



# Grand Staircase-Escalante National Monument

## Monument Advisory Committee Zoom Meeting Notes

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Tuesday, June 27, 2023, 9:00 am to 3:40 pm

### Meeting format: Zoom

### In attendance:

**MAC:** Shea Owens (State Government), Hank Stevens (Tribal Interests), Joel Pederson (Education), Sarah Bauman (Conservation), Jacqueline Grant (Public at Large), Scott Berry (Dispersed Recreation)

**BLM:** Greg Sheehan (BLM Utah State Director), Christi Judd (BLM Utah Communications Director), Adé Nelson (BLM Grand Staircase-Escalante Monument Manager/Acting Designated Federal Officer), Artemisia Turiya (Paria River District Planning and Environmental Coordinator), David Hercher (BLM Utah Public Affairs Specialist), Tammy Milcowitz (Captioner)

**Media and Members of the public:** Julie Brugger, Hillary Angelo, Andy Blair, Troy Henrie, Don Heyse, Wendy Lessig, Laura Welp, Scott Jackson, Victor Coulon, Patrick Jacolenne, Ali Adib, Mike Popejoy, Marc Coles-Ritchie, Liam O'Malley, Larry Samuel, Jerome Samuel, Kya Marienfeld, Steph Wacha, Simone Griffin, John Holland, Stephanie DeGraw, Joe Baughman, Hayden Ballard, Jennifer Kangas, Loren Pena, David Bower, Cody Coombs, Mike Painter, Aaron Cooley, Dave Stevenson, Jennifer Bach, Mark Nelson

Certified Sept. 12, 2023

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Tuesday, June 27, 2023, 9:00 am to 3:40 pm

### Meeting Agenda:

TIME	TOPIC	PRESENTER
9:00 a.m. (5 minutes)	Virtual meeting logistics	Alli Yamnitsky, EMPSi
9:05 a.m. (10 minutes)	Welcome and introductions	Greg Sheehan, BLM Utah State Director  Harry Barber, Adé Nelson, Acting Designated Federal Officer (DFO)
9:15 a.m. (60 minutes)	<ul style="list-style-type: none"><li>• Call to Order</li><li>• Official vote for approval of meeting minutes from Dec. 13, 2022</li><li>• Opportunity for members to address the committee and discuss why said individual wants to run for committee chair.</li><li>• Nominations of new committee chair.</li></ul>	Harry Barber, Adé Nelson, Acting Designated Federal Officer (DFO)
10:15 a.m. (10 minutes)	Updates on Resource Management Plan update. <ul style="list-style-type: none"><li>• Current and upcoming planning steps</li><li>• Release of DEIS</li><li>• Future milestones</li></ul>	Artemisia Turiya, Paria River District Planning & Environmental Coordinator
10:25 a.m. (10 minutes)	10-minute break and reminder to public to register if they wish to speak during public comment period.	Adé Nelson, Acting Designated Federal Officer (DFO)
10:35 a.m. (10 minutes)	MAC RMP Q&As for Turiya and project management team	Artemisia Turiya, Paria River District Planning & Environmental Coordinator



# Grand Staircase-Escalante National Monument

## Monument Advisory Committee Zoom Meeting Notes

Tuesday, June 27, 2023, 9:00 am to 3:40 pm

TIME	TOPIC	PRESENTER
10:45 a.m. (45 minutes)	Science plan update. <ul style="list-style-type: none"><li>• BLM Science Plan Policy</li><li>• Science Plan content</li></ul>	Artemisia Turiya, Paria River District Planning & Environmental Coordinator
11:30 a.m. (30 minutes)	30-minute lunch and reminder to public to register if they wish to speak during public comment period.	Adé Nelson, Acting Designated Federal Officer (DFO)
12:00 p.m. (75 minutes)	MAC science plan discussion and Q&A for BLM	MAC members
1:15 p.m. (10 minutes)	10-minute break and reminder to public to register if they wish to speak during public comment period.	Adé Nelson, Acting Designated Federal Officer (DFO)
1:25 p.m. (5 minutes)	Prepare for public comment period. Address any technical issues with participants.	Alli Yamnitsky, EMPSi
1:30 p.m. (45 minutes)	*Public Comment Period (may be extended an additional 15 minutes if participation warrants).	Members of the public. Sign up provided for those interested in providing oral comments.
2:15-2:30 p.m. (60 minutes)	MAC to review, discuss and consider public comments.	Adé Nelson, Acting Designated Federal Officer (DFO)
3:15-3:30 p.m. (10 minutes)	Final thoughts and wrap up. Identify other MAC discussion topics.	Adé Nelson, Acting Designated Federal Officer (DFO)
3:25-3:40 (10 minutes)	Adjourn	Greg Sheehan, BLM Utah State Director  Adé Nelson, Acting Designated Federal Officer (DFO)

