

COLLABORATIVE MANAGEMENT OF BEARS EARS NATIONAL MONUMENT:

Perspectives from the Bears Ears Inter-Tribal Coalition

Hillary M. Hoffmann and Charissa Mijjessepe-Wilson

INTRODUCTION

Tribal Nations have been creating durable shared stewardship frameworks protecting natural and cultural resources, including plants, animals, land, and water, since time immemorial. There is nothing “new” about Tribal Nations stewarding resources, including land, and for many Tribes, the knowledge they have gathered through multigenerational stewardship relationships has built a repository of information to rival those of the most comprehensive Western scientific databases. Western scientific analyses have documented Indigenous ecological stewardship throughout what is now the United States for thousands of years, and those histories are documented within and among modern Tribal Nations in the form of traditional knowledge, often shared verbally or demonstratively between generations.¹ Colonization of the lands that became the United States disrupted many of these stewardship frameworks and direct connections to land, and sometimes destroyed them entirely, as the United States federal government forcibly removed Tribal people from their ancestral homelands or restricted their ability to hunt, fish, gather, or travel, while simultaneously requiring or encouraging them to adopt Eurocentric agricultural lifeways, including new relationships with land, defined according to Lockean principles reducing and redefining land and natural resources as “property.” These actions were sometimes initiated at the federal level to support federal policies, but they were also frequently pursued at the request of states, who sought to increase the land and resource base available to their non-Indigenous residents.

Yet, despite these seemingly overwhelming tides pushing against them, Tribal histories documenting traditional stewardship practices survived, flourishing in the internal social and cultural networks of Tribal Nations despite the intense pressures and traumas inflicted from the outside. Because of this work of preserving traditional stewardship knowledge, many Tribal Nations emerged from the decades of removal, allotment, assimilation, and other injurious federal policies and practices ready to begin the work of rebuilding some of what was lost. This work involved time-tested strategies, but also new ones adapted to the legal and political realities they faced.

THE EMERGENCE OF MODERN CO-STEWARDSHIP IN THE BEARS EARS REGION

In the early decades of the 21st century, one of the most widely lauded strategies Tribal Nations have been using to regain their relationship with ancestral land and other living non-human relatives such as water, plants, and animals is co-management. “Co-management,”

“collaborative management,” and “shared stewardship” are all iterations of a central principle, which is that more than one governmental entity plays a role in making decisions about how natural resources or land are managed. In recent years, the federal government has clarified subtle distinctions between these terms as the United States embarked on an unprecedented degree of meaningful collaboration with Tribal governments over stewardship and management of ancestral land, water, and wildlife, now known as “public lands.” In 2021, the secretaries of interior and agriculture published a Joint Secretarial Order on Fulfilling the Trust Responsibility to Indian Tribes in the Stewardship of Federal Lands and Waters, which clarified the federal government’s definitions of these shared stewardship terms under federal law.² The purpose of this order was to ensure that both departments manage federal lands and waters “in a manner that seeks to protect the treaty, religious, subsistence, and cultural interests of federally



“Newspaper Rock,” in the Indian Creek region of Bears Ears National Monument. This location contains rock writings of each of the coalition Tribes, and many other Tribal Nations, and is the most-visited location in Bears Ears National Monument. © TIM PETERSON

recognized Indian Tribes including the Native Hawaiian Community.”³ In addition, the order required both departments and their constituent agencies to ensure that management plans and actions are “consistent with the nation-to-nation relationship between the United States and federally recognized Indian Tribes” and that they “fulfill the United States’ unique trust obligation to federally recognized Indian Tribes and their citizens.”⁴ Section 5 of the order outlines the departments’ vision for “co-stewardship,” promising to “engage in co-stewardship” in three circumstances: (1) “where Federal lands or waters, including wildlife and its habitat, are located within or adjacent to a federally recognized Indian Tribe’s reservation”; (2) in areas “where federally recognized Indian Tribes have subsistence or other rights or interests in non-adjacent Federal lands or waters”; or (3) “where requested by a federally recognized Indian Tribe.”⁵ In many cases, Tribes may have a claim to request co-management under more than category, such as is the case with the Bears Ears region.

