Facilitating Tribal Co-Management in the American Southwest:

Repairing the Legacy of American Public Lands Management at Bears Ears and *Baaj Nwaavjo I'tah Kukveni* National Monuments

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Introduction

Dawn's light broke over the face of the canyon as I stood at the edge of the banks of the San Juan river. At each phase of its morning arrival, the sun brought a new kaleidoscope of colors – oranges, tans, reds, purples and browns. I am standing at the Southeastern border of current day Bears Ears National Monument – Sand Island near Bluff, Utah – where I am reminded of Terry Tempest Williams as she wrote "inside this erosional landscape where all colors eventually bleed into the river, it is hard to desire anything but time and space" (146, 2001). Time and space; the beautiful duo that presents itself so boldly in these desert landscapes, is particularly fitting as the sun's final moment of rise illuminates an Ancestral Puebloan[1] petroglyph panel (see Figure 1). Reflecting on the art in front of me, I imagine the communities

Figure 1. Petroglyph panel at the bank of the San Juan river at Sand Island recreation area, near the Southern border of BENM. Photograph by author

[1] Most of the petroglyphs at Sand Island are from the early Basketmaker through Pueblo III eras, which range in time from 2500 to 800 years old. The panel also has more recent Ute (Nuu-ciu) and Navajo (Diné) rock art, which can be identified by their brighter carvings and lower placement on the walls. (Bears Ears Partnership, Accessed 2023)

that created it. Here, culture is created, taught, and shared. Day to day lives are supported by every aspect of the landscape. Seasons come and go, and revolutions of the sun, moon, and stars "signal times of growth, harvest, ceremony, and celebration" (Keeler 2017, pg. 76). The knowledge and experiences created here would be passed down generation to generation as each one leaves their own unique legacies, ultimately culminating and expressing itself in the culture of the contemporary Pueblo people of the Southwest (for the Bears Ears region particularly, this includes ties to the Hopi Tribe and Pueblo of Zuni).

In the landscapes of Bears Ears National Monument (BENM), tangible representations of Indigenous culture are abundant. This region, which ties ancestral connection to (at least) the Navajo Nation, Pueblo of Zuni, Ute Mountain Ute, Ute Indian, and Hopi Tribes, holds over 100,000 culturally significant objects or sites making it one of the densest areas in the nation (Bears Ears Inter-Tribal Coalition 2015). Until 2016, however, these Tribes had very little managerial say in protecting these cultural landscapes. At BENM, like all regions of Public Lands in the United States, Indigenous Tribes have endured a history of dispossession and violent removal to make way for protected areas (Krakoff 2018). In contemporary management practices of these lands, descendant communities and Indigenous nations have experienced disingenuous and often one-sided consultation with federal agencies (Mills and Hoffmann 2020; Mills and Nie 2021).

The governance and environmental management of United States' Public Lands and resources has been the responsibility of federal agencies such as the US Forest Service (USFS), the Bureau of Land Management (BLM), and the National Parks Service (NPS) since the early 1900's (Sowards 2007). These federal land managers were handed the task at a time when American conservationists and the general public were fighting against the rapid degradation of the country's resources. This movement, which stood on the foundation that rapid privatization

of lands acted as a catalyst for over-exploitation, was successful in persuading congress and the country that these lands needed to be protected and conserved. Scientists, conservationists, resource users, and policy makers sat in each proverbial "seat" at the table for discussion around Public Land management. Indigenous nations, Tribal representatives, and native-led groups, however, were never even invited into the room.

As a result, the history and legacy of federal land management of Public Lands has caused a serious distrust and impetus for repair within Indigenous communities nationwide (Fisk et. al 2021). In order to mitigate that distrust, federal agencies involved in public lands management are beginning to take responsibility for the harmful history they played a part in, and meaningfully engage with Tribal entities as equal partners on future land management decisions on land in which they have ancestral connection (see Map 4, on page 12). Therefore, the field of conservation and land management has begun to adopt Co-management of Public Lands as an avenue to meaningfully engage with Tribes (Goodman 2000; Carlsson & Berkes 2005; King 2009; Pinel & Pecos 2012; Krakoff 2018; Mills and Hoffmann 2020; Mills & Nie 2021; Jacobs et. al 2022; Washburn 2022).

Over the past decade, the term Co-management has been subject to "inconsistent interpretations, applications, and politics" (Mills & Nie 2021, 55) making a clear definition difficult to be established. However, more importantly are the core principles guiding the practice of Co-management on a case by case basis. In this paper, I use the principles laid out in the foundational work of Tribal Co-management by Ed Goodman (2000) to guide the understanding of what Co-management can and should include : (1) Recognition of tribes as sovereign governments, (2) Incorporation of the federal government's trust responsibilities to tribes, (3) Legitimation structures for tribal involvement, (4) Meaningful integration of tribes

early and often in the decision-making process, (5) Recognition and incorporation of tribal expertise, and (6) Dispute resolution mechanisms.

This thesis evaluates two case studies of Tribal Co-management in the American Southwest: Bears Ears and *Baaj Nwaavjo I'tah Kukveni* Ancestral Footprints of the Grand Canyon National Monuments. Bears Ears, being the first National Monument in United States history to 1) be designated following a Tribal-led proposal and 2) with a Tribal Co-management model, set an important precedent for the future of conservation (Krakoff 2018; Winter et. Al 2021; Mills and Nie 2021; Washburn 2022; Asay et. Al 2023). Newly designated *Baaj Nwaavjo I'tah Kukveni* National Monument (BNIKNM) followed the momentum created by Tribes at Bears Ears, and both cases are clear evidence of increasingly expanding Native sovereign collaboration with federal land managers.

Research Question

These cases of Co-management have been celebrated by Indigenous activists, conservationists and their allies in the realm of land management. This paper aims to understand the specific strategies Tribes at BENM and BNIKNM used to achieve these successes and add to the larger conversation of strategies of achieving Indigenous Environmental Justice. Using evidence from my case studies, this paper will explore the question: (**how) is Co-management positioned to repair the broken relationship of federal land management agencies and Tribal entities?**

Positionality

The research field of Indigenous Environmental Justice (IEJ) has consistently acknowledged the harmful history of settler colonialism and intentionally created research projects that are not creating more harm (Finegan 2018). As a non-indigenous, western-educated

person, my positionality is one that is a part of the group that has historically harmed and made efforts to erase Indigenous ways of living and knowing. The systems of academia and U.S. land management that I will be working in and around have, in many ways, been constructed for whiteness and western conceptions of knowledge to be prioritized over Indigenous culture, knowledge, and sovereignty.

As a student of decolonization, environmental studies, and Indigenous history literature, I am centering this thesis in what Indigenous scholars and activists are saying, doing, and fighting for. This paper and project aims to add to the existing field of conservation and Indigenous Environmental Justice through analysis and synthesis of the current literature and my own supplementary interviews and analysis through my case studies. As someone interested in the field of conservation and land management policy, I believe it is my responsibility to think about and inform justice-oriented evolutions in the field. I do not claim to make suggestions for ways forward, but to use my skills and experience as a student of Environmental Studies to conduct meaningful research that contributes to the efforts of centering and respecting Indigenous sovereignty and self-determination in relation to managing their ancestral territories.

In addition, I acknowledge that the history of the Southwest is one that includes violent actions by the United States including broken treaties, forced displacement/migration, attempted genocide and cultural erasure, and environmental injustices. That being said, the strength, stories, and culture of resiliency Indigenous Peoples must also be acknowledged and continuously uplifted (Estes 2019). As I focus on a justice-oriented potential future for the field of conservation, this thesis serves to center and celebrate the sovereignty, self-determination, and experience of current tribal governments/communities who are powerfully defending the land and protecting the water of their ancestral territories.

Methodology

The field of Indigenous Environmental Justice policy as it relates to land management is increasingly asking questions regarding new frameworks, approaches, and strategies that can inform increased collaboration. In my thesis, I evaluate the strategies used by Indigenous Tribes in Bears Ears and *Baaj Nwaavjo I'tah Kukveni* National Monuments to inform the facilitation of increasing Co-Management of Public land throughout the United States. This thesis uses a double case study approach and highlights these strong cases of Co-Management to contradict the history of Public Land management and provide potential insights for paths forward and replication of their strategies. In order to perform a systematic case evaluation, I incorporate multiple methodologies including document/discourse analysis, structured and informal interviews, and participatory observation techniques.

This research was conducted through thorough content analysis of primary and secondary sources, interviewing experts in the field, and various sessions of participatory observation. Majority of my research consisted of analyzing primary and secondary documents including monument proposals, coalition documents and web content, transcriptions of interview panels, and scholarly works by Indigenous and some non-Indigenous authors. Supplementary to the primary document analysis were structured informational interviews by experts in the field of Indigenous law and policy. Finally, I facilitated a handful of participatory observation sessions in and around Bears Ears National Monument. These sessions included field work with the Canyon Country Youth Corps and service projects with federal agencies such as the Bureau of Land Management and the Forest Service.

I. The History of Public Lands Management and the Basis for Repair

Overview: America's Public Lands as an All-Indigenous Landscape

The land that is now known as the United States of America has been inhabited and managed by Indigenous Peoples since time immemorial. Long before state lines were drawn, National Parks and other protected areas were formed, and Western-ideas of strict borders were introduced, presence of Indigenous culture overlapped all throughout modern day North America (see Map 1). Many authors have supported this premise by highlighting various "myths" of the "empty" and "pristine" status of the American landscape prior to European settler colonialism (Jennings 1976; Cronon 1983; Denevan 1992; Cronon 1996; Mann 2005) and in some cases providing population estimates of upwards of 40-60 million[2]. The merit of these arguments for this paper exists to highlight just that –

Map 1. A screenshot of a portion of the interactive map from non-profit, Native Land Digital shows which Native territories have inhabited all regions of the Americas, based on a variety of historical and Indigenous sources https://native-land.ca/

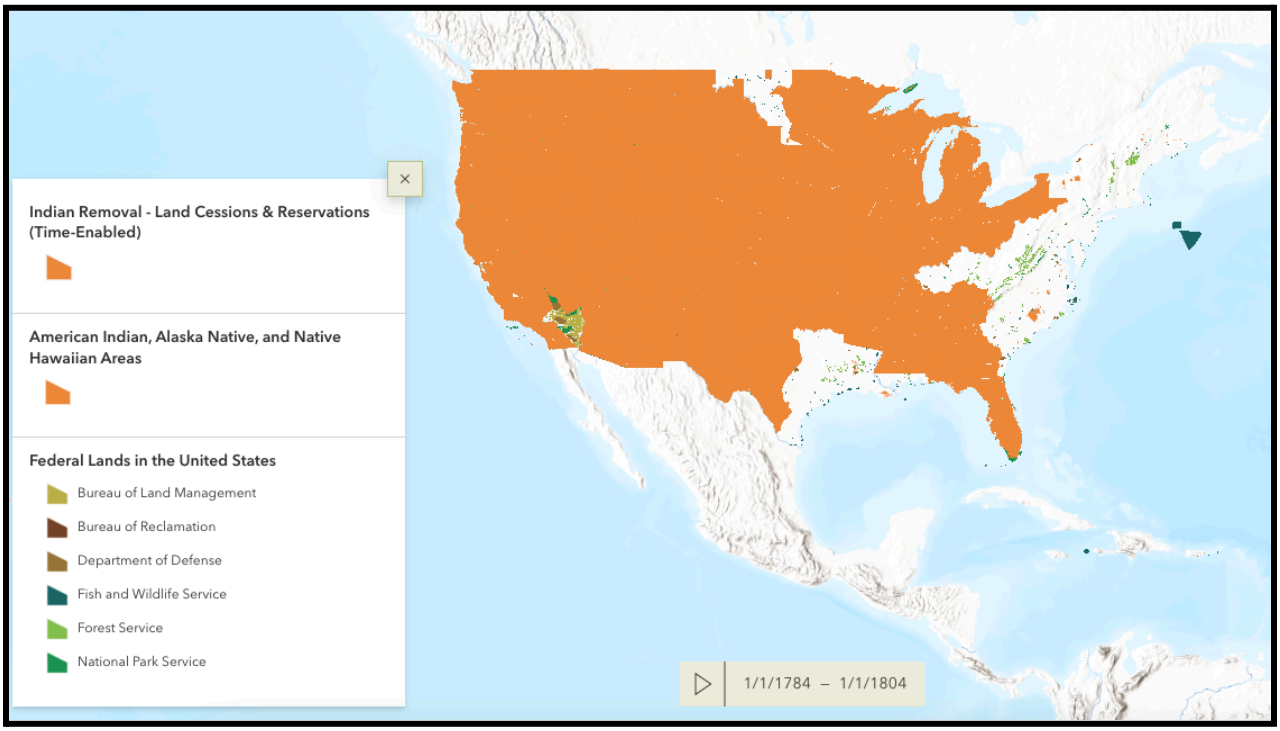
[2] Note this number is an estimate for the entirety of the Americas, including present day Canada, United States, Mexico, and South America. Denevan 1992

America was not a barren and untouched land where humans had little or no influence. In fact, throughout the modern day Americas, Indigenous Peoples were cultivating and changing landscapes through technical and innovative agricultural methods, building advanced structures and cities, creating complex and diplomatic political strategies, and passing down culture created by the culmination of multi-generational languages, practices, and religions (Denevan 1992; Brooks 2008; Crandall 2019). Lisa Brooks posits the "Native Space" that European settler colonialists entered was far from barren, primitive, and untouched; it was a rich and complex world of cultures that the colonists refused to make efforts towards respecting the sovereignty and agency of (2008).

Further, the narrative of the Indigenous Peoples of the Americas as purely "ecological natives (or 'Indians')" (Krech 1999) can be harmful by its ability to perpetuate the myths described above. While this paper will certainly agree that Indigenous land management is far more sustainable than modern Western practices (which were founded on capitalism and settler colonization), the notion that "Native Americans merely passed over the land without leaving any trace" (Kearns 1998, 394) is extremely harmful and demeans the important complex histories, cultures, and advanced land management practices of Indigenous Peoples. All over the now called United States, Indigenous nations and Tribes were managing and utilizing their homelands through a diverse range of advanced practices (Cronon 1983; Sleeper-Smith 2018).