\*Public comment period scheduled to commence at 1:30 p.m. and is scheduled for 45 minutes or until all public comments have concluded, whichever comes first. If public participation warrants extra time, the public comment period may be extended to 60 minutes, at MAC member discretion.



# Grand Staircase-Escalante National Monument

## Monument Advisory Committee Zoom Meeting Notes

---

Tuesday, June 27, 2023, 9:00 am to 3:40 pm

### Welcome and Introductions:

**Bureau of Land Management Utah State Director Greg Sheehan and**

**Grand Staircase-Escalante National Monument Manager Adé Nelson opening remarks**

- Welcomed all MAC members.
- Discussed Public Lands rule and upcoming public comment period.
- Discussed ongoing work on Monument planning – anticipate having a draft resource management plan available for public comment by mid-summer.
- Discussed of some national priorities:
  - Discussed planning efforts include ongoing planning for Greater Sage Grouse and Gunnison Sage Grouse projects, and
  - Solar Programmatic Environmental Impact Statement.
- Discussion of staggered committee appointments and nominations.
- Acting Designated Federal Officer for this meeting will be Adé Nelson
- Councilmember question about the current composition of the MAC. Nominee names were shared, and response provided was that the Secretary of the Interior will pick who she would like to appoint, and just because you see a name nominated does not mean that will be the person selected for a vacancy.
- Councilmember question. How does the BLM define a quorum? Response provided was that we asked our counsel in Washington D.C., to help give us some clarity of what constitutes a quorum. It really is a majority or half plus one, but then is further qualified by ensuring that there's a diversity of the membership, and perhaps that can be interpreted differently, but it's trying to ensure that we have a broad base of the different categories or disciplines, if you will, that are represented.
- Councilmember remark. I appreciate this explanation regarding the quorum rules, and all I'm going to say is I disagree, for the record. It would be helpful to ask attorneys to provide legal authorities for this conclusion, so other folks with legal training, including myself, could have a chance to review those authorities themselves.
- Councilmember comment. Regarding establishment of a subcommittee, I know that the MAC as a whole, with the DFO present, can't meet outside of these public meetings, but subcommittees can meet as long as we have permission from the DFO to actually create a subcommittee. So perhaps we could consider that as an agenda item for our next meeting, creation of subcommittees of interest so that we can have the time to discuss the ideas and the science and potential needs and where we might bring that information back to the committee as a whole to help the BLM and provide advice and help fulfill the roles that we've been given.

According to the CFR, under resource advisory committees, there's a statement that says that the subcommittees act a little bit differently than the MAC as a whole and this is one way that the MAC can be more effective, if they're allowed to have subcommittees that can present information that's well thought out and gives the committee time, which I think we're really



# Grand Staircase-Escalante National Monument

## Monument Advisory Committee Zoom Meeting Notes

---

Tuesday, June 27, 2023, 9:00 am to 3:40 pm

lacking here, is that time to actually digest the information that's given to us and then come to an informed decision. Right? When we get information at the start of a meeting, that's not enough time to process it, and come up with an informed decision or recommendation for anyone.

