

H.C.R. 201

CONCURRENT RESOLUTION OPPOSING UNILATERAL USE OF THE ANTIQUITIES ACT

HOUSE FLOOR AMENDMENTS

AMENDMENT 1

MAY 18, 2016 5:16 PM

Representative **Michael E. Noel** proposes the following amendments:

1. *Page 4, Line 116 through Page 5, Line 131:*

116 WHEREAS, San Juan County commissioner Rebecca Bennally, whose constituency
117 includes members of the Navajo Nation who live in San Juan County, indicated on April 20,
118 2016, that Navajos in that region would prefer sacred sites be protected through application of
119 a conservation area designation, with some areas left available for development and job
120 creation for locals;

121 WHEREAS, the Legislature and the Governor believe that democratic process matters,
122 and that consideration of whether to set aside Bears Ears for preservation should involve all
123 interested stakeholders, in a manner that protects Bears Ears while still allowing local concerns
124 to be heard and recognized;

WHEREAS, local Native American tribal members in San Juan County who were the first known inhabitants of the Bears Ears area are strongly opposed to the designation of a national monument and should be afforded additional time to present their concerns and interests in how the area would be managed in the future;

125 WHEREAS, the Legislature and the Governor invite the President and the Secretary of
126 the Interior to join Utah's congressional delegation, the Governor, state legislative leadership
127 from both parties, locally elected officials, and interested stakeholders to engage in such a
128 constitutional process;

WHEREAS, the Legislature and the Governor urge federal, state, and local cooperation to ensure that multiple use and sustained yield are maintained on public lands while protecting ancient Native American artifacts under existing laws like the Archeological Resource Protection Act (ARPA) and the National Environmental Policy Act (NEPA);

129 WHEREAS, the Legislature and the Governor are opposed to a unilateral use of the
130 Antiquities Act to create a Bears Ears National Monument without a more in-depth process that
131 draws all stakeholders together;