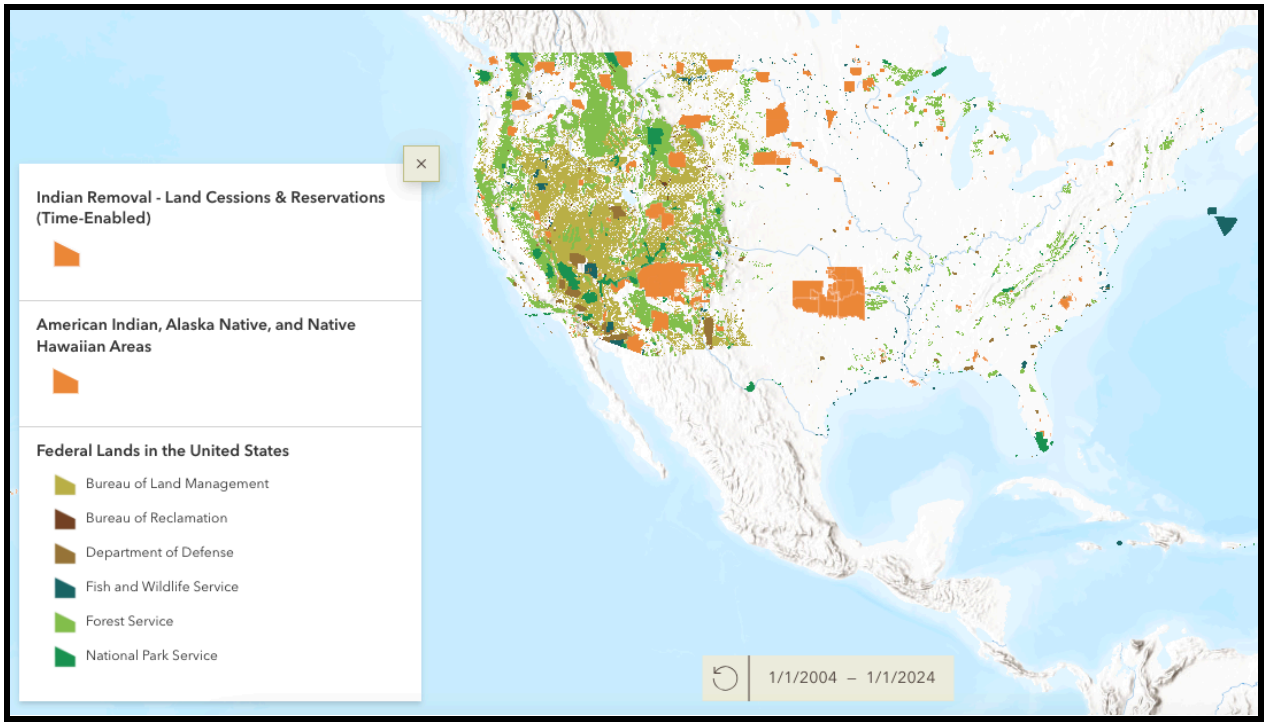
As European settler colonialism spread throughout America, however, rapid development and degradation of the country's natural resources prompted the early conservation movement that would create what we now know to be America's Public Lands. U.S. National parks, monuments, reserves, forests, and other conservation areas were all designated on tribal lands, and Indigenous People were "driven out by the project of conservation, just as they were by the forces of privatization and extraction" (Krakoff 2018, 215). In fact, the vast majority of current day Public Lands have been identified as both ceded and unceded Tribal lands, by treaty, executive action, or illegal dispossession

(see Maps 2 & 3). In 2018, researchers at the US Forest Service created an interactive map that allowed audiences to overlay National Forest land and every recorded land cession between Tribes and the federal government (see Map 4).



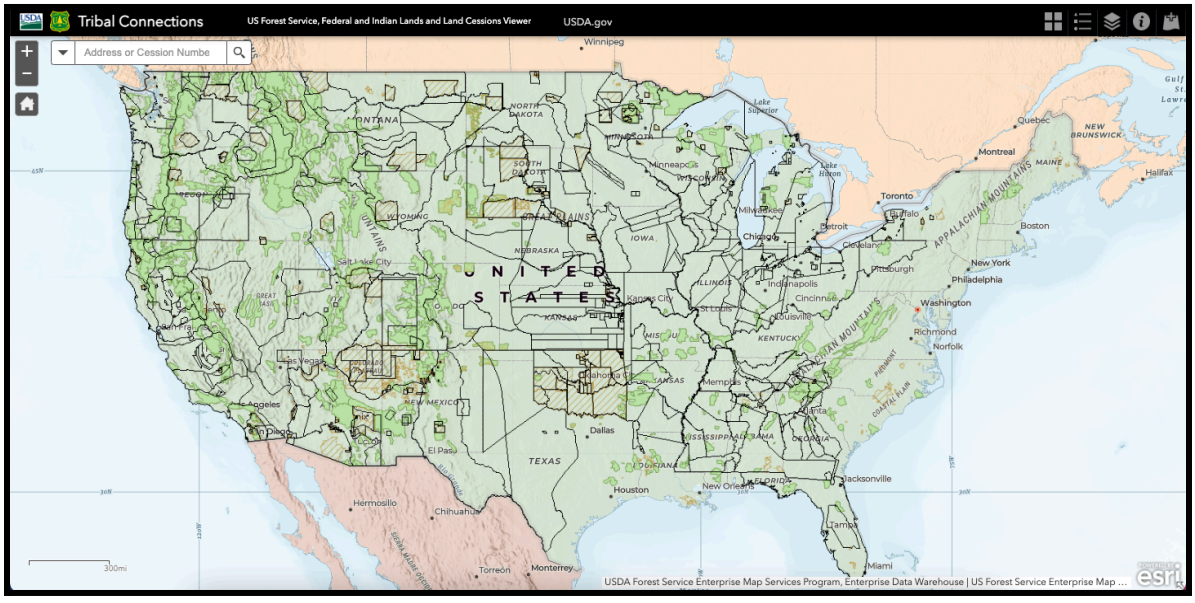
Map 2. Tribal Land in the 18th century (this map begins in 1784) before land cessions. GIS map created by author 2024.

Interactive time-enabled map here: https://storymaps.arcgis.com/stories/00adcbab1ad443e4a9bd436962f7eeab



Map 3. Current Tribal Land, overlaid with current day Public Lands. GIS map created by author 2024.

Interactive time-enabled map here: https://storymaps.arcgis.com/stories/00adcbab1ad443e4a9bd436962f7eeab



Map 4. A screenshot of an interactive map created by the U.S. Forest Service to show the land ceded by Native American Tribes to create America's public lands (specific to USFS land – does not include BLM, US Fish & Wildlife, etc. lands)
https://usfs.maps.arcgis.com/apps/webappviewer/index.html?id=fe311f69cb1d43558227d73bc34f3a32

History & Context: European Contact & the Development of the Southwest

The first recorded European contact with Indigenous peoples of the Southwest occurred in the 1540s with Spanish explorer Francisco Coronado and his expedition to find "God, Gold, and Glory" in "undiscovered" parts of the Spanish colony (present day American Southwest) (Pearson 2019). Although Coronado and the rest of the Spanish settlers definitely left legacies of violence, dispossession, and colonization on the Indigenous Peoples of the Southwest, it was not until Anglo-Americans began to enter the region three hundred years later that humans became a significant factor in the region's environmental history.

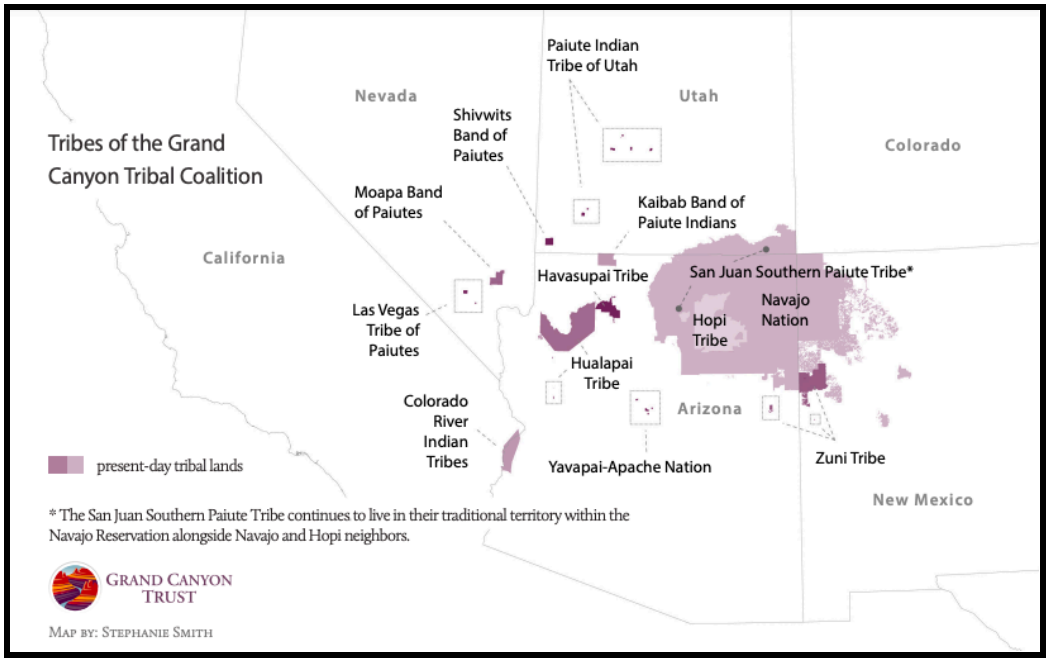
After the Treaty of Guadalupe Hidalgo was signed in 1848 and the United States gained the legal grounds to geo-politically annex the lands of the canyon country of the Southwest, Anglo-settlers came rushing into the Colorado Plateau region from all sides (Krakoff 2020). With an entire new territory of the country to explore, discover resources, and develop towns and settlements, Anglo-settlers had their eye on the Southwest. Bringing with them, of course, Euro-western ideals of private property, borders, and a capitalistic economy based on extracting and developing natural resources.

A Federal Response to the Hunger for Indigenous Resources: The Reservation Era

In order for this kind of widespread exploration and development to succeed, the federal government had to use its executive function against the Indigenous resistance to settler encroachment on their lands. During the early eras of Anglo-settler contact and efforts of development, Indigenous nations were standing up for their nation-to-nation sovereignty which the U.S. upheld in early 19th century Supreme Court decisions (see Johnson v. M'Intosh, 21 U.S. 543 (1823); Cherokee Nation v. Georgia, 30 U.S. 1 (1831); and Worcester v. Georgia, 31 U.S.

515 (1832)). Within decades of those decisions, however, U.S. policies and executive orders prioritized state's and private property owner's desire for resources by removing tribes from or significantly shrinking any Native lands they deemed valuable (Krakoff 2020). Conflict in the region and Indigenous resistance also put pressure on the federal government's decisions to mitigate the situation quickly.

As scholar Jason Robison posits, "the stage was thus set for drawing new, colonial boundaries—Indian reservations—and all that entailed for federal-tribal relations" (2021, 125). In 1868, the Navajo Nation signed a Treaty with the United States and marked the beginning of the region's reservation era pattern – confining Tribes to reservations on a small portion of their homeland and eliciting agreements from the tribe to make the reservation their "permanent home," not to make "any permanent settlement elsewhere," and "to induce Indians now away from reservations . . . leading a nomadic life, or engaged in war against the people of the United States, to abandon such a life and settle permanently in one of the territorial reservations . . . ." (Navajo Nation Treaty with United States 1868). Following the end of the treaty-making era in 1871, executive orders created small "postage stamp" reservations for tribes, including the Yavapai-Apache Nation in 1871, Zuni Tribe in 1877, Havasupai Tribe in 1880, Hopi Tribe in 1882, Hualapai Tribe in 1883, and Kaibab Band of Paiutes in 1917 (Krakoff 2020; Robison 2021). See Map 5 for Tribal Reservations designated by the government in the Grand Canyon Region.



Map 5. Current Tribal Reservations in the Grand Canyon Region

Created by Stephanie Smith at Grand Canyon Trust

https://www.grandcanyontrust.org/tribes-grand-canyon-tribal-coalition-map

The reservation era created an enormous amount of distrust of the federal government and trauma for Indigenous Peoples of the Southwest. It was consistent with the foundational tenets of settler colonialism by which the colonizer facilitates "disconnection from land, culture, and community" (Corntassel 2012, 88). The dispossession and procurement of land by the United States was therefore "paramount to the colonial project" and "the separation of Indigenous peoples from their land [was] a crucial component to colonization" (Dominguez 2020, 1). In order to progress forward the "colonial project", the reservation era was ridden with terror tactics and acts of violent genocide on Southwest Tribes in the nation's effort to help create federal land for economic prosperity for their citizens. For example, preceding both the 1868 Navajo Nation Treaty and the designation of the Hualapai reservation in 1883, U.S. military forced Tribal members off their homelands in violent and incredibly destructive treks throughout the Southwest. The Navajo Long Walk to the Bosque Redondo Reservation in New Mexico and

the Hualapai Trail of Tears to the La Paz internment camp are two important but unfortunately frequent historical occasions of the federal government forcing Tribal sovereigns into signing treaties and surrendering power in the hopes of saving their People from future violent contact. This history serves as the foundation for Indigenous distrust of federal agencies, and would continue to be solidified over the next century.

Discussion of American Frontierism and Settler Justification of the Reservation Era

At a time when the United States had just gained this large swath of land in the West, early Anglo-Americans were driven by a social force of "manifest destiny", heading West to find "the frontier" and, ultimately, push the nation further. These deeply embedded ideals of American nationalism and pride about "our" land and its resources were placed into the fold of early American policies, institutions, media, and discourse. In the case of land use and development, the Western social constructions of nature's value and purpose for American prosperity, distrusted Native land management's effectiveness as it went in direct opposition to these early American ideals.