### Updates on Resource Management Plan:

#### Artemisia Turiya, Paria River District Planning & Environmental Coordinator

- Last fall, there was a notice of intent in the federal register that announced we were going to begin this planning process for a new monument resource management plan. That was out for a 60-day public review and comment period and during the latter 30 days of it, the analysis of the management situation was also posted.
- Since those comment periods closed on September 27th, 2022, two things have been happening. The BLM has been working with EMPSi (contractor) who is supporting the BLM in this process. The BLM has also been working with formal cooperators who have agreement with BLM.
- The first thing the BLM did was develop a range of alternatives, a range of possible different approaches to how to manage the monument. Once developed, a Draft Environmental Impact Statement was then developed, which is essentially a document that discloses the potential effect of these different approaches to management, to identify a range of potential effects to be considered, so the BLM can determine what might be the best approaches.
- Upcoming milestones include publication of a draft environmental impact statement, followed by a 90-day public review and comment period, during which time any parties who wish can make comments in terms of suggested changes, corrected information, any kind of comments that are desired to be made.
- Upon conclusion of the 90-day comment period, there will be a period during which the BLM, EMPSi and cooperators, will create a final environmental impact statement that takes into consideration any new information obtained, including comments from the public comment period, and then a proposed resource management plan will be drafted, meaning that based on all information compiled, there will no longer going to be a range of alternatives being considered for a plan, but rather, from that range, a plan will be constructed. An actual plan that would be guiding management, a proposed resource management plan that will require further review.
- Upon which, a governor's consistency review will begin. This is a 60-day period during which the governor of the State of Utah reviews these documents, the plan for consistency with state and local government. During this review there will also be an opportunity for protests.
- Councilmember remark. Greg mentioned there were some types of documents that were not prescriptive for the RMP, which could be shared with the MAC members. I would like to hear from Turiya, what are the documents that fall within that category that could be shared with us, that will help us understand what's available and probably help us make more pointed



# Grand Staircase-Escalante National Monument

## Monument Advisory Committee Zoom Meeting Notes

---

Tuesday, June 27, 2023, 9:00 am to 3:40 pm

requests? Response provided, anything available to the public is available on the ePlanning webpage. There are background documents and supporting documents. A majority of BLM's data is available to the general public through the BLM's geospatial database. We can provide that link.

- Councilmember question. As I review the MAC Charter, most of the duties listed seem to clearly apply to the MAC only after the research management plan and science plan are in place. Can you tell us how we as MAC members can contribute at this point in the process? Response provided we don't have projects per se right now, for instance other planning on the monument to bring to the MAC, which we would have after the plan. For example, say we were going to put in a campground. We would want advisory committee input on that. We would present topics we felt do offer the MAC opportunity to provide input on. Granted, the science plan is not part of the RMP, but it is something that's happening on the monument, and to give you the update so there can be MAC discussion and we can hear what thoughts and advisements the committee has.

Additional BLM response provided. We find ourselves in a weird position right now, as we are not doing much active planning per se. We are in the process of developing the new resource management plan. In future, we would hope to bring those site-specific proposals in front of this committee and receive advice from the committee on refinement to the proposals needed, or certain criteria or design features to help minimize the impacts. I also see opportunity here. We are bringing a science coordinator/ecologist aboard soon. That individual will be tasked with revamping the science program here at the monument. So, in the future, we would hope that a science coordinator could come to these meetings and have those discussions about project proposals.

In the meantime, once those documents are publicly released for the RMP, there will be that 90-day public comment period in which all documents will be available to everybody on the committee.

- Councilmember comment. One aspect of the science plan I'm particularly interested in, is how the science plan will be used to effect management decision making in the monument, and so that's kind of a bigger picture question than whether or not a particular campground or trail or whatever, what impacts they may have. I'd really like to know more about the way that science will be incorporated into the decision-making process.

### **Update on Science Plan:**

#### **Artemisia Turiya, Paria River District Planning & Environmental Coordinator**

- Discussed purpose and the status of the science plan. Acknowledged that there a lot of stakeholder interest in science plan development and many discussions outside BLM Utah



