

“A Tale of Two Canyons – How Ancient Native American Sites Have Entered into Activist and Extremist Ideologies and Why That’s a Bad Thing”

by

Dr. Jody Paterson

Montgomery Archaeology Consultants Inc.

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Dr. Paterson began his talk by discussing why the study of ancient sites is important:

- Expand our knowledge, understanding and appreciation of the past
- Provide scientific data to understand the past environment, climate change and human relation to nature
- Provide tourist and educational opportunities (economic opportunities)

Dr. Paterson was privileged to have worked on two controversial projects from two different perspectives. He worked on developing a use plan for 9 Mile Canyon representing the interest of the oil and gas industry. He also worked on developing a land use plan for Recapture Canyon representing the government agencies. He uses his experience to provide insight on the government process for developing land use policy.

The problem in 9 Mile Canyon how to protect the cultural resources, primarily rock art, from the increased use of the canyon by the oil and gas industry in the entire canyon. The problem in Recapture Canyon was how to protect the cultural resources, primarily pit house and pueblo structures and pottery shards from use by motorized vehicles (ATV's) in a limited 6-mile portion of the canyon. His talk discusses how the government land use process was successful in 9-Mile Canyon and was basically unsuccessful in Recapture Canyon.

9-Mile Canyon is located about 25 miles from Price Utah. It was populated primarily by the Fremont beginning about 1000 BC. They lived in hamlets consisting of 2 to 3 pithouses housing 10 to 15 people at most. The cultural resources consist primarily of rock art and granaries that are on the walls of the canyon. The main problem was how to develop or improve a road through the canyon that could be used by heavy trucks used by the oil and gas industry without harming the cultural resources.



9-Mile Canyon



Rock Art in 9-Mile Canyon

Recapture Canyon is located very near Blanding Utah. It was populated by various peoples from Basket Maker II through the Anasazi. The cultural resources consist of pit houses, cliff structures - pueblos and granaries located both on the floor of the canyon and on the cliff walls and artifacts located on the floor of the canyon. The problem is how to limit use in the portion of the canyon where these resources are located (about a 6-mile portion), specifically on the floor of the canyon. The BLM closed this portion of the canyon to motorized (ATV) use, while keeping open a number of other trails in the canyon and along the canyon rim. This solution did not satisfy the ATV community, creating another land use review.



Recapture Canyon



Ruin in Recapture Canyon

Dr. Paterson summarized the similarities and differences in both locations:

	Recapture	9-Mile
Archaeology at Risk	x	x
Dichotomous Land Use	x	x
Passionate Land Use Advocates	x	x
BLM Use of NEPA & Section 6 Consultation	x	x
Adversarial Atmosphere	x	x
Prudent & Judicious Timeline for resolution		x
Open Minded People		x
Industry Influence Money		x

Concession, Consensus & Resolution
The Problem

ATV Trail

x
Oil & Gas

Dr. Paterson outlined the issues:

Land use

Access

Resources extraction / use

Political Ideology

Preservation / Conservation

Impacts to cultural resources

Politics more personal

Some definition of terms:

- Preservation – setting aside of natural resources to prevent the use or contact by humans.
- Conservation – planned management
- Resource – material or substances such as minerals, forests, etc. that can be used for economic gain
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The government has a two step process for developing its land management programs that applies to both of the cases:

Section 106 of the National Historic Preservation Act – this programs has provisions that can act as a “stop sign” that can stop a program.

National Environmental Policy Act (NEPA) – this program cannot stop a program, but can only come up with a “mitigation” that can best manage the situation.

Both of these programs require a “programmatic agreement” among signators, concurring parties and consulting parties to be successful.

These programs also rely on the principles of “rights”, “justice” and “utilitarianism” to be successful. That is to find the greatest good for the greatest number of people. Therefore, the parties must find compromises to solve the problem.

The Native Americans have a part in this process, but is done in a different manner.

Negotiations with the Native Americans is done in private, rather that in public. This is to protect the location of sensitive sites and the “ceremonies” that may be performed at those sites from widespread public knowledge. However, they must also “sign off” on any agreement.

In the case of 9-Mile Canyon, all the parties signed the programmatic agreement. The agreement allowed money to be paid by the oil and gas industry that would be used to fund a number of programs that everyone felt would result in protection of the cultural resources.

The Recapture Canyon case was different. The programmatic agreement stated that the trail would remain closed to motorized vehicles pending the results of a number of studies. The trails could open in the future based on the results of the various studies. The major problem was that the money to fund the studies was not readily available. Consequently, all the parties did not sign the agreement. The BLM and the government agencies, San Juan County and the city of Blanding did sign, but the environmental and ATV groups did not sign.

In conclusion, Dr. Paterson offered his opinion on “what went wrong” with the process in the Recapture Canyon Case:

- The competing parties were not willing to compromise for a variety of reasons. The general politics of the situation and of the time were too heated.
- The competing parties were environmentalists / wilderness advocates and ATV advocates. There was no advocate for the archaeology, which was the stated reason for having the disagreement.
- There was no money to insure that the terms of the agreement would be met.

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John Mangels