Foundational to the era and ideology of manifest destiny and frontierism was the desire to create wealth from the land and its natural resources. Indigenous landscapes, to the settlers, looked underdeveloped at best and barren and desolate at worst. However, Indigenous Peoples, as we know, had already been successfully living off the same pieces of land for thousands of years, including in the harsh environment of the Southwest. Drought resistant and resilience practices, highly informed plant and animal use, and other long-term ecological knowledges had sustained the tribes of the Southwest region since time immemorial (Dowie 2011). The systems of extraction, property, and development coming from a Western capitalistic framework, however, were completely foreign for these Tribes.

American distrust for Native land management practices stemmed from the strong ambition to develop 1) at a spectacular rate and 2) in ways Euro-Western systems and frameworks would work in conjunction with (Dowie 2011; Wolfe 2006). Anglo- settlers pushed the discourse that Indigenous tribes, if left to control it, would leave the land a "barren wasteland" (Kantor 2007). If it was not being cultivated, then the land was being wasted. Early Americans declared that it was their duty, their manifest destiny, which compelled them to seize, settle, and cultivate the land from Indigenous Peoples (Wolfe 2006).

Creation of America's Public Lands and Conservation Through Dispossession

The era of U.S. dispossession of Indigenous land for private development and economic prosperity was not the only cause for Indigenous distrust against the federal government about their strategies for land use and management. Once the nation's lands had begun to rapidly degrade without much regulation, early American conservationists, ecosystem scientists, and recreationalists began what we now know as the American environmentalism movement. It was in this era that America's Public Lands were created, federal land management agencies were formed, and a new form of dispossession and Indigenous erasure was utilized; it was in this era that American conservation was born.

At the heart of this movement was the recognition that nature was no longer just a resource to be exploited but an intrinsic part of American identity and culture, reflecting what historian William Cronon referred to as the "cultural construction of wilderness" (1996, 17). By the late 19th century the concept of wilderness in the Anglo-settler mindset had shifted from a barren and desolate landscape invoking feelings of "bewilderment and terror" that Americans needed to hold dominion over and develop, to one which's beauty and intrigue invoked a "sublime" feeling, connected us to a higher power, and existed as a uniquely American asset

(Cronon 1996). Early environmental writers such as Henry Thoreau and John Muir held the attention of white and wealthy Americans who felt a need to escape the ills of humanity by pilgrimaging to the wilderness with the hopes of experiencing a spiritual encounter. Just a decade after Muir wrote about the Sierra Nevada being the closest “description of Heaven” that he has ever read or seen, the American public began to catch on to a movement of preservation and conservation that the early environmentalists were urging for.

The environmental social movement of the late 19th and early 20th centuries not only spurred public awareness but also led to significant legislative and political developments. During this era, lobbying efforts directed at Congress and the executive branch gained momentum, representing a crucial step in shaping environmental policy and conservation practices. Environmentalists during this time continued to push for stricter conservation policies and got the attention of Congress and the country’s president, Woodrow Wilson. Under this administration the National Park Service (NPS) was created in 1916 (Robison 2021). While the establishment of the first national park, Yellowstone, occurred in 1872, it was this inception of the NPS that marked a pivotal moment in the movement to set aside "wild" spaces (Tyrell 2012). This catalyzed the formalization of a broader “project of conservation” (Krakoff 2018) that would extend into contemporary America. However well-intentioned this initiative was, its impact on Indigenous communities further severed their relationship with and built on the expanding distrust against federal agencies.

Conservation efforts of early American Public Lands resulted yet again in the dispossession of Indigenous people from their ancestral territories. Protected areas such as national parks were intended to serve as the few places left in the country where citizens could experience uninhabited and untouched wilderness. In this rapidly progressing late 19th/early 20th century project to set aside American lands and protected areas as National Parks and reserves,

federal agencies and conservationists had to exhibit these spaces as “untouched”, “pristine” and “sublime” enough to be worthy of protection. In creating these cultivated and intentional landscapes, however, Indigenous presence and access was not included in the conservationist’s vision or plan. As environmental historian Mark Spence contends, “uninhabited landscapes had to be created” (1999, 31). What ensued over this chapter of early conservation and preservation was swift, intentional, and illegal dispossession of lands from Indigenous Peoples to make way for protected spaces – all in the name of American prosperity.

While aimed at preserving natural beauty, the designation of spaces as federally protected areas and the policies that came along with them also further severed Indigenous Americans' access to these lands for ceremonial, cultural, and lifestyle practices. At the time of the Grand Canyon National Park designation in 1919, for example, Indigenous Americans had not yet gained U.S. citizenship. It wasn’t until five years later, with the passing of The Indian Citizenship Act of 1924 that Tribal members would be allowed in the park as citizens, let alone practice cultural uses that they had been for millenia. Furthermore, the enforcement of these restrictive policies was marred by hostility, racism, and, at many times, violence (Kantor 2007; Krakoff 2018). Indigenous communities faced not only the loss of their traditional territories but also encountered discriminatory and aggressive measures in the name of conservation. Creating the National Park Service and conserving “wild” and “public” spaces during this era was meant to create access for the American people for generations to come as long as they weren’t Indigenous (Krakoff 2020).

Conserving Some & Destroying Others: Indigenous Lands as Sacrifice Zones

While the federal land managers preserved and protected areas throughout the country, deeply embedded capitalist ideas continued to drive development for “American prosperity”

through cultivating natural resources. Private extraction industries, when looking for landscapes to develop, dump on, or create wealth from, have historically looked at Indigenous Lands, rural and poor neighborhoods, and in communities of color for their selection (Nixon 2011).

Rebecca Solnit, in her book *Savage Dreams: A Journey into the Hidden Wars of the American West,* unveils a dangerous chapter in American environmental history; her analysis underscores the initial act of singling out certain landscapes as paradisiacal "Edens" to preserve, subsequently justifying the creation of sacrifice zones, all under the guise of safeguarding seemingly "untouched" spaces for American prosperity (1994). Specifically, termed the “Treadmill of Destruction,” Indigenous lands have become sacrifice zones for the U.S. (Hooks and Smith 2004), and this cycle of creating pristine wilderness areas to justify sacrificial destruction of other landscapes for capitalist priorities is yet again another era of American history in which Indigenous communities have lost trust and respect for the nation’s land use practices and management.

Notably, during the 1950s and 1960s, most major national environmentalist groups, despite their environmental advocacy efforts to protect national wilderness areas, tended to limit their actions to the borders of Indian country, not engaging with or advocating for the concerns of Indigenous communities (Krakoff 2020; Robison 2021). Tracie Voyles highlights the devastating history of extractive industries in the Southwest such as Uranium which drastically disproportionately harmed Navajo communities, bodies, and lands (2015). This history is not an anomaly, however, and the legacies of mining, fossil fuel extraction, waste dumping, and general development impacts the bodies, minds, and landscapes of Indigenous Peoples to this day.

II. Defending the Sacred Through Law & Policy

Tribal Sovereignty as a Protection Tool

While this history is riddled with unequal institutions of power, genocidal actions, and intentional efforts to remove Indigenous agency, Tribes have been using their unique status as sovereign states within America as a protection tool since settler encroachment began (see Johnson v. M'Intosh, 21 U.S. 543 (1823); Cherokee Nation v. Georgia, 30 U.S. 1 (1831); and Worcester v. Georgia, 31 U.S. 515 (1832)). Along with being written into the constitution and many decades of establishment through policies, these court cases granted Indigenous Tribes a unique status as "domestic dependent nations" in U.S. eyes. Under this framework, Tribes possess inherent sovereignty, which is the right to self-governance and self-determination. This means that Tribes have the authority to govern themselves, make their own laws, and manage their internal affairs. However, it is important to note that this sovereignty is not absolute, as Tribes are also seen as "dependent" on and subordinate to authority of the federal government.

Further enshrining Tribes ability to use their sovereignty as protection against development, is the federal trust responsibility. This responsibility, which originated and solidified through treaty documents, executive orders, and court cases, says the federal government has a legally enforceable trust responsibility to Tribes, which includes protecting Tribal lands, resources, and rights. This trust responsibility requires the federal government to act in the best interests of Tribes and to consult with tribes on decisions that may affect them (Mills & Nie 2021). While this relationship and responsibility has been historically ignored and abused (Kantor 2007), it still lays the foundation of federal Indian law and policy and can be used by Tribes to defend their sovereignty. In contemporary times, Tribes have been powerfully defending the degradation of natural resources and lands through their status as independent sovereign entities (Gilio-Whitaker 2019; McNally 2020). As such, Indigenous Environmental

Justice movements and projects have been becoming more and more widely known in the United States in recent decades.

Tribal Consultation vs. Collaboration

In addition to protecting landscapes and natural resources using their unique protection strategy of sovereignty, Indigenous communities and their allies have fought long and hard to introduce and implement numerous policies for Tribal Consultation on decision making that impacts cultural landscapes or objects. There are various methods and federal policies under which Tribes can currently consult on new projects, management decisions, or other environmental impacts.

In the early to mid-twentieth centuries, most of the major policies relating to Tribal consultation were passed, laying out specific processes and protocols for federal-Tribal engagement. The first, and maybe most influential for the Co-management strategy discussed in the case studies for this paper, is the Antiquities Act of 1906. After a devastating few decades of looting and destroying cultural objects and sites, this act was one of the first laws to provide for the protection of archaeological sites and artifacts on federal lands. The Act gives the President the authority to establish national monuments to protect significant natural, cultural, or scientific features, and requires consultation with Tribes when considering the establishment of national monuments on lands of cultural significance to them.

In the middle of the twentieth century, two more important policies were passed: the 1966 National Historic Preservation Act (NHPA) and the 1970 National Environmental Protection Act (NEPA). NHPA created the National Register of Historic Places and established the Advisory Council on Historic Preservation (ACHP) to oversee the preservation of historic properties in the United States. The NHPA requires federal agencies to consult with Indigenous Tribes and Native

Hawaiian communities when their "historic properties" may be affected by federal projects. The Act's Amendments in 1992, further strengthened the role of Indigenous Tribes in the historic preservation process by requiring federal agencies to consult with Tribes earlier and more effectively, ensuring that Tribal concerns are considered in the planning and decision-making process. Finally, NEPA, which is seen as one of the biggest conservation policies in US history, requires federal agencies to consider the environmental impacts of their actions and to involve the public in the decision-making process. Certain aspects of the legislation have been interpreted to require federal agencies to consult with Tribes when their actions may affect tribal lands, resources, or cultural heritage. These policies are major blueprints for Tribal engagement in land management decision making, however, none of these policies were explicitly written to enhance the sovereignty of Tribal nations, even if that was a direct result through outlining consultation protocols.

One of the first successful times Tribal collaboration and sovereignty was explicitly acknowledged was the 1975 Indian Self-Determination and Education Assistance Act (ISDEAA). This policy authorized the federal government and its departments or agencies to enter into contracts with, and make grants directly to, federally recognized Indigenous Tribes. These contracts, known more broadly as '638 contracts', have been highlighted and successfully shown as possible avenues for Indigenous-led conservation efforts as they would allow federal agencies to fund environmental projects or programs that Tribal governments would then design, implement, staff and oversee (King 2009; Washburn 2022). However, even the promises of 638 contracts miss key aspects of honoring Tribal Sovereignty as Tribes are seen as contractors on federally owned land rather than sovereign entities with equal power.

All of these policies, while a positive step towards engagement with Tribes in land management decisions, have consistently shown a lack of effectiveness in honoring true Tribal

Sovereignty. Further explanation of their ineffectiveness and need for a new strategy will be discussed below.

Where Consultation Falls Short

The 2007 United Nations Declaration on the Rights of Indigenous People (UNDRIP) acknowledges the right for Indigenous Peoples to be awarded with "free, prior, and informed consent" (5,7,9) on any legislation, land transfer, or development project that might affect them or their ancestral territories. In the United States, however, the consultation process with Indigenous communities has rarely filled the requirements laid out in UNDRIP. Oftentimes, Tribal consultation is treated as a box to be checked or reactionary step only taken after a grievance has been brought to a developer or land manager (Red Natural History Fellows 2023). Many scholars describe the ways in which this consultation has historically been reactive and fails to meaningfully engage Tribe's throughout the entire process (King 2009; Mills and Hoffmann 2020; McNally 2020; Mills and Nie 2021; Washburn 2022).

Additionally, the laws and policies that have been passed to ensure stakeholder or Tribal consultation such as NEPA or NHPA require engagement with Tribes, but not necessarily action based on the consultation process. This results in a lack of sovereignty for Tribes and the loss of trust in decision making by the governments they are interacting with. These discrepancies in narrow-reaching policies highlight a need for meaningful collaboration rather than just one sided consultation. Tribal Co-management can be seen as a solution to those discrepancies; as such, the status of these policies more generally will be discussed below.

Co-management Policy: Where it Stands Today

The federal government's commitment to Co-management and upholding tribal sovereignty has been reflected through various means, ranging from executive orders to

interagency agreements. Early on in the movement for Indigenous-centered conservation the Clinton administration, through Executive Order 13175, emphasized the importance of coordination with Tribal Governments (2000). This directive aimed to strengthen government-to-government relationships and ensure that tribal perspectives were considered in federal decision-making processes. As described above, this policy surely increased the consultation efforts of management agencies and developers through the processes laid out in NHPA, NEPA, and the Antiquities Act, but that consultation is usually less meaningful and still ignores key aspects of Tribal sovereignty.