Bears Ears National Monument was proposed by and established at the request of an alliance of five Tribal Nations: The Hopi Tribe, Navajo Nation, Ute Mountain Ute Tribe, Ute Indian Tribe of the Uintah and Ouray Reservation, and the Zuni Tribe.⁶ The

idea for a national monument protecting the cultural resources of these Tribal Nations originated during the Franklin D. Roosevelt Administration, when Secretary of the Interior Harold Ickes proposed a 4-million-acre national monument to protect hundreds of thousands of ancestral and cultural sites located in what is now southeastern Utah.⁷ Over time, the regional advocacy for a national monument to protect these historic sites and cultural resources increased to the point of becoming a national conservation advocacy campaign and a prominent tribal sovereignty issue across Indian Country, led by the five Tribal Nations listed above, and coordinated by a new coalition formed to advocate for protection of the monument: the Bears Ears Inter-Tribal Coalition. The coalition’s proposal to President Barack Obama resulted in the establishment, under the authority of the Antiquities Act, of Bears Ears National Monument by presidential proclamation in 2016, along with an Inter-Tribal Commission, the Bears Ears Commission, which was created to ensure that Tribal recommendations could form part of the decision-making and management framework of the monument.⁸

The role of the Bears Ears Commission, as outlined in the 2016 proclamation, was to represent the Tribal governments of the five coalition members



Hoon'Naqvut, Shash Jáa, Kwiyaagatu Nukavachi, Ansh An Lashokdiwe, or the "Bears Ears" buttes, considered to be a sacred cultural area for every Coalition Tribe—the beating heart of this cultural landscape. © TIM PETERSON

by having each select one elected official to serve as its commissioner. Each Tribe exercises its sovereign authority to establish a process for electing or appointing its commissioner, allowing the Tribe flexibility to accommodate any internal considerations or norms that guide cultural protection consistent with practices of self-determination. Together, the commissioners were authorized and encouraged to provide Tribal expertise to the federal agencies tasked with managing the monument: the Bureau of Land Management and the United States Forest Service. According to the 2016 proclamation, the Bears Ears Commission may adopt governance and other protocols to guide the development and approval of Tribal recommendations. Since 2016, the commission has worked closely with the coalition, which provides financial support, resources, and capacity to the commission as a not-for-profit.

In 2017, President Donald Trump issued a proclamation, also under the Antiquities Act, slashing the monument by over one million acres, and changing the commission to include a San Juan County commissioner, reflecting a concern that local input would benefit the stewardship and management of the monument. (San Juan County is

where most of Bears Ears National Monument is located.) The same day that President Trump issued this proclamation, the Tribes filed a federal lawsuit seeking to invalidate it, arguing that it violated the Antiquities Act and the Constitution. As of 2025, this lawsuit remains open and the legal issues it raises (primarily, whether the president has the authority to reduce the size of monuments created by predecessors) remain unresolved by the federal judiciary. In the meantime, the Department of Justice in 2025 issued a legal opinion stating that a president can reduce or revoke national monuments, contradicting a century of legal interpretation of the Antiquities Act.

THE "WORK" INVOLVED IN CO-STEWARDSHIP OF BEARS EARS NATIONAL MONUMENT

During the first Trump Administration, the coalition Tribes elected not to appoint commissioners to serve on the Bears Ears Commission and did not participate in this iteration, nor in the agency planning process at that time. Thus, the Bears Ears Commission existed primarily in name only for several years following 2017, recognized in the Trump presidential proclamation, but lacking in Tribal participation or engagement. From 2017–2020, the

Tribes shifted their Bears Ears stewardship work to the coalition, which facilitated and funded the development of the first Inter-Tribal land management plan for a 1.9-million-acre area, the size of the Tribes' original 2016 proposal to Obama, of federal public lands that are also ancestral Tribal lands—the Bears Ears Inter-Tribal Coalition Land Management Plan.⁹

The coalition's land management plan was developed over five years, between 2017 and 2022, relying heavily on the guidance and knowledge of the Tribal Historic Preservation Offices, Cultural Resources Task Teams, Departments of Historic Preservation, and cultural resources staff and experts of each of the coalition Tribes. Their collective approach to developing this plan is captured well in the following excerpt from the Introduction:

