

**Tribal Provisions in Recent National Monument Proclamations (1996-2024)**

\* This symbol next to an X in the chart means that the provision is not mentioned in the proclamation, but is established elsewhere.

| <b><i>National Monument (State, Year Established)</i></b> | Allows for Tribal Member Access to Lands and Sacred Sites | Allows for Traditional Uses, Ceremonies, Collection of Medicinal Plants, etc. | Incorporation of Indigenous or Traditional Knowledge in Management | Co-stewardship or Co-management Agreements with Interior Department | Tribally-led Commission or Equivalent Entity |
|---|---|---|--|---|--|
| Grand Staircase-Escalante (UT, 1996 & 2021)               | X   | X   |  |   |  |
| Bears Ears (UT, 2016 & 2021)                              | X*  | X*  | X  | X*  | X  |
| Avi Kwa Ame (NV, 2023)                                    | X   | X   | X  | X   |  |
| Baaj Nwaavjo l'tah Kukveni (AZ, 2023)                     | X   | X   | X  | X   | X  |
| Berryessa Snow Mountain Expansion (CA, 2024)              | X   | X   | X  | X   |  |

***Can national monument designations promote and protect Tribal use and stewardship of traditional cultural and spiritual sites?***

National monument designations over the last decades have allowed for **continued access by members of Tribal Nations for traditional cultural and customary uses such as the gathering of plants and medicines, hunting, firewood cutting, and ceremonial purposes.**

The Biden Administration has been engaging in meaningful consultation with Tribal Nations, honoring Tribal sovereignty, and including Tribal leaders in policy deliberations that affect Tribal communities. In addition, the Biden Administration is signing **co-stewardship agreements with Tribes that increase Tribal participation in the management and stewardship of federal lands and waters of significance to Tribal communities.** These factors combine to present **unique and historic opportunities for Tribal Nation involvement and leadership** in public lands management and advocacy, including new national monuments.

The groundwork for co-stewardship between Tribal Nations and federal agencies and participation for Tribal Nations in monument management can be **established through an Antiquities Act proclamation**, as was the case in the recent [Bears Ears](#), [Avi Kwa Ame](#), and [Baaj Nwaavjo I'tah Kukveni - Ancestral Footprints of the Grand Canyon](#) National Monument proclamations signed by President Biden. The president has also restored protections for [Grand Staircase-Escalante National Monument](#), while recently expanding the [San Gabriel Mountains](#) and [Berrysa Snow Mountain](#) National Monuments.

The Biden Administration proclamation for **Bears Ears National Monument** restores lands that were removed by the Trump administration and re-establishes a **Bears Ears Commission of tribal representatives to provide guidance and recommendations for the monument's management plans and management, and also recognizes the expertise and traditional and historical knowledge of Tribal Nations.** The proclamation for the restoration of **Grand Staircase-Escalante National Monument** enlarges the area conserved, but does not add any new provisions regarding Tribal use or management of monument lands.

The **Avi Kwa Ame National Monument** proclamation **directs the Secretary to enter into a memorandum of understanding with interested tribal nations to set forth terms for co-stewardship of the monument.** It also establishes a monument advisory committee under the Federal Advisory Committee Act with “a majority of the membership...made up of members of Tribal Nations with a historical connection to the lands within the monument.” The committee’s specific purpose is to provide “information and advice regarding the development of the management plan and management of the monument.”

Furthermore, the **Avi Kwa Ame National Monument** proclamation **directs the Secretary of Interior to engage Tribal Nations in the development of the monument management plan and management of the monument**, recognizing “the importance of Tribal participation in the care and management of the [monument’s] objects (resources to be protected)...and to **ensure that management decisions affecting the monument are informed by and reflect Tribal expertise and Indigenous Knowledge.**”

The **Baaj Nwaavjo I'tah Kukveni - Ancestral Footprints of the Grand Canyon National Monument** proclamation builds on many of the same provisions as other recent proclamations, yet carries them further to direct the Secretaries of the Interior and Agriculture Departments to **explore entering into cooperative agreements or contracts with tribes or tribal organizations** to “perform administrative or management functions within the monument; and **explore providing technical and financial assistance to improve the capacity of Tribal Nations** to develop, enter into, and carry out activities under such cooperative agreements or contracts.” It carries on with: “The Secretaries shall **further explore opportunities for funding agreements with Tribal Nations** relating to the management and protection of traditional cultural properties and other culturally significant programming associated with the monument.”

In addition to a general advisory committee, consisting of a “fair and balanced representation of interested stakeholders”, the **Baaj Nwaavjo I'tah Kukveni - Ancestral Footprints of the Grand Canyon National Monument** also establishes a commission, or grouping of elected leaders, made up of one designated representative of each affiliated tribe, with a mission of **providing guidance and recommendations on the development and implementation of the management plan and on the management of the monument as a whole.**

The expansions of **Berryessa Snow Mountain** and **San Gabriel Mountains National Monuments** do not add any new provisions, but continue much of what has been in other recent proclamations. The **Molok Luyuk** (addition to Berryessa Snow Mountain) proclamation **directs the Secretary of the Interior to look into co-stewardship memorandums of understanding (MOUs) with interested tribes.** This is similar to the language that was in the Molok Luyuk legislation.

The San Gabriels proclamation **directs the Forest Service to set up an advisory committee that includes Tribal Nations with ties to the area.** This provision was not included in the original 2014 proclamation establishing the monument.

Both expansion proclamations mention **incorporating indigenous knowledge into the management plan.**

*If Tribal Nations pursued a national monument designation for the Amargosa Basin from the Biden Administration, there would be nation-to-nation consultation during which co-stewardship provisions similar to and potentially expanding on those identified above could be sought in a process of exercising Tribal sovereignty.*