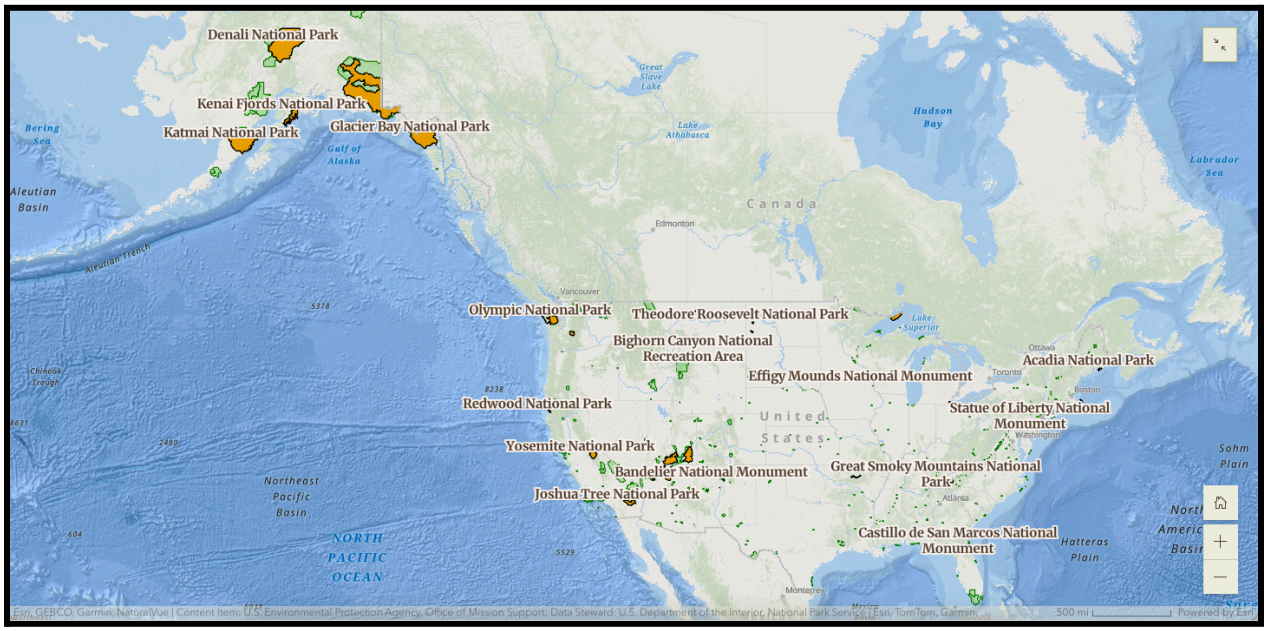
In recent years, the Biden administration has shown a commitment to representation and engagement with Indigenous communities at the highest levels. Indigenous leaders like Secretary Haaland (Laguna Pueblo) and Director Samms of the National Park Service (member of Confederated Tribes of the Umatilla Indian Reservation), among other Department of Interior (DOI) staff, signify a proactive approach to ensure Indigenous voices are not only heard but also integral to decision-making processes within federal agencies. This representation reflects a broader commitment to acknowledging and incorporating Indigenous perspectives in policy making and governance. With the guidance of these figures in the DOI, many new initiatives have been implemented. These initiatives recognize the importance of Tribal involvement in conservation and land management, placing Co-management and Co-Stewardship practices at their core.

Several federal initiatives in recent years play pivotal roles in advancing increased co-management between tribal nations and the government. Two notable initiatives by the Biden Administration include "America the Beautiful (30 x 30)," which aims to protect 30% of U.S. lands and waters by 2030, and the "Tribal Homelands Initiative" (The White House 2022; U.S.

Department of the Interior 2021). Both of these policy initiatives were written on the foundation of the administration's goals to strengthen nation-nation relationships with federally recognized Tribes. Under these broad thematic initiatives the administration has rolled out action steps in the form of new legislation, executive action, and department level changes to push their goals.

For example, actions such as the 2021 joint Secretarial Order 3403 from the DOI and Department of Agriculture (USDA)[3] underscore the commitment to collaborative efforts between federal agencies in supporting Indigenous communities and their environmental rights. Joint S.O. 3403, titled *Fulfilling the Trust Responsibility to Indian Tribes in the Stewardship of Federal Lands and Waters,* is one of the major contemporary policies that will impact increased Tribal Co-Stewardship for years to come. As part of the requirements of this Secretarial Order, all departments under DOI, USDA, and the Department of Commerce are required to publish a collaborative annual report that highlights the progress and status of U.S. - Tribal collaboration projects. At the 2023 Tribal Nations Summit, Secretary Haaland announced that in the past year, the Departments have signed nearly 200 new co-stewardship agreements with Tribes, Alaska Native Corporations and consortiums (See map 6 for GIS resource showing current public lands being co-managed or co-stewarded by Indigenous communities). At the 2022 Summit, for reference, the Interior and Agriculture Departments had completed 20 agreements (The White House Domestic Policy Council, 2023).

[3] The Department of Commerce signed as a partner on this joint Secretarial Order in 2022.



Map 6. Current Examples of Trial Co-Stewardship Agreements. GIS map created by the author 2023.

Full interactive map here: https://storymaps.arcgis.com/stories/00adcbab1ad443e4a9bd436962f7eeab

Developing these initiatives is imperative to the longevity and sustainability of these policies because they are creating new departmental-level policies that will continue to stand past the Biden-Harris administration (Mills 2023). Departmental-level change is beginning to occur as these agencies provide informational training, job evaluations based on these new standards, and more practice collaborating with Tribes on a day-to-day basis (Mills 2023).

The Spectrum of Diverse Co-management Opportunities

When faced with the vast number of Co-management agreements around the nation, it can be useful to use visual and symbolic representations of the movement as a whole. For example, Tribal co-management, as perceived by the Department of the Interior and various federal agencies, can be represented as existing along a diverse spectrum (White House Council on Native American Affairs 2023; Mills, personal interview 2023). This spectrum represents the range of collaborative efforts and partnerships between tribal nations and the federal government

in managing natural resources and lands (see Figure 2). At one end of this spectrum are instances where tribes have a substantial role and decision-making authority in managing resources. Examples of this type of co-management include The Bison Range legally being fully managed by the Confederated Salish and Kootenai Tribes as a National Wildlife Refuge (Smith 2022). While at the other end, federal agencies maintain full managerial control over the federal land while giving access to Tribes for a diverse range of purposes (including but not limited to: harvesting, ceremonial and other spiritual uses).

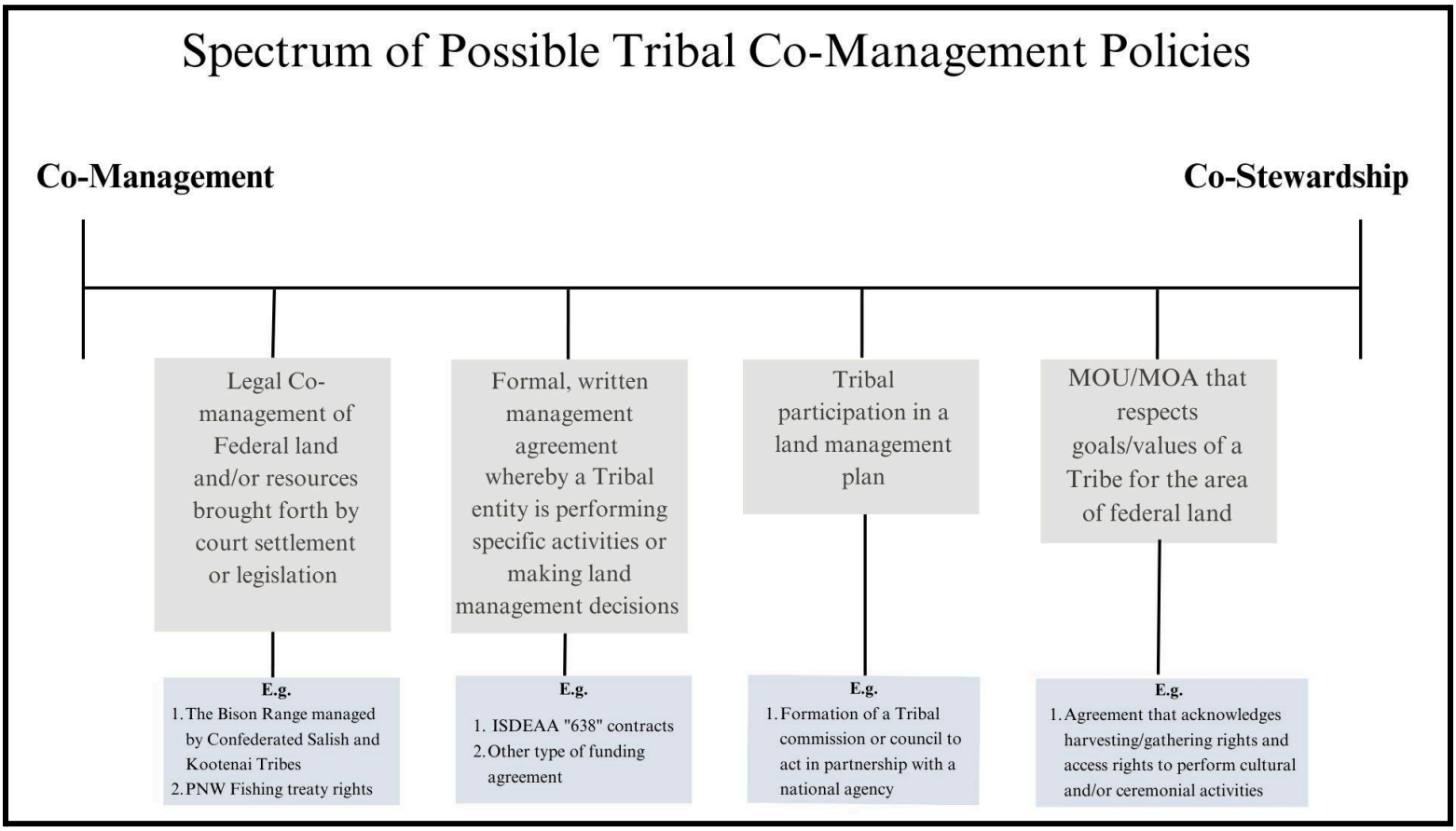


Figure 2. Spectrum of Co-Management Policies (created by author)

Further, respecting Tribal sovereignty occurs when the goals of the Tribal nation(s) or entity align with where the final policy is placed on this spectrum. When a Tribal nation or entity expresses the intent to collaboratively manage a piece of land or resource, it is imperative that

federal agencies listen attentively and implement policies or agreements that closely align with the Tribe's goals. This approach acknowledges the inherent right of Tribal nations to self-governance and ensures that decisions affecting their lands and resources are made in a manner that respects their unique cultural, social, and economic priorities, fostering a more inclusive and equitable decision-making process.

It's important to note that the placement of any co-management policy within this spectrum depends on several factors. One crucial determinant is the resources available to the Tribe, including financial resources, government personnel, and labor. Another vital factor is the type of federal land or resource involved and its specific ecological needs (Mills, personal interview 2023). Additionally, the unique requests and goals of each Tribe in a given situation will and must influence the design and implementation of co-management policies. Creating a co-management policy with Tribal governments will be required to acknowledge these factors in the collaboration and development of them. Consequently, co-management policies must be crafted on a case-by-case basis, tailored to the specific circumstances and the interests of the Tribal nation involved. This approach acknowledges the diversity and complexity of tribal-federal partnerships, ensuring that each collaboration aligns with the unique needs and aspirations of the respective Tribal community and contributes to sustainable resource management and conservation efforts.

In order to delve deeper into the complexities of co-management policies and agreements, the following section of this paper will conduct a detailed evaluation of two specific cases of Tribal co-management in the southwestern United States. These cases, Bears Ears and *Baaj Nwaavjo I'tah Kukveni* Ancestral Footprints of the Grand Canyon, are pivotal examples that have demonstrated successful co-management strategies. Through an in-depth analysis of these

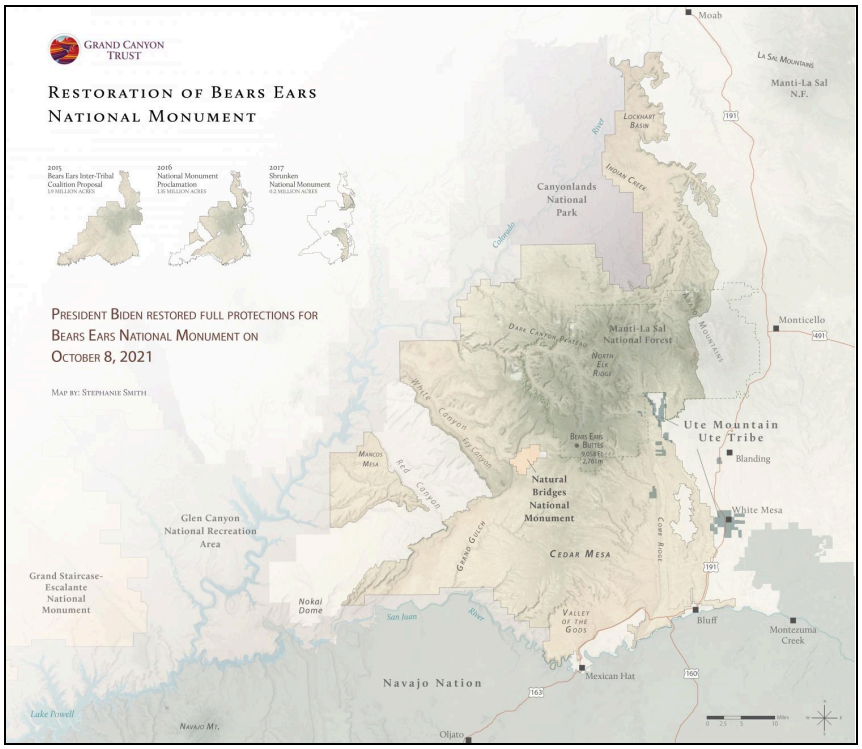
agreements, the aim is to gain valuable insights into the challenges, successes, and best practices of Tribal co-management in natural resource management.