# Grand Staircase-Escalante National Monument

## Monument Advisory Committee Zoom Meeting Notes

---

Tuesday, June 27, 2023, 9:00 am to 3:40 pm

- regarding who may be working on science plan and when it will be complete.
- Clarified that creating a science plan does not lead to any kind of a NEPA decision, but that a science plan is largely administrative, which is a little bit what was indicated to with the question about how science will be used to manage the monument.
  - Additionally, a science plan can and should be updated periodically. There's not a fixed rule that a science plan must be completed every so many years. The idea is that the science plan will evolve as new questions arise, environmental factors change, different efficiencies are recognized, funding changes, etc. The science plan can be updated periodically. We do not go through a NEPA process to make that happen. This is a fundamental for us to recognize when we're talking about a science plan.
  - Discussed mandates for a science plan, its purpose, and how the plan will be developed. Recognized that this is unique to Grand Staircase, a science monument, emphasizing basic or pure science.
  - Emphasized that the monument is in the National Landscape Conservation System; that the BLM is mandated to conserve, protect, and restore certain outstanding values, and therefore, science is strategically conducted, as was mentioned in the question, to form a feedback loop and adaptive management so that we're using science to help manage monument lands.
  - A science plan is essentially intended to support administering a science program. There have been some mistaken ideas that a science plan might contain certain directives that fall under other types of plans.
  - Administering a science program involves taking a look at the specific needs for the monument. The science plan must meet BLM needs identified as challenges or as necessities for a science program. For example: administrative tasks may include networking (maintaining relationships, conducting symposiums, communicating science, determining how to prioritize research, and identifying funding needs).
  - Incorporating these administrative tasks into an adaptive management feedback loop to affect management of the monument.
  - Proclamation 10286 recognizes the scientific importance of the monument, including basic science, which is really another way to hear what basic science is, it expands knowledge of a subject. It helps us understand our place within the region, within the world, and there's the applied science, which is using scientific knowledge to resolve real world problems.
  - Recognized that there have been these misconceptions about what a BLM science plan is. Clarified that it is better understand what a BLM science plan is not.
  - Discussed what an RMP is – a principal instrument we have to guide resource management.
  - Discussed what an RMP Monitoring Plan is – a feedback mechanism that helps determine whether the management is meeting its goals and objectives, a process of periodically checking to determine if we are meeting goals and objectives of the RMP.
  - Discussed what an RMP Implementation Plan is – a plan that lays out timelines for decisions too specific to be within the RMP but they're not project level either. An implementation plan



# Grand Staircase-Escalante National Monument

## Monument Advisory Committee Zoom Meeting Notes

---

Tuesday, June 27, 2023, 9:00 am to 3:40 pm

is where we would look to a tribal co stewardship plan, a cultural resources management plan, recreation plans such as special management areas in need of separate plans.

- Discussed what a one-time decision is – a one-time decision is not implemented until additional decision making occurs. The implementation plan establishes timelines for the completion of these one-time decisions. So, if we did not have a tribal co-stewardship plan, that would be the example of a one-time decision.
- If the RMP says the BLM will have a paleontological resource management plan, the RMP is not going to go into the details, but the implementation plan dictates the timeline in which a paleontological RMP would need to be completed.
- A science plan does not tell us how to do effects analysis within project level work, and although the science plan briefly discusses monitoring, it does not go into a level that says how BLM will conduct annual monitoring or even that it will conduct annual monitoring.
- Discussed Tribal involvement in planning process. There have been opinions that this aspect of tribal stewardship would happen within a science plan, like aspects that include gaining knowledge of values and knowledge related to science. Clarified that most of this will occur in a tribal co-stewardship plan, outlining who, what, where, when, how, and why the tribes are involved.
- The science plan itself does not make commitments to stakeholders describing exactly how their involvement would occur. This is done in those separate step-down, one-time decisions.
- Reiterated that BLM Utah is working towards a tribal co-stewardship plan, that will specify further collaboration between the BLM and Tribal Nations, including certain areas of interest, such as tribal knowledge or traditional knowledge.
- A science plan is a concise, general document, an administrative document, usually about 50-100 pages. The exact length of our science plan is yet to be envisioned. Emphasized that from a planning perspective, a science plan is not a long narrative explaining how the science program will work.
- Discussed science plan protocols. It could include an outline for a citizen science program, grant writing, cooperation with other entities, public outreach, acceptance, and organization of scientific reports, emphasizing communication.
- Discussed a need for a science program database. One that is complete, searchable, that includes published and unpublished work that has occurred, and that can be used to communicate with both scientists and BLM resource specialists.
- Councilmember question. Asked for examples of science plans. Response provided – Rio Grande del Norte Monument and Dominguez Escalante Plan. Examples provided on the MAC webpage under “meeting agendas and documents” since December 2022.
- Councilmember question. When and how might the MAC be involved in a science plan discussion? Response provided – this topic will be included in the September agenda.