To the Tribal Nations of the [Bears Ears Inter-Tribal Coalition], the landscape is much more than just a natural realm to sustain the material needs of life. It is imbued with spiritual powers, and everything in the natural world—rocks, trees, animals, water, air, light, sound—has meaning and character. Cultural resources and natural resources are not two different categories in Native life. An individual depends on other living plants, animals, and surrounding land to survive; thus, the natural resources gathered, hunted, and walked on for survival become a cultural resource. The resources and places of [Bears Ears National Monument] cannot be considered separately from the landscape as a whole. The Tribal Nations of the [coalition] view all elements of the Bears Ears landscape as cultural resources that they share responsibility to protect and maintain. When evaluating management practices of the landscape of [the monument], it is not only the tangible aspects of these elements but also the less tangible aspects that should be regarded. The management of resources within [the monument] should emphasize protection and conservation of the resources through stewardship, a fundamental aspect of traditional Native knowledge.

Following the election of President Joe Biden in 2020, and a visit to Bears Ears National Monument by his interior secretary, Deb Haaland, a new Antiquities Act proclamation for Bears Ears was born, and signed into law by President Biden in October 2021. This proclamation restored the monument to 1.36 million acres, and restored the Bears Ears Commission as a solely Inter-Tribal Commission. On the heels of this federal action, the Tribal Nations of the coalition and commission began to appoint commissioners under

Tribal law, exercising their authority as sovereign nations. The inaugural commission was seated by April 2022 and consisted of the following representatives from each of the respective Tribes: Vice Chairman Craig Andrews, The Hopi Tribe; Mr. Hank Stevens, Navajo Nation; Councilman Malcolm Lehi, Ute Mountain Ute Tribe; Uncompahgre Band Representative Christopher Tabbee, Ute Indian Tribe; and Lieutenant Governor Carleton Bowekaty, Zuni Tribe.

The first task of the commission was to provide Tribal recommendations to the federal agencies regarding a management plan for Bears Ears National Monument, which was required by the 2021 presidential proclamation restoring the monument and the commission. To establish the initial framework of collaboration regarding Bears Ears, the five Tribes of the coalition and commission entered into a cooperative agreement, outlining the respective goals and obligations of the Tribal Nations and their federal agency partners during the planning process and implementation-level decision-making that would follow. The cooperative agreement contained a more detailed framework for co-management than the proclamation, and reflected the true complexity involved in five Tribal commissioners from separate Tribal Nations providing "Tribal expertise" on a management plan to guide stewardship of hundreds of thousands of natural and cultural resources across a 1.36-million-acre integrated cultural landscape. Through the cooperative agreement, the parties outlined a path forward anticipating coordination on some aspects of shared management, and the potential for disagreement on others.

Several months after the cooperative agreement was signed, Tribal elections were held within the Zuni Tribe and the Navajo Nation, and as a result new Bears Ears commissioners were seated. By early 2023, Head Councilman Anthony Sanchez, Jr. was designated as the commissioner for the Zuni Tribe and Council Delegate Curtis Yanito was appointed as the commissioner for the Navajo Nation. Navajo Nation President Buu Nygren appointed Davina Smith to serve as the representative to the coalition. Representative Smith is the second woman to hold a leadership position with the coalition; the first being Ms. Regina Lopez-Whiteskunk, from the Ute Mountain Ute Tribe, who served as a coalition representative at the time of the original proposal to President Obama.

With the cooperative agreement in effect and new leadership on the commission and coalition, the Tribal Leaders set out to fulfill the mandates of the agreement, along with



Aerial view of Comb Ridge, Comb Wash to the left, and Butler Wash to the right. Ute people fled into this area seeking refuge from non-Indigenous posses driving them from their lands around Bluff during Posey's War in 1923. © TIM PETERSON, FLOWN BY LIGHTHAWK

those of the Obama and Biden proclamations, using the extensive body of work in the Tribal land management plan. This required extensive and complex inter-Tribal coordination and cooperation on the Tribal “side” of the partnership and inter-agency coordination and cooperation on the federal “side.” The federal agencies largely used their existing frameworks and processes for planning, altering some slightly so that the unique legal requirements for Bears Ears could be satisfied. On the Tribal side, there was no modern co-stewardship framework for inter-Tribal coordination and cooperation, as this level of inter-Tribal engagement had not occurred in Bears Ears for several hundred years, and prior coordination and cooperation had not involved the complex federal land management laws that exist today.