III. Two Cases of Tribal Co-Management in the Southwest

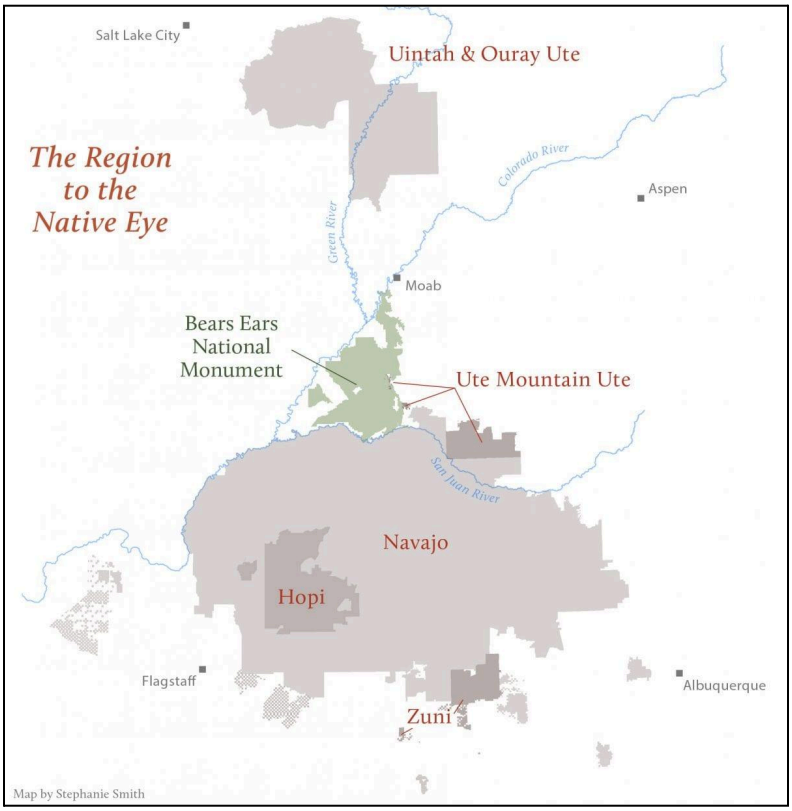
A New Model: Bears Ears National Monument

History and Background of the Bears Ears Region

The region of Bears Ears National Monument (BENM), encompassing a vast 1.35 million acres of land in the Southwest (see Map 7), has been a site of continuous habitation by Indigenous Peoples since time immemorial (see Map 8). This area holds profound cultural, spiritual, and historical significance for numerous Tribes, each with its own unique ancestral connection to the land. In fact, in a remarkable show of unity, over 25 Tribes from across the Southwest region came together to support the designation of the BENM (BEITC 2022). However, this thesis aims to delve deeply into the narrative of the Bears Ears Inter-Tribal Coalition (BEITC), a collective of five Tribes that emerged as pivotal advocates for the monument's establishment. These five Tribes - the Navajo Nation, Hopi Tribe, Ute Mountain Ute Tribe, Pueblo of Zuni, and Ute Indian Tribe - not only led the charge in advocating for the monument but also played a central role in shaping its vision and purpose. Their histories, contemporary experiences, and possibilities for the future of these communities can not possibly be conveyed in one paper, so for the scope available, I will highlight their histories in summary.



Map 7. Bears Ears National Monument (current day, since its restoration in 2021). Created by Stephanie Smith at Grand Canyon Trust. https://www.grandcanyontrust.org/restored-bears-ears-national-monument-map



Map 8. Created by Stephanie Smith at the Grand Canyon Trust
https://www.grandcanyontrust.org/bears-ears-national-monument

The *Nūche*, or Ute people, have always inhabited the Bears Ears area (*Kwiyagatu Nukavachi*), a small but significant part of their traditional territory. The origin of the canyons, cliffs, and formations of the greater Bear's Ears region have a place in Ute traditional history and pilgrimages (Van Vlack 2018) through and in these places are a vital part of "unique ceremonial and ritual activities occurring outside the daily habitual cultural activity" (BEITC 2022, 16). The region's other various waterways, including creeks, springs, and tributaries, have played important roles in Ute history and daily life. The diverse elevations in the Bears Ears landscape allowed for seasonal movement. In the summer, higher altitudes were used for hunting, while winter camps were set up in places like Beef Basin, Cottonwood Canyon, Allen Canyon, Butler Wash, and the area around present-day Bluff (Gulliford 2022; BEITC 2022). Bears Ears is also known as the place where bears first emerge from hibernation, a significant event linked to the traditional Bear Dance which is an important annual celebration and cultural tradition. Access to different landscapes and resources is crucial to Ute traditions, making the Bears Ears region essential to their way of life to this day.

Diné (Navajo) oral traditions, along with archaeological and historical records, confirm their long-standing presence in and around Bears Ears National Monument (BENM). Traditional Diné ceremonies mention several significant locations in the region, such as Bears Ears buttes (*Shashjaa'*), Elk Ridge, Comb Ridge, the Abajo Mountains (*Dził Dootł'izh*), Navajo Mountain (*Naatsis'áán*), Rainbow Bridge (*Tsé na'ní'áhí)*, and ancient crossings of the San Juan River (*Tooh*) near Cottonwood Wash, Comb Wash, and Mexican Hat. These places hold cultural significance, with multiple ceremonies and many clan migration histories being tied to them. The Diné people deeply cherish their clan histories. Across generations, they pass down the stories of

how clans began on the land, intertwining the landscapes with their familial and tribal narratives. As a result, these places often acquire profound significance.

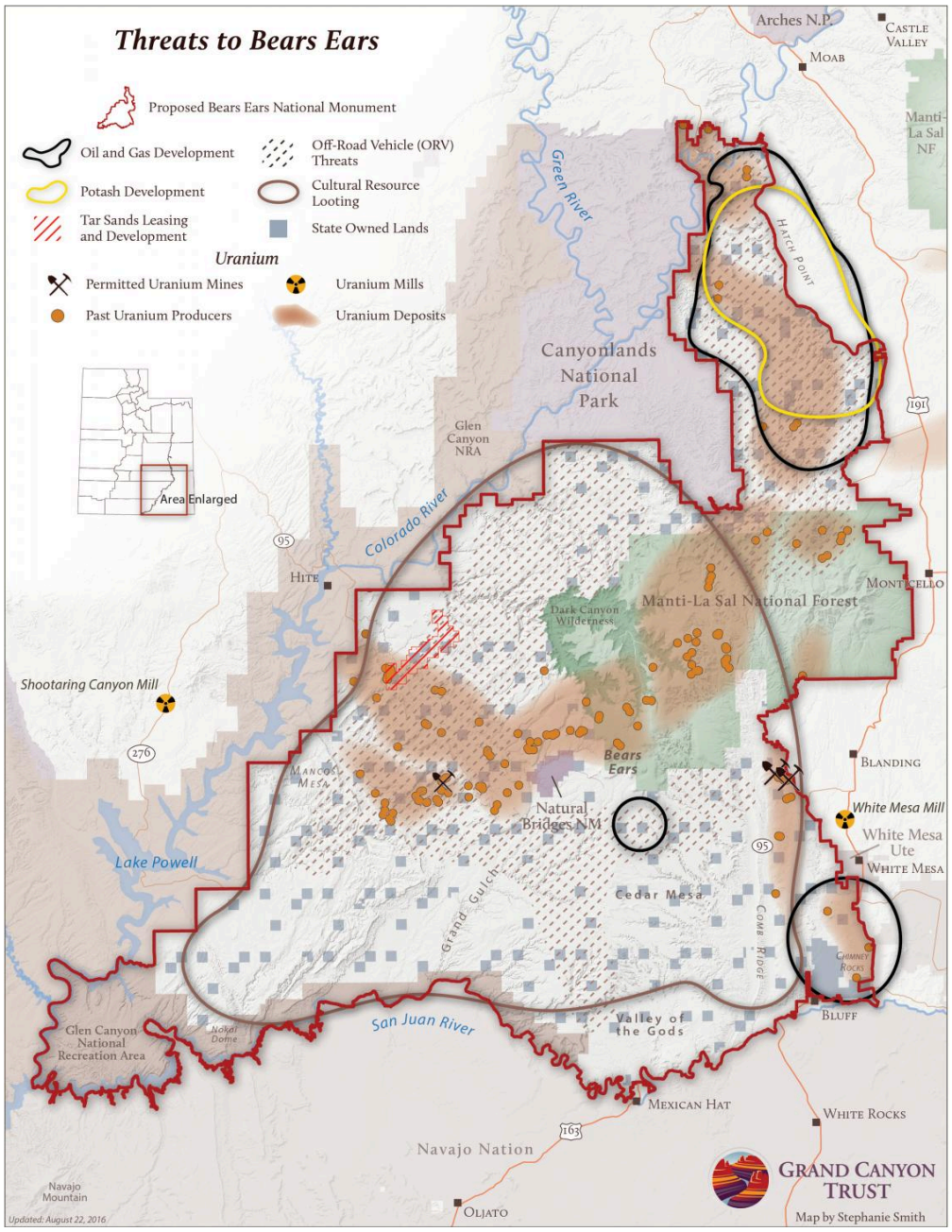
Additionally, despite Bears Ears being separated from current day Pueblo reservation lands, ancestral Puebloan culture is abundant and still deeply connected to decedent communities. For the Zuni (Pueblo of Zuni) people, place transcends mere geography; it embodies their identity, purpose, and connection to the Earth. This profound attachment is vividly exemplified in Bears Ears, a place of breathtaking grandeur, vastness, and pristine beauty. BENM is not just a physical location; it is a living tapestry woven with the stories of Zuni ancestors who once dwelled there and journeyed through its majestic landscapes on the way to the Middle Place (*Halona:Idiwanna*, or the "Middle Place," is in the location of today's Zuni Pueblo) (BEITC 2022). The Zuni medicine societies, bearers of cultural and historical wisdom, recount these ancestral migrations, often referencing Blue Mountain in the distant Abajo Mountain range. Through songs, prayers, and storytelling, the Zuni maintain a sacred bond with their ancestral lands, finding grounding and belonging in the timeless embrace of BENM and its surrounding vistas.

Also with migration histories linking their ancestors to the region is the Hopi Tribe. Despite their modern reservation being over 200 miles away, the Hopi people consider their ancestral homeland as *Hopitutskwa*, which encompasses the vast area where Hopi clans settled during their migration to their current home on the Hopi mesas in northeastern Arizona. According to Hopi clan migration traditions, their ancestors made a pact with the earth guardian upon entering the Fourth World (current world). In this pact, the earth guardian permitted the Hopi to use the land under the condition that they would act as stewards, caring for the land and honoring their spiritual connections with it (BEITC 2015; BEITC 2022). Numerous Hopi clans have historical ties to the area of BENM, with at least 26 clans linked to the surrounding

landscape. Today, the Hopi people remember and honor their connection to the BENM landscape through songs, prayers, and the recounting of clan migration traditions. Hopi place names, such as *Hoon'naqvut* and *Honnaqvu* (Bears Ears buttes), *Honn'muru* (Bear Mound), and *Honn'tsomo* (Bear Hill), further reflect and preserve the Hopi's relationship with BENM and its surroundings (BEITC 2022). While many clans have historical connections to BENM due to their migration histories, the landscape holds significance for all Hopi people. In the present, Petroglyphs, artifacts, landmarks, and landforms in BENM help validate Hopi clan histories, making visitation to the area crucial for maintaining their ties to it.

Contemporary History and the Environmental Threats to the Region

The Bears Ears region has been highly contested over who and how to manage its vast size and availability of resources in the contemporary era. For decades, the region in Southern Utah has been viewed as a mixed-use and mixed-managed landscape, where energy resource development has been prioritized alongside recreation and cultural use. The vast expanse of land, which previously consisted of a mix of national public lands and Utah state land trusts, was relatively open to permitting and exploration for various threats to the natural resources (see Map 9). In addition, the large scale of the landscape made enforcement and oversight of cultural and Tribal resources extremely difficult. This led to decades of cultural resource looting and vandalism (Guliford 2022). As a response, Indigenous communities and environmental advocacy groups recognized the importance of this area and began grassroots organizing to protect it.



Map 9. Created by Stephanie Smith, Grand Canyon Trust. 2016
https://www.grandcanyontrust.org/threats-bears-ears-cultural-landscape

To increase protection in the region, these groups initiated meetings with state and federal representatives to create legislation focused on conserving public lands in Utah's canyon country. Between 2010 and 2015, these efforts led to the development of the Public Lands Initiative (PLI), a comprehensive but ultimately unsuccessful piece of legislation. The PLI aimed to

designate a Bears Ears Conservation area and establish new wilderness areas around southern Utah. However, as typical with a Utah-led bill, the PLI also proposed opening certain areas to less restricted permitting for energy development, which raised concerns among conservationists and Indigenous groups alike. Initially, the five Tribes that now comprise the Bears Ears Inter-Tribal Coalition (BEITC) supported and collaborated with state representatives on the PLI. However, by 2014, there was a noticeable shift in the willingness and cooperation of the head legislators to work with Tribal leadership (BEITC 2015). This lack of meaningful engagement led the Tribes to feel that their sovereignty was not being respected. After experiencing a pattern of no or minimal effort to respond or collaborate with Tribal governments on the specifics of the PLI, the Tribes decided to pursue a different path, seeking greater protection for their cultural and natural heritage. They wrote a letter to the Utah representatives responsible for pushing PLI forward on the national scale, and let them know they were going to be stopping collaboration with Utah and national legislative officials (Bears Ears Inter-Tribal Coalition Dec. 2015).

The Indigenous-led Vision for a new "Native Monument"

After legislative actions and collaboration with state officials failed to achieve their goals and honor their sovereignty (Bears Ears Inter-Tribal Coalition December 2015), the Tribes with a deep and sacred connection to the region decided to take matters into their own hands, officially forming the Bears Ears Inter-Tribal Coalition (Bears Ears Inter-Tribal Coalition 2015, 2022; Gulliford 2022). Following the formation of the Coalition, tribal representatives and leaders quickly convened to begin the meticulous process of drafting a comprehensive proposal for a new monument that would reflect their cultural heritage and values. Seeing that the current executive administration was responsive and in support of their efforts, they decided that working with this branch of government would be their most successful strategy (BEITC 2015).

