential administration. The residents of San Juan County share that same view. They deserve better. This thoughtful legislation would give it to them by codifying what we all want: Appropriate monument protections and a cooperative framework to ensure that those appropriate designations are managed responsibly for the public's benefit.

In closing, Utahns love public lands as much as America loves the Super Bowl – maybe more. The well-known disagreements that bring us together today never have been about *whether* these specific lands should be protected; they have been about *how best* to accomplish that goal. H.R. 4532 is a sensible and responsible answer to that question. Congress should pass it with all deliberate speed.

Thank you again for the chance to testify. I'm happy to answer any questions.