Due to this framework gap, the Bears Ears Inter-Tribal Coalition served an important role in supporting the

commission’s work throughout the planning process. This support took several forms, including devising a blueprint for collaborative management from the Tribal perspective in the form of the Bears Ears Inter-Tribal Coalition Land Management Plan, which was ratified by all five Tribal governments and shared with federal agencies in the weeks following the signing of the cooperative agreement. In addition, the coalition supported the commission’s adoption of bylaws, provided funding to support travel and other expenses such as meeting space, and hired staff with technical expertise to assist in the development of Tribal contributions to the planning process. Over the course of several years, the coalition staff built relationships with each of the Tribal Nations, ensuring that their work together would be built on a strong foundation of trust. At the same time, the coalition implemented the knowledge it gathered from each of the Tribal Nations during this

process to inform the training of new staff, including those with the technical expertise required to develop a process for integrating Traditional Indigenous Knowledge into the federal planning process. By the point at which planning began in 2022, the coalition had a staff of seven full-time employees, and as planning proceeded, it added capacity to ensure that the commission had adequate resources and capacity to engage in an inter-Tribal and inter-governmental planning process of this size and scope during a two-and-a-half-year planning period.

As just noted, the planning process for developing and finalizing the collaborative resource management plan for Bears Ears National Monument began in 2022, shortly after the cooperative agreement was signed, and concluded in January 2025, with the publication of the final Record of Decision and final Resource Management Plan for the monument. This final plan represents years of work by the coalition during the land management plan development process, as well as years of work by the coalition, commission, the Cultural Resources Subcommittee, Tribal staff, and federal agencies to visit sites in the monument, exchange knowledge and information about the resources and their associated values (Tribal and non-Tribal), and work with non-profit organizational partners and other stakeholders to ensure that Bears Ears National Monument would be protected, but accessible to those with recreational, agricultural, and other interests in this area.

The coalition Tribes' history and relationship with each other, and with the cultural landscape of Bears Ears National Monument, allowed them to almost instantaneously begin offering recommendations to their federal agency partners during the planning process. It was not difficult in the slightest for the Tribes to agree on so many of these recommendations, such as the need for intact soundscapes and views, the prioritization of silence and the need to treat the landscape and the place with reverence, the need for visitation to be in small groups, and the need to protect the soundscapes from intrusive noises caused by construction activities, airplanes, and many other modern technological conveniences. There was also unanimous support for protecting the landscape and ceremonial practitioners from the intrusive use of drones. It was vitally important that the non-human relatives inhabiting this place, including the plants, rocks, soils, waters, animals, birds, insects, reptiles, and so many more, were protected to the greatest extent possible.

These recommendations, based in the knowledge and expertise passed down through multiple generations, were many. The extent to which the federal agencies could incorporate them into the final plan was limited, though. So, even assuming some knowledge was lost due to history, the passage of time, or the impacts of colonization and settler-colonialism, the amount of Traditional Ecological Knowledge that remains with the coalition Tribes was more than the agencies could accommodate in the final plan. For various reasons, the final plan represents extensive compromises on all sides, including from the federal agencies and the Tribal Nations, to ensure that the important cultural landscape of Bears Ears is protected using Tribal values and preserving historical and modern Tribal relationships to this area, but also in a way that does not curtail other users' access to and enjoyment of the monument.

CONCLUSION

As Western conservation efforts ebb and flow with political winds, the world's gaze increasingly turns to areas where Tribal principles of integration, holistic management, and a balanced human-non-human relationship with place have stayed intact and become actual landscapes that carry the hopes, dreams, and wishes of those who will occupy this planet long after its current occupants are gone. The Bears Ears Inter-Tribal Coalition's approach to collaborative management in Bears Ears National Monument has been one of adaptive iteration with an emphasis on model building, research, and evaluation, as it grapples with the responsibility, opportunities, and challenges of charting a path for co-stewardship more broadly across Turtle Island (ancestral Indigenous lands throughout the so-called United States).