In October of 2015, the Tribal officials and chairs of the coalition embarked on a significant journey to Washington DC. Their purpose was to hand-deliver the first-ever Indigenous-proposed National Monument to the White House, symbolizing their unified and resolute commitment to preserving their ancestral lands and sacred sites.

The Coalition's proposal focused on Collaborative management, in which federal and tribal authorities would collaborate equally to reach joint decisions. This approach, akin to Ed Goodman's concept of Co-management discussed in the introduction, acknowledged the unique contributions of Indigenous and Western knowledge and aimed to facilitate cross-system learning. In their original proposal to President Obama, the Tribes wrote of their understanding of the undertaking a new "Native monument" would require:

> "This new monument must be managed under a sensible, entirely workable regime of true Federal-Tribal Collaborative Management. We know that this has never been done before. But most great breakthroughs in public policy have no direct precedent. We want to work with you on this. We have reflected long and hard to come up with the right words to install Collaborative Management in this particular place and circumstance, and believe in our suggested approach, but we welcome your thoughts on how to improve our formulation. Like you, we want to make the Bears Ears National Monument the shining example of the trust, the government-to-government relationship, and innovative, cutting-edge land management. But whatever the specific words might be, for the Bears Ears National Monument to be all it can be, the Tribes must be full partners with the United States in charting the vision for the monument and implementing that vision" (2, 3)

The BETIC viewed the Bears Ears Commission as the central vehicle for implementing their vision laid out in the proposal. Tasked as the policy-making and planning body for the monument, the Commission would comprise eight members: one from each Coalition tribe and one from each pertinent federal agency—the BLM, the Forest Service, and the NPS. The Commission would designate a chairperson and annually report to the secretaries of agriculture and interior regarding the monument's administration. Members would collaboratively engage in all procedures, decisions, and activities, commencing with the management plan for Bears Ears, deemed by the Coalition as a pivotal document, "second only to the proclamation [designating the monument] itself" (22). This document could delineate their relationship specifics and tackle substantive issues like the mediation process and unified leadership communication.

Furthermore, the Coalition's proposal delineated a two-step dispute resolution mechanism in case of Commission deadlock, undue delay, or other exceptional circumstances. Initially, federal agency members and tribal authorities would seek mediation, with the Secretary of the Interior or Agriculture subsequently issuing a written opinion explaining the rationale behind relevant decisions if compromise efforts failed. This first-of-its-kind Co-management structure, inclusive of the second dispute resolution step, was meticulously devised by the Coalition.

Officially, after a number of visits to the region and receiving other support from the Obama administration, Bears Ears National Monument was designated on December 28, 2016. The new monument was designated by the president under the powers given to the executive branch in the Antiquities Act, which allows for new monument designations for areas with cultural and natural resources of historic or scientific interest on federal lands. This strategy allowed for the Tribal coalition leaders to make a significant historical precedent as it was the first time an Indigenous nation or entity proposed to use the Antiquities Act to protect Tribal sovereignty through management of ancestral territories (Utah Diné Bikeyah 2015).

The original monument designation prioritized a slightly different model of co-management, recognizing and forming the Bears Ears Commission consisting solely of leaders from each of the five tribes, instead of including federal managers on the commission as well. This unique approach aimed to ensure that the voices and perspectives of the Indigenous communities directly connected to the land were central to its management and protection. Additionally, the proclamation designated the monument, recognizing about 600,000 acres less than the Indigenous proposed monument (Obama Presidential proclamation 9558). Despite this discrepancy, the designation still set an enormous and historical precedent as the first Tribal-proposed and collaboratively managed national monument in US history. This approach marked a significant shift in land management practices, acknowledging the deep cultural and historical ties of Indigenous peoples to the land and their crucial role in its preservation and stewardship. The Bears Ears Commission's establishment underscored a new era of cooperative management, demonstrating a commitment to honoring Indigenous sovereignty and knowledge in conservation efforts.

Strengthening of the Bears Ears Co-Management Model

Over the course of multiple presidential administrations, the Bears Ears National Monument faced significant threats to its protection, culminating in a pivotal moment during the Trump administration. In an unprecedented move seen as an attack on the Antiquities Act, President Trump rescinded the original proclamation establishing the monument and drastically reduced its size by over 70%. This decision was a direct reflection of the administration's stance in favor of state sovereignty and extractive energy development on public lands, sparking outrage and legal challenges from conservationists, Indigenous groups, and environmental

advocates. The rescission of the monument's original designation led to a prolonged period of intense pushback, including numerous lawsuits defending the Antiquities Act.

Ultimately, with a change in presidential leadership, the monument was officially redesignated back to its original status under the Biden administration in October 2021, through Presidential Proclamation 10285. This restoration marked a significant victory for those advocating for the protection of Bears Ears and the recognition of its cultural and environmental significance. Following the redesignation of the monument, momentum began to build around protecting and strengthening co-management efforts. This renewed focus led to the development of multiple new and unprecedented documents and initiatives aimed at honoring tribal sovereignty and ensuring meaningful tribal involvement in the management of the monument. Federal land managers began to work more closely with the Bears Ears Commission and other Tribal representatives, signaling a positive shift towards greater collaboration and respect for Indigenous voices in land management decisions.

The first of these unprecedented documents was the first-of-its-kind Intergovernmental Cooperative Agreement between the 5 Tribal nations of the BEITC and the United States. This document was finalized in June of 2022, strengthening the legal and political duties the federal land management agencies have in working collaboratively with the Tribes. The agreement was signed by Tribal leaders sitting on the commission and both directors of the BLM and Forest Service. In a press release following the signing, Director of the BLM Tracy-Stone Manning highlighted the document as one that will “serve as a model for our work to honor the nation-to-nation relationship in the future” (US Department of the Interior 2022). This type of legal and political affirmation that the government has a responsibility to work with Tribes in the field of conservation is a necessary symbol of sovereignty and self-determination that has previously been left out of the conversation. The agreement set into motion two years of frequent

and meaningful collaboration between the commission and the local BLM and Forest Service managers to create the final management plan for the monument.

As their own addition and incorporation of their goals and knowledge into the two-year process, the Bears Ears Inter-Tribal Coalition (BEITC) took a significant step by drafting their version of the management plan for Bears Ears National Monument. This plan was a culmination of each tribe's unique and individual perspective on their historical connection to the land, their contemporary vision for their communities, and their specific goals for implementing traditional knowledge into the management considerations. It served as the official and comprehensive stance of the Tribes and the Coalition as a whole, outlining how they wanted to see the land used, managed, and experienced.

The BEITC's management plan was more than just a document; it was a profound statement of Indigenous culture, knowledge, and perspectives. It emphasized the importance of viewing landscapes as living cultural resources, highlighting the Tribes' understanding that successful conservation requires recognizing and incorporating traditional ways of knowing. This approach represented a significant departure from conventional Western conservation practices and underscored the value of Indigenous stewardship in preserving the land for future generations. The extensive nature of this document made it a vital addition to the collaborative work between the land managers and the Tribes. It provided a framework for decision-making that was deeply rooted in Indigenous values and traditions, ensuring that the management of Bears Ears would be guided by the rich cultural heritage of the Tribes. This management plan represented a milestone in the history of the monument, demonstrating the power and importance of meaningful collaboration between Indigenous peoples and government agencies in the stewardship of public lands.

Finally, utilizing the insights and perspectives from the BEITC and their management plan, the federal land managers crafted the draft of the official Resource Management Plan for Bears Ears National Monument. Released in March of 2024, this document represents a significant milestone and has already been hailed as an unprecedented and historically significant contribution to land management practices. It stands out as the first land management plan to be collaboratively written by Tribes and the federal government for a piece of public land.

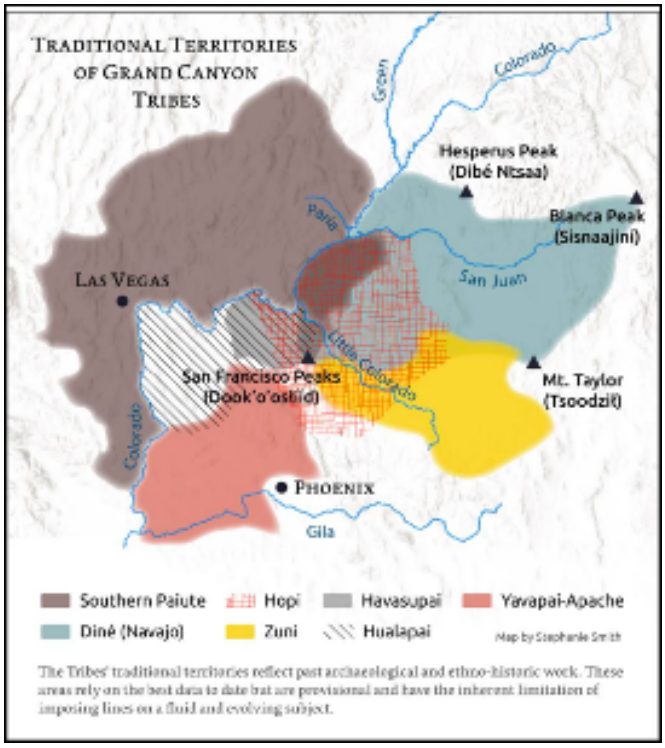
One of the key distinguishing features of this plan is its extensive inclusion (mentioned over 175 times) of Traditional Indigenous Knowledge and Indigenous science as crucial considerations for all land management decisions. It goes beyond mere acknowledgment, stating that Western and Indigenous Knowledge will be equally prioritized in decision-making processes (BLM & Forest Service 2024, 70). This represents a fundamental shift towards a more holistic and inclusive approach to land management, recognizing the value and validity of Indigenous ways of knowing.

Moreover, the draft Resource Management Plan meaningfully acknowledges the dispossession of Indigenous Peoples in the region, recognizing that ownership of the land by the United States came at the expense of Indigenous sovereignty. Despite this history of dispossession, the plan also recognizes and respects the ongoing and current Tribal connections to the land, ensuring the access and utilization of the monument for Tribal cultural continuation. This acknowledgment is a significant step towards reconciliation and a recognition of the enduring relationship between Indigenous Peoples and their ancestral lands.

From Bears Ears to the Grand Canyon: Protecting the Sacred at Baaj Nwaavjo I'tah Kukveni: Ancestral Footprints National Monument

History & Background in the Grand Canyon Region

Today, there are eleven federally recognized Indigenous American tribes with connections to the Grand Canyon region: the Havasupai Tribe, Hopi Tribe, Hualapai Tribe, Kaibab Paiute, Las Vegas Paiute, Moapa Band of Paiute, Navajo (Diné) Nation, San Juan Southern Paiute, Shivwits Paiute, Yavapai-Apache, and Pueblo of Zuni. Prior to European contact the Grand Canyon region was an all-indigenous landscape (see Map 10). According to Western disciplines of science, anthropology, and archaeology, humans have inhabited the Grand Canyon for approximately 13,000 years (Schwartz 1966). Members of the Grand Canyon's associated Tribes, however, will tell you that their ancestors have been connected to the region since time immemorial.



Map 10. Territories of Grand Canyon Tribes in the Region (Stephanie Smith, Grand Canyon Trust)

As mentioned earlier, (at least) eleven federally recognized Tribes have ancestral and cultural connections to the Grand Canyon. Each tribe's language has their own name for the Canyon that has existed well before colonization and settlement of the region began (Robison 2021; Krakoff 2020). Their stories are ones of "movement and migration, struggle and resilience", and continued presence and connection (Grand Canyon Trust 2022). Indigenous activists, storytellers and (also non-Indigenous) scholars from the Tribes have written about this connection in depth, and their complexities and importance cannot be ignored (Grand Canyon Trust 2022; Medwied-Savage 2012; Krakoff 2020; Stoffe et. Al 1997; Robison 2021). For the scope of this paper, however, their histories will be highlighted in summary.

For the Hopi Tribe, the Grand Canyon marks a place of emergence and origin for their culture, ancestors, stories, and ceremonies. At a sacred site near the confluence of the Little Colorado and the Colorado river called the *Sipapu*, lies the place of Hopi origin stories of emergence and creation into the current world and new lifeways (Riggs January 2022). The Hopis' emergence in, and clan migrations from the Grand Canyon "are central to their collective and individual identities". It is through these events that Hopi identity is constructed and maintained, and aspects of the events are "continually reaffirmed in the ceremonies and daily practices of the Hopi people" to this day (Robison 115, 2021).

Other neighboring Tribes like the Navajo nation (Diné People) and Pueblo of Zuni have similar but culturally unique stories of ancestral connection to the Canyon. Despite their current reservation locations and size, both tribes' ancestral territories expand well into the greater Grand Canyon region and are intertwined with the Canyon's walls, plateaus, and tributaries. Evidence of their presence exists in the Canyon today and is held through not only the physical manifestations of rock art, pottery, and other culturally significant objects, but in the oral histories and cultural understandings of the tribes. Navajo spirituality is deeply connected to

place, with the Grand Canyon being a site of many significant deities and ancestral presence. As Diné tribal member Nikki Cooley explains: “We pray to them, for them, with them. It’s a very holy place. It’s my church, basically. That’s my place of worship” (Riggs quoting Cooley, 2020).

Zuni histories of emergence in the Canyon at a place called *Chimik’yana’kya dey’a* near Ribbon Falls in Grand Canyon National Park (Riggs June 2022). In a similar geographic connection, the headwaters of Zuni river, where the current day reservation of the Zuni Tribe lies, holds an “umbilical” connection through the Little Colorado River and into the Grand Canyon at each confluence. Stories of this connection are rooted in place, landscapes, and sites in the region. Zuni artists commonly convey this place-based connection in powerful pieces known as “Zuni map art” (see Figure 3).

Figure 3. Zuni map art. Larson Gasper, “Little Colorado River”, 2009

https://commongood.cc/reader/counter-mapping/

As described above, the Grand Canyon region has had a history of human interaction and presence since time immemorial. However, it was not until the introduction of Anglo-settlers in the region that the canyon began its multi-decade long stint of major development, resource extraction, and degradation. Anglo-settlers began prospecting the floors, plateaus, and rims of the Grand Canyon in the mid-1860s and a few isolated mineral claims had been established by 1870 (Pearson 2019). Mining increased rapidly when a Maine-based prospector, Ralph Cameron, arrived in 1883 and initiated what would become a decades-long effort to make money out of the Grand Canyon by increasing the industries of tourism, logging, mining, and harnessing its water. Another prominent figure bringing attention to the opportunities of development and wealth accumulation in the Canyon was Robert Brewster Stanton. In 1889-90 Stanton carried out and published a mining and railroad feasibility report which soon brought miners looking for gold, silver, and other minerals along the rim and into the canyon (Stanton 1890). Soon after this flock of miners, loggers, and other developers arrived, a consortium of eastern businessmen formed the Colorado Grand Canyon Mining and Improvement Company (Pearson 2019). These corporate efforts soon fizzled but several private entrepreneurs continued working on their mining claims. It was mining and its related consequences that would pose the first major environmental threat to what would become Grand Canyon National Park.

Once Anglo-settlers had settled and started visiting en masse to the region, early environmentalists started paying attention to the degradation and damage being done by the increased development and recreation. This part of history in the Grand Canyon is evidence of the beginning of the early environmentalism movement in America which emerged during the late 19th and early 20th centuries as a response to the rapid industrialization, extraction industry development, and westward expansion that were transforming the nation's landscape. This era, which was driven by the late 19th and early 20th century’s discourse about nature and

wilderness, justified the continued dispossession of lands from Indigenous peoples in the name of conservation and protecting America's most pristine resource: its public lands and natural resources.

The Grand Canyon during this era, in particular, gained national and political momentum for its sublime views and grandeur emotional connections it solicited. Artists like Thomas Moran and figures/authors such as John Wessley Powell marketed the canyon's vastness and unique beauty, further bringing the Grand Canyon to the attention of a nation curious about its western territories (Pearson 2019). In 1903, President Theodore Roosevelt visited the Grand Canyon for the first time and wrote:

> "The Grand Canyon fills me with awe. It is beyond comparison—beyond description; absolutely unparalleled through-out the wide world... Let this great wonder of nature remain as it now is. Do nothing to mar its grandeur, sublimity and loveliness. You cannot improve on it. But what you can do is to keep it for your children, your children's children, and all who come after you, as the one great sight which every American citizen should see." (1903)

This rhetoric of awe and need for conservation pushed a chain of federal protections in the region over the next two decades. After his visit to the Canyon, President Roosevelt designated the Grand Canyon National Monument in 1908. The monument added to his 230 million acres of federally protected land in the early 20th century – making him the most influential President for conservation and protected areas (NPS 2013). Due to the policies of monument designation, however, mining and extraction on the land were permitted to continue until environmentalists pushed for stricter conservation policies and got the attention of Congress

and the next president, Woodrow Wilson. Under this administration, the National Park Service was created in 1916 (Robison 2021). Just three years later, after Congressional action, President Wilson signed Grand Canyon National Park into law forever in 1919.

The creation of the park again formally dispossessed land base from Indigenous Peoples, through non-acknowledgment, with the enforcement of the park service. One of the first consequences of this formal dispossession was that access rights for Tribes was made even more difficult. For example, up until park declaration, the Havasupai Tribe had persisted in undergoing their annual migrations and continued living and farming in the canyon as they had historically done—until the park designation. The establishment of the park marked yet another damaging encroachment on their life yet dealt out by the federal government. NPS rangers disrupted the Havasupai's use of their winter range by searching out and destroying their camps and chasing them away from pinyon gathering and other activities on the plateau (Krakoff 2020).

Following the park designation, major efforts of conservation and preservation throughout the region continued. Notably, during the 1950s and 1960s, most national environmentalist groups, despite their environmental advocacy efforts, tended to limit their actions to the borders of Indian country, not fully engaging with or advocating for the concerns of Indigenous communities (Krakoff 2020; Robison 2021). Uranium mining also became a part narrative, commencing in the 1950s with the establishment of the Orphan Mine, located a mere two miles from the park's visitor village (Krakoff 2020; Pearson 2019). The prevailing sentiment seemed to be that as long as the uranium mining activities were situated outside the boundaries of the national park, they were considered acceptable sacrifices.

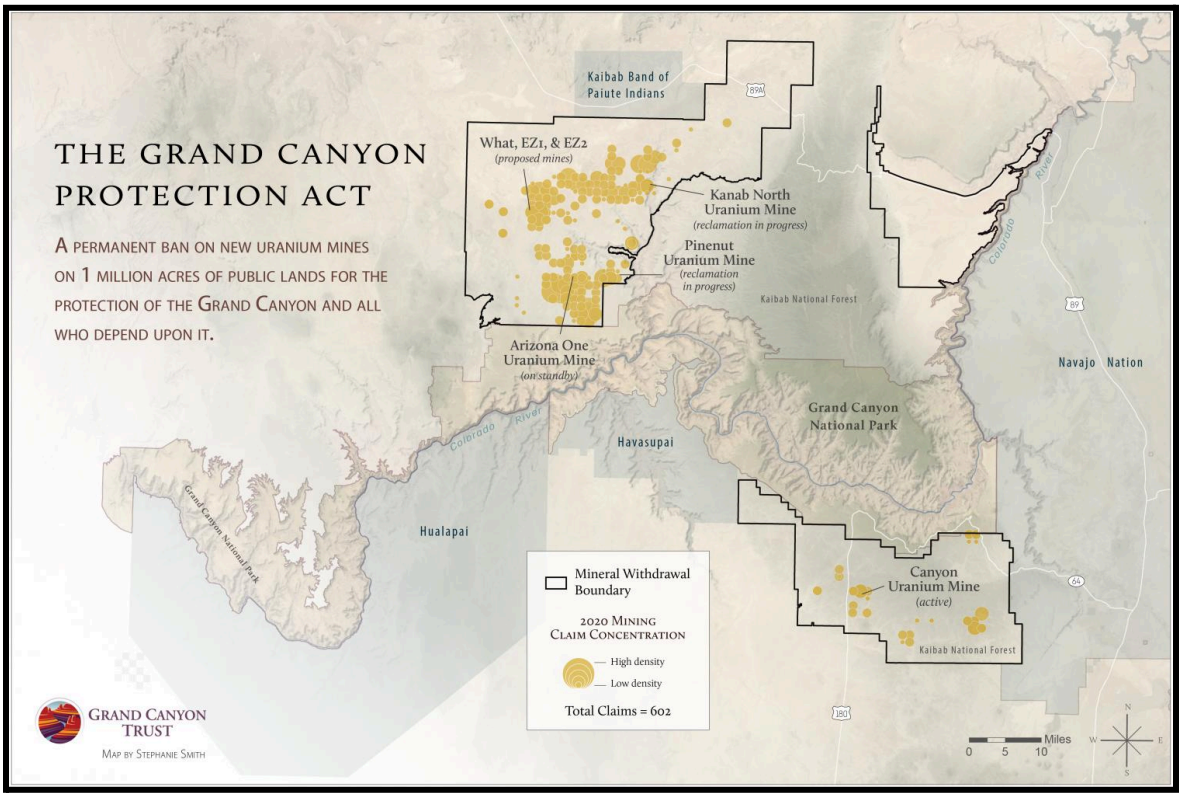
In contemporary times, the struggle over uranium mining continues, with a particular focus on the Pinyon Plain Mine, also known as the Canyon Mine. This mine is situated outside the Grand Canyon National Park, on Havasupai culturally significant land, notably Red Butte

(Reimondo 2020). This serves as yet another example of the sacrifice of Indigenous communities, as uranium mining operations have resulted in flooding incidents and spills into aquifers and springs, which are vital water sources for the Havasupai and Hualapai reservations. In some instances, water from the Canyon Mine has had to be transported across state lines to the White Mesa uranium mill near the Ute Mountain Ute Tribe's White Mesa community in southeastern Utah, not far from Bears Ears National Monument, for disposal, underscoring the far-reaching consequences of these sacrifices (Reimondo 2020). The Grand Canyon tribes have been protesting Canyon mine and other claims for future mining in the region for decades which in 2012, resulted in a twenty year moratorium on future mining development in the region by President Obama (Zabarenko 2012).

Impetus for A New Monument

Even with the twenty year moratorium in place, Tribal nations, their allies, and conservation advocates continued to fight for long-term protection of the Grand Canyon region. For decades, Tribal nations had been fighting for protection against mining and development in the region (Larsen & Bitsói 2023). With the landscapes around the National Park still being subject to mining, development, and increased degradation, stakeholders in the area came together to push forward new legislation to add permanent protections for the Grand Canyon region. The policy, titled the Grand Canyon Protection Act, was introduced in February 2021 with the support of Indigenous Tribal governments, conservation groups, and federal representatives (Congressman Raúl Grijalva D- Ariz. 2021). This legislation would permanently withdraw slightly more than 1 million acres of federal land north and south of Grand Canyon National Park from eligibility for any future mining claims but would leave valid existing claims intact (see Map 7). Rep. Grijalva's push for the legislation gained momentum when it was placed in a larger *Protecting America's Wilderness* bill package that included sixteen conservation bills

around the country. In 2021 when the package was voted on in the house, it passed; but the bill never made it to the senate floor before the legislative slate was wiped clean for the upcoming 118th congress in January 2023 (Marsh 2022).



Map 7. Grand Canyon Protection Act proposed area. Created by Stephanie Smith at Grand Canyon Trust

https://www.grandcanyontrust.org/grand-canyon-protection-act-map

Despite this setback, the Tribes with connections to the Grand Canyon did not stop fighting. In September of 2022, the 11 federally recognized Tribes with ancestral connection formally united as the Grand Canyon Coalition (Larsen & Bitsói 2023). This working Coalition was formed to provide a platform for the Tribes to listen to each other's interests and present a united front in whatever efforts they would propose in the future. In April of 2023, the Coalition formally announced their campaign and proposal to urge President Biden to use his executive power under the Antiquities Act to designate 1 million acres (similar to the proposed boundaries

in the Grand Canyon Protection Act legislation) around the park as a National Monument (Grand Canyon Tribal Coalition Press Release 2023).

In addition to the proposed protections from mining and development, the Grand Canyon Tribal coalition took the opportunity to add Tribal Co-Management into the mix – one aspect that had not previously been a part of past efforts to add permanent protections to the region. Following the footsteps of the Bears Ears Inter-Tribal Coalition, the Tribes advocated for Tribal Co-management as a necessary strategy for the new monument. Without it, they said, they would not support the designation. In their official press release of the proposal and campaign, Chairman Tim Nuvangyaoma of the Hopi Tribe described the coalition's strategy to keep the momentum going after Bears Ears and use a similar model to achieve Co-management:

> "It's not foreign territory anymore… With the efforts going into Bears Ears there are several tribes that have already developed and established a coalition and are working with our federal partners through Co-management. So, in a sense, we're learning along with our federal partners to move in this direction. The dynamics are shifting, and tribes are really coming together in support of one another to really have that voice and seat at the table. " (Grand Canyon Coalition 2023)

Without the leadership and success of Bears Ears Inter-Tribal coalition, they posit, this strategy would not have been as persuasive to the administration.

The proposal and its campaign was supported by many local non-profits, Arizona government officials, and congressional representatives throughout the rest of the spring and into summer of 2023. In addition, a poll in June of 2023 found that 75% of Arizona voters supported the newly proposed monument (Impact Research 2023). In a historic move on August 8th, 2023, President Biden designated the third National Monument in U.S. history to be proposed by a

Tribal-led coalition. *The Baaj Nwaavjo I'tah Kukveni*: Ancestral Footprints of the Grand Canyon National Monument was designated under the presidential authority given in the 1906 Antiquities Act with the intention for the land management efforts to operate in collaboration with the Grand Canyon Tribes (Pres. Joseph Biden 2023). In President Biden's 2023 speech designating *Baaj Nwaavjo I'tah Kukveni* National Monument, he spoke of this administration's attempts of repairing the violent and oftentimes untold history of conservation in our country. He spoke:

> "At a time when some seek to ban books and bury history, we're making it clear that we can't just choose to learn only what we want to know. We should learn everything that's good, bad, and the truth about who we are as a nation…Only with truth comes healing and justice and another step toward forming a more perfect union. Today's action is going to protect and preserve that history along with these high plateaus and deep canyons, majestic red cliffs central to the creation stories of so many Tribal people and so many Tribal nations; fundamental to who they are, to their way of life, to their most sacred ceremonies. "

After being dispossessed of their lands and pushed out of any sort of management power over the region, the 11 tribes of the Grand Canyon region are finally getting invited into management conversations. Within the park and in the region, they have articulated immediate goals for reversing their histories of exclusion and erasure. In the park the goals include adding Indigenous names to all park signs and maps; to work with the NPS to hire more Native guides, artists, and entrepreneurs; and to involve tribes at high levels of management and decision-making (Krakoff 2020). At the new National Monument, a Commission with a seat for

at least one representative of each tribe will be given managerial power in the creation of a management plan and enforcement of it (Proclamation 10606 2023). Decades of Tribal persistence, work, and resilience made this monument a reality. A land management plan collaborated on and informed by the Tribe's interests is likely to come out by 2026, per the three-year rule for new National Monuments. With more and more examples of achieved Tribal Co-management we are pushing forward a movement of respecting tribal sovereignty within land management and conservation.

Analysis & Discussion of Case Studies

Choosing these Cases

The two cases evaluated in this paper were chosen after being identified as successful examples of Southwest Tribes achieving some degree of co-management over their ancestral territories. Notably, these regions of American Public Lands are also widely known and incredibly important to the national history of conservation – positioning them well to be identified as catalysts for change at the national level. By choosing successful cases, the findings gathered are also positioned well to inform future efforts and questions of Indigenous Environmental Justice and the trajectory of American conservation. Additionally, the two cases have used a similar model and set of strategies to protect and manage the Public Lands involved. Bears Ears, and the work done by the BEITC, set an important precedent for Tribal-led conservation that the Grand Canyon Tribal Coalition used to create a persuasive campaign for their specific interests. In both cases, Tribes of each coalition engaged in community organizing efforts for decades to prevent mining and development on these lands until local, state, and federal representatives designed legislation to support their interests. When those legislation efforts failed, Tribes formed coalitions and collaborated to unify around a national monument proposal.

Placing BENM & BNIKNM on the Spectrum of Tribal Co-Management Policies

As discussed in previous sections, the possibilities for Tribal Co-management policies exist on a spectrum described by the Department of Interior and many working experts in the field (see Figure 2). Each case of Tribal Co-managment over federal land or natural resources is, in theory, required to create a policy that aligns with both U.S. and Tribal interests, ecological needs of the natural resource, and with the resources (financial, personnel, institutional, etc.) available to all entities. As such, the Co-management agreements in Bears Ears and *Baaj Nwaavjo I'tah Kukveni* National Monuments will fall on this spectrum at their relative points (see Figure 3).

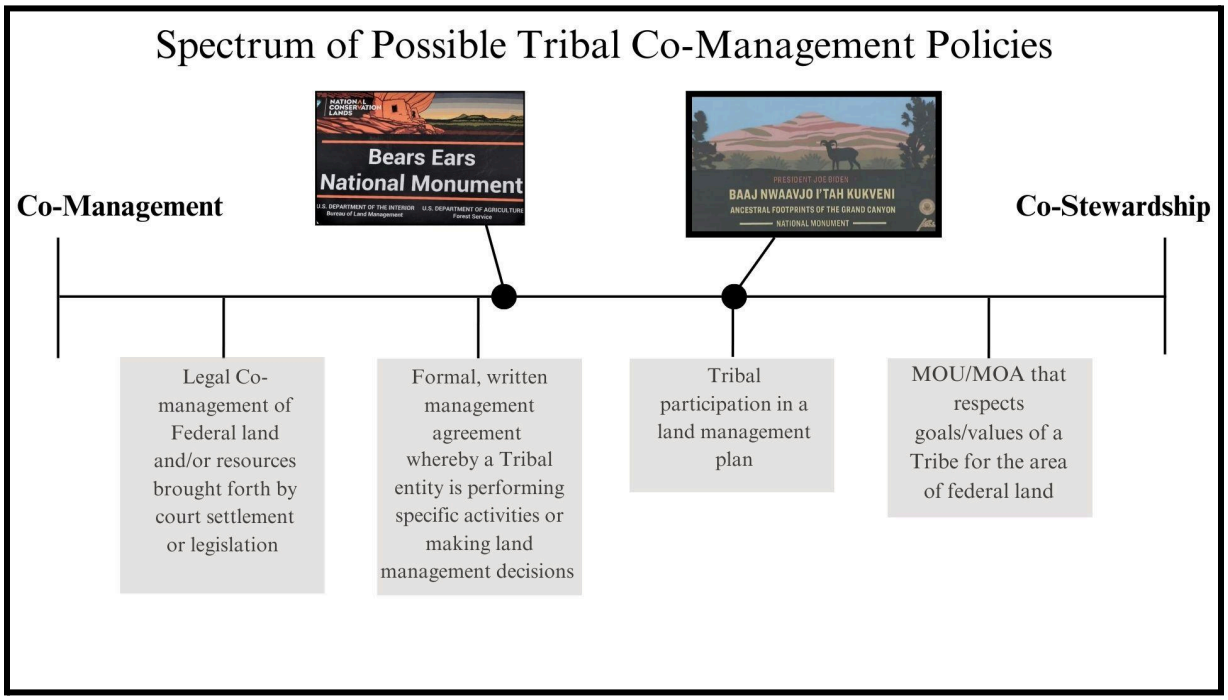


Figure 3. Placements of BENM and BNIKNM on the Spectrum of Possible Co-management Policies.

Figure created by author

While both monuments were proposed and originally designated with the same Co-management model, BENM has had more time to evolve and space for legal protections to be put in place. With the signing of the Inter-agency cooperative agreement in 2022, the five

Tribes connected to Bears Ears established a secure and legal agreement for the land managers to abide by. This security adds a layer of Nation-to-Nation cooperation that is not yet present at the Grand Canyon. As both monuments are being placed on this spectrum, it is important to recognize that this legal strategy was not utilized for 5 years after the original BENM designation. So while the two cases may land on this spectrum differently, that is a signal of 1) different factors and determinations in both cases and 2) time for evolution and progress to occur. These policies are extremely new and are presently being worked on a day to day basis within the Tribal coalitions and the Department of the Interior.

That being said, the 2024 Bears Ears Draft Resource Management Plan will be an essential document that blueprints the way forward for BNIKNM. This federally written management plan, which includes references and direct language from the Tribal management plan, is the first of its kind to include meaningful prioritization of Traditional Indigenous Knowledge and will likely be drawn on closely for the work to create the Resource Management Plan at BNIKNM. Because these two monuments have essentially utilized identical models, together they are positioned extremely well to be a new understanding for the possibility of future conservation projects with Co-management agreements.

Utilizing Tools from Within the System

While the strategies used at BENM and BNIKNMs are rightfully lifted up as blueprints for possible futures for conservation, there are discussions around whether these movements are doing sufficient anti-colonial work (Finegan 2018; Jacobs et. al 2021). Tribal Co-management, while a huge step forward in honoring Indigenous self-determination, is not considered Land Back or other financial/land-based reparations in addition to them still operating under settler-colonial and western land management systems. While these arguments have merit and

should be considered for the future of the Co-management movement, it is also important to understand the unprecedented nature of this type of work in our historical legal and political systems. Co-management serves as a powerful tool for Indigenous communities to defend their sovereignty within the current system. It provides a framework for collaboration with government agencies, allowing Indigenous Peoples to assert their rights and have a meaningful say in decisions that affect their lands and resources. By participating in co-management, Indigenous communities can assert their inherent rights and challenge historical patterns of exclusion and marginalization.

Moreover, co-management enables creativity and innovation in the use of strategies and policies. For instance, the Antiquities Act, which historically has been used to separate Indigenous Peoples from their cultural resources under the guise of protection, can be reimagined and utilized in new ways. Through two case studies, we see Tribal nations reclaiming the narrative and using the Antiquities Act to promote Indigenous sovereignty and access to their ancestral landscapes. This approach represents a shift in how Indigenous communities engage with existing legal frameworks, leveraging them to serve their interests and assert their rights to self-determination.

Additionally, co-management utilizes the current system to strengthen relationships that will be required in reimagining a new system. The history of conservation in the United States has often been fraught with tensions and distrust between Indigenous Peoples and the government. For Indigenous communities, this history is marked by a long and traumatic legacy of being marginalized and excluded from decisions concerning public land management. This legacy has understandably led to extreme distrust and reluctance to collaborate on conservation efforts. Rebuilding trust and relationships between Indigenous Peoples and the government is crucial, and co-management can serve as a symbolic step towards that goal. However, jumping

too far outside the existing system, for example, through concepts like Landback, without first rebuilding trust and relationships, could prove to be much more challenging and potentially less successful. Therefore, co-management can be seen as a pragmatic approach to *begin* the process of healing and rebuilding relationships between Indigenous Peoples and the government in matters concerning public lands.

IV. Reimagining the Future: Indigenizing American Conservation and the Possibility for Repair

Indigenous Representation & Self-Determination

Never before in the history of public land management or conservation have Indigenous communities had a greater opportunity to meaningfully contribute to the management of their ancestral lands. This represents a monumental shift towards recognizing and respecting Indigenous sovereignty and knowledge in land management practices. In terms of self-determination, co-management is not just a beneficial option—it is a necessary step. It requires land managers to actively listen to, incorporate, and work alongside Indigenous leaders and their Knowledge.

This approach ensures that decisions about the land are made in collaboration with those who have the deepest connection to and understanding of it. Furthermore, co-management goes beyond mere representation; it requires Indigenous representation at every level of land management systems. This is not just promoted but required, ensuring that Indigenous voices are not just heard but are integral to the decision-making process. For co-management to be truly successful, Indigenous voices must be employed, consulted, and collaborated with in every step of the process, from the very local to the federal level. This approach ensures that the

management of public lands is not just effective but also respectful of Indigenous rights and perspectives.

Conservation as Cultural Continuation

After centuries of intended cultural erasure and genocide against their Peoples, the ability to practice, teach, and pass down Indigenous culture, knowledge, spirituality, and life ways is a fundamental part of respecting Tribal sovereignty, self-determination, and justice (Cobb 2005; Whyte 2017). For many Indigenous Tribes and nations, cultural identity and religion are deeply intertwined with the concept of place (McNally 2020). As described in part three, many Southwestern Tribal communities derive their cultural richness from specific geographical locations and landscapes, each intricately connected to origin stories, religious and spiritual practices, and the overall sense of community and self. The significance of these places goes beyond mere physical surroundings; they serve as sacred grounds that encapsulate the essence of the Indigenous way of life.

Therefore in the context of land and natural resources, Indigenous-led or collaborative conservation can be a path for cultural continuity and therefore respects sovereignty. The link between cultural identity and the environment underscores the importance of conservation efforts within Indigenous communities. In Keeler's *Edge of Morning* (2017), Regina Lopez-Whiteskunk shares her perspective about Ute Mountain Ute cultural continuation through the coalition's efforts in preserving Bears Ears:

> "It all plays into making sure that we're able to teach and continue to teach our culture, which is tied to the land, down the road. If the land gets destroyed, we won't have a tool or a mechanism to teach the next generation. We all learn, we're all products of the land, we learn from it. We know how our ancestors adjusted to

the adversities they faced, but if the land is plundered, we lose that knowledge because the land is our teacher." (31)

Preserving these specific places is more than a commitment to environmental sustainability; it becomes a crucial endeavor to safeguard the very essence of Indigenous practices. Indigenous-led conservation efforts, therefore, play a pivotal role in ensuring the continual participation in and passing down of their culture to future generations. By protecting the landscapes that hold cultural significance, Indigenous communities aim to maintain the spiritual and historical foundation upon which their identity is built. In this context, conservation emerges as a means of honoring the past, nurturing the present, and securing the cultural legacy for the future.

Repairing the Legacy & A Path Towards Healing

From the earliest settler encroachment on Native land, the sacrifice of Indigenous lands and bodies in the name of preserving federally protected parks and areas, Indigenous communities of the Southwestern region have experienced trauma year after year (see Part 1). Highlighting this history, however, is not meant to dwell on a narrative of victimhood or disempowered Peoples in the face of a greater power. Rather, amplifying true histories of colonization and its lingering effects is a call for liberation and healing. This acknowledgement "offers a pathway toward the conscious development of de-colonial institutions and ideas" (Middlton, 2, 2010). The focus on Co-management and a new era of Indigenous-led collaborative conservation can begin to address the harm done and turn towards focus on healing. Decolonizing the conservation field and shifting towards a trauma-informed framework is necessary to engage in healing of the American mindset and the psycho-social harm that has come out of our history. Efforts to decolonize these institutions of land management agencies

will also disrupt the conditions in which re-traumatization and passed-down intergenerational trauma can occur (Middleton 2010).

As a whole, successful and meaningful Tribal Co-management and Co-stewardship agreements are positioned well to repair a legacy of historic harm done in the name of American conservation. In the current scholarly discussion, Native scholars are fighting for a re-imagination of the systems that led to the current state of affairs as a way to repair this legacy. The first step of this process is equitably including Indigenous perspectives into management decisions (Jacobs et. al 2022, 5), which Co-management agreements, like the ones in BENM and BNIKNM, have demonstrated.

Conclusion

Because of the powerful work of the Tribes in the BEITC and Grand Canyon Coalitions, the narrative of Indigenous involvement in protecting their ancestral territories is forever changed. In Bears Ears and *Baaj Nwaavjo I'tah Kukveni* National Monuments, generations of descendants from the Tribes will be adding a new piece of history to their understanding of these special places. No longer will the story be one that has been taken away from them in many points of the region's history, and in fact, they will have a legacy of resistance and resilience to continue on and protect. At the 2022 Cooperative Agreement signing the Lieutenant governor of Zuni Pueblo and co-chair of Bears Ears Inter-Tribal Coalition, Carleton Bowekaty, summarized these sentiments. He reminds us that "Today, instead of being removed from a landscape to make way for a public park, we are being invited back to our ancestral homelands to help repair them and plan for a resilient future" (Balles 2022).

Co-management stands as a beacon of hope, offering a transformative path forward in conservation and public lands management. If these new sovereign to sovereign co-management

plans respect Tribal sovereignty and integrate Indigenous goals, it has the power to revolutionize these fields, shaping a future that not only includes but necessitates Indigenous collaboration and the incorporation of Indigenous Knowledge. This approach is not just beneficial—it's essential. The opportunities presented by co-management are vast and diverse, but they all share a core principle: the recognition and honoring of Tribal sovereignty. This principle must serve as a foundational element for future models to follow, ensuring that Indigenous voices are not only heard but given the respect and consideration they deserve.

Moreover, these new co-management principles represent a crucial step towards healing the wounds of the past. These new conservation approaches acknowledge the traumatic history that Indigenous communities have endured and seek to make reparations, not just in relationships but in the very systems that govern land management. The tireless work of Indigenous leaders in the co-management movement has paved the way for a new future—one where Indigenous Peoples are not just stakeholders but guiding lights and leaders in conservation efforts.

The cases presented in this thesis are not just examples; they are a call to action. They show us that it is possible for Tribal nations and entities to defend their sovereignty while working within the current systems. The work done at Bears Ears and *Baaj Nwaavjo I'tah Kukveni* National Monuments demonstrate that a future where Indigenous Knowledge is valued and integrated is not just idealistic—it's within reach. It's time for the field to embrace this future, to stand in solidarity with Indigenous Peoples, and to make co-management the standard for conservation and public lands management.

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