# Grand Staircase-Escalante National Monument

## Monument Advisory Committee Zoom Meeting Notes

---

Tuesday, June 27, 2023, 9:00 am to 3:40 pm

- Councilmember question. Will there be an opportunity to comment with the science plan? Response provided. Reiterated that a science plan is not a NEPA process, does not require public participation and so there's no plan for any other public delivery other than at the MAC.
- Councilmember question. Will science plan information be accessible through the ePlanning? Will there be data available for the public and MAC members to access? Response provided. The general guidance for using ePlanning is to keep it for the purposes of NEPA. The method of communication of additional information has not been discussed, but it also hasn't been identified as required. For instance, there may not be any data to share. There will be a development of a database.
- Councilmember question. When will we have a chairman? And when will the MAC be included in agenda development for these meetings? Response provided. Agenda topics are pre decided and provided within the federal register notice, and so to an extent the DFO does work directly with the chairman to maybe organize the subtopics of those primary topics within the agenda, but as far as setting the agenda and the primary topics, those have been determined at the very beginning within that federal register.
- The anticipated release for the draft EIS and the RMP is August 11, 2023. This is the targeted release date, so there should be plenty of time between then and the next MAC meeting for the public and the committee members to review what's been made available.
- As for the science plan, at the time we created MAC meeting agendas for 2023, it was premature to be having discussions about science plan development and when the BLM planned to begin working on one.
- Councilmember comment. The resource for tribal engagement is still lacking and until we get the science coordinator or the Tribal liaison in position, I think that's about the only chance that we're going to have an opportunity to actually have Tribal engagement. This impedes the Tribe's ability to engage in the process that the proclamation identifies, the tribal stewardship.
- There's about 200 plus soils in the monument, and then when I compare that to the sign of indigenous sand paintings, we have over 2,000 sand paintings, so we still have to identify some of these soils in the area that our indigenous practitioners have been using, and we're still lacking that. How are we going to be able to engage Tribes? Each Tribal member should have the ability to provide input on some of the science that is within the national monument. Response provided. The BLM has hired a science coordinator that we plan to onboard towards the end of July, and the state office has hired a tribal liaison who will be assisting the various offices, including Grand Staircase in tribal stewardship, and reaching out to coordinate with Tribes. We have made significant progress towards filling those key positions, recognizing their importance, and how both positions play a role in what is to come.



# Grand Staircase-Escalante National Monument

## Monument Advisory Committee Zoom Meeting Notes

---

Tuesday, June 27, 2023, 9:00 am to 3:40 pm

- Councilmember question. Will the new science coordinator be joining us during the September meeting? And will that person lead a discussion on the science priorities for the monument? Response provided. That individual will be in attendance at the next meeting, and as Turiya mentioned before, she will begin to work with that individual and transition the information and roles and responsibilities of continuing throughout the development of the science plan to that individual.
- Councilmember question. When will the Tribes start engaging with the science coordinator? We're decades behind, you know, what the rest of the committees, you know, they've been engaged in this monument for, you know, almost three decades. We're just barely getting on the platform here, so I think it's urgent for the tribes to actually start making a connection with agencies and some of the people involved with the Resource Management Plan. Response provided. As a cooperating agency, the tribes have the opportunity to review the tribal co-stewardship section and comment on those over-arching goals, objectives and direction that would then direct the agency to work with the tribes in identifying the resource data significant to the tribes so the agency can incorporate and consider that data for site specific planning.

As far as the development of the science plan, this is an administrative document, that is not subject to NEPA. It's an internal document that will continue to be reworked as science evolves. We ask that Tribal participation be a component of the feedback that the general public and tribal members provide to the MAC because this is the forum, the public forum that we are using to receive information. Through government-to-government, Tribes may also engage in additional conversations with the BLM regarding Tribal direction that ultimately would be a component of things that are included into the science.

- Councilmember comment. I do want to point out that in the science presentation, there is a bullet about identifying and prioritizing the science needs of the monument relative to management questions. I just have a request on the record that a discussion about that is on the agenda and part of the September meeting, and although that's not prescribing what science is going to be done, it's very important, and it's related to it.
- Councilmember comment. In response to Turiya's comment about the constantly changing nature of management needs on the monument, it seems to indicate that the MAC should meet more often than twice a year, because our role is to help provide advice and differing viewpoints, and if we only meet twice a year, I don't know how we can effectively do that.
- Councilmember comment. It sounds to me like maybe the more productive way for people to proceed is to continue to submit materials individually to the BLM, with materials that they



# Grand Staircase-Escalante National Monument

## Monument Advisory Committee Zoom Meeting Notes

---

Tuesday, June 27, 2023, 9:00 am to 3:40 pm

think should be considered for inclusion, or at least referenced with respect to the RMP.

Could tell us what kind of materials would be most helpful? What is the best way for individuals to contribute to this process? Because it looks like the MAC is not going to really be able to do much here, but I still would like to be able to participate individually, and I would appreciate your guidance on how I can best do that. Response provided. I recommend reviewing today's science plan and if you have specific ideas of something you think might be useful, you're more than welcome to just call me. To be clear, no one is saying that the agency is saying don't contribute. Please do contribute. But if people are concise and really to the point of what they're adding in terms of new information, like X actually is inaccurate or Y hasn't been included, that actually makes the submission the most workable.

### Public comment period:

Wendy Lessig – I'm a back country pilot and I represent the Recreational Aviation Foundation. I appreciate being able to listen in on the committee meeting today. I don't have any other comments. I thought it was very informative, and I appreciate all the information. Particularly like the committee members mentioned, I'm looking forward to seeing the draft EIS because that's where the public will really get a chance to be involved. So anyway, keep doing what you're doing.

Laura Welp – I was a bit confused by the discussion about adverse effects because it sounds like a NEPA term and I know that this is not a NEPA document, but there was some mention of describing near term effects resources as being as many as a hundred years. The alarm bell that came in my mind was in relation to the fact that I often see in NEPA document analyses that say that negative effects on resources will be negative in the near term but positive in the long term, and most often I see that applied to, like, inconvenient resources like biological soil trust, things that are damaged for long periods of time.

I know that that's probably not what you guys meant because there's no empirical evidence showing that soil disturbance that damages soil crust will be positive in the long term. And so, making this be a credible document would need to be more explicitly spelled out, actually. The idea that this is not a NEPA document, and so public input will not be solicited apart from the MAC meetings, I was a little unnerved by that because I'm just thinking about all of the scientific knowledge that has gone on over decades, and that is not the expertise of the MAC or the expertise of the BLM itself. I feel like you should always err on the side of public input, especially in this case because there's a lot of scientists out there that have a lot of really good things to say and restricting public comment from them to these MAC meetings risks the impression that Grand Staircase is not interested in hearing about science from the public. I encourage the BLM to try to consider ways to solicit public input for the science plan.

While the BLM is bound by resource management plans, my understanding now is that the science



# Grand Staircase-Escalante National Monument

## Monument Advisory Committee Zoom Meeting Notes

---

Tuesday, June 27, 2023, 9:00 am to 3:40 pm

plan will not have that same level of authority to guide management, and if that is not true, can somebody please tell me that I don't have that right.

Ali Adib – I'm interested in the history of how this advisory committee came to be. I also want to note, it seems like there's a lot of vacancies on the advisory committee, and it seems like there's more than ten people that have applied. My assumption is that they've applied a while ago. I'm just a little confused that why is it taking so long and where the delay is coming from.

Mike Popejoy – It sounded to me like the science plan is going to be of a general nature and not necessarily consider sort of specific results of past scientific research. So, it seems like one opportunity for the MAC. I know there's been some discussion about MAC's role how it can be most effective. It seems like one possibility is potentially to compile recommendations on the draft EIS based on some of the past science that's been done. So, I thought I'd propose that as something for the MAC to consider maybe after the release of the public documents in August.

Don Heyse – I'm a little concerned about the lack of good scientific input into the process. It's something I picked up throughout listening today, the distress of some commenters and some MAC members, and actually getting good scientific information brought to bear on the issues that we are considering. So, my request is that procedures be improved to bring all the available science that we have to bear.

Mike Popejoy – I'm curious whether the BLM anticipates having all supporting documents for the draft EIS available at the beginning of the comment period, or whether anything will be released throughout that comment period as the AMS was during scoping.

Hillary Angelo – In doing some research of my own area, I was attending one of the recent public meetings about the proposed public lands rule, and there was a long discussion about the role of tribal co-stewardship. The BLM described it as sort of part of the commitment to using data and science to inform decision making, and so it seems that Grand Staircase is a good place to think through what that looks like, as it is part of the goals of the proclamation. So, I'm curious how that commitment to co-stewardship and to indigenous science might appear in this document or in this planning process.

### **MAC discussion period:**

- Further discussed topic of subcommittees and quorum requirements.
- Councilmember comment. I carefully reviewed