The degree to which this model can be utilized in other areas, by other Tribes or coalitions, depends on several factors. For Tribal Nations with treaty-protected reserved rights, there may be unique attributes of those rights that do not lend themselves well to shared stewardship. In those situations, it may be more appropriate for the Tribe or Tribes to exercise their reserved rights exclusively. For non-treaty Tribes, co-stewardship may be an attractive option, although it does require a significant investment of time, financial resources, and human resources, none of which are provided in co-stewardship agreements. The co-stewardship or co-management agreement may not include training, financial support, or any additional capacity, so Tribes need to be prepared to find and secure those resources as part of this process. Similarly, Tribes need to establish good relationships with the agencies they partner with, because shared stewardship requires them. Without a

good working relationship, any co-stewardship agreement could be abandoned by either party, at any time, and for virtually any reason. Co-stewardship agreements are not legally enforceable if one party decides to walk away.

The Bears Ears Inter-Tribal Coalition's approach has worked for the member Tribes because of their relationship with each other, which they have built over the 10 years of the organization's existence. Though it has not always been easy or straightforward for these Tribes to work together, they have time and again set aside past grievances or challenges

and come together to unite in their common values in this sacred cultural landscape, which, to them, is bigger than any individual Tribe. Their purpose is similarly bigger than any one individual goal or action they take in their efforts to protect it, including the cooperative agreement, the Resource Management Plan, or any other step along the way. Bears Ears offers an opportunity to enact Traditional Indigenous Knowledge, values, and lifeways far into the future, and, for some, this moment marks the beginning of a prophecy in which Indigenous People will lead this Earth back into balance, health, and prosperity for all.

ENDNOTES

1. Anna McNulty, "Native Agriculture Never Went Away. Now It is On the Rise," *Agriculture and the West* (January 21, 2022), <https://andthewest.stanford.edu/2022/native-agriculture-never-went-away-now-it-is-on-the-rise/>.
2. Secretarial Order No. 3403, Joint Secretarial Order on Fulfilling the Trust Responsibility to Indian Tribes in the Stewardship of Federal Lands and Waters (November 15, 2021), <https://www.doi.gov/document-library/secretary-order/so-3403-joint-secretarial-order-fulfilling-trust-responsibility>.
3. Sec. Order 3403.
4. Sec. Order 3403.
5. Sec. Order 3403.
6. Bears Ears Inter-Tribal Coalition, "Proposal to President Barack Obama for the Creation of Bears Ears National Monument" (October 15, 2015), <https://www.bears earscoalition.org/proposal-overview/>.
7. Mike Matz, "Bears Ears—The Final Piece in a Decades Old Public Land Vision, Deserves Protection," Pew Charitable Trusts Report (May 18, 2017), <https://www.pewtrusts.org/en/research-and-analysis/articles/2017/05/18/bears-ears-the-final-piece-in-a-decadesold-public-lands-vision-deserves-protection>.
8. Presidential Proclamation 9558, Establishment of the Bears Ears National Monument (December 28, 2016).
9. Bears Ears Inter-Tribal Coalition Land Management Plan (July 5, 2022), <https://www.bears earscoalition.org/bears-ears-tribal-land-management-plan/>.

Hillary Hoffmann is a visiting professor of law at Vermont Law and Graduate School and an adjunct professor at Boston College Law School, where she teaches federal Indian law. From 2022–2025, Hillary was the co-director of the Bears Ears Inter-Tribal Coalition, leading the land planning and intergovernmental relations work of the Tribes.

Charissa Mijessepe-Wilson manages Tribal leadership directives and day-to-day operations, leads strategic planning and visioning, and oversees the ramp-up of the Bears Ears Commission. She also directs partnerships, cultivating and strengthening relationships with funders and allies to identify areas for collaboration and capacity-building. She is co-director of the Bears Ears Inter-Tribal Coalition and a member of the Prairie Band Potawatomi Tribe in northeast Kansas.



CONSERVATION
LANDS
FOUNDATION

25TH ANNIVERSARY
NATIONAL CONSERVATION LANDS

UC Berkeley

Parks Stewardship Forum

Title

Collaborative Management of Bears Ears National Monument: Perspectives from the Bears Ears Inter-Tribal Coalition

Permalink

<https://escholarship.org/uc/item/2wx490gv>

Journal

Parks Stewardship Forum, 41(3)

Authors

Hoffmann, Hillary M.

Mijjessepe-Wilson, Charissa

Publication Date

2025-09-15

DOI

10.5070/P5.52861

Copyright Information

This work is made available under the terms of a Creative Commons Attribution-NonCommercial License, available at <https://creativecommons.org/licenses/by-nc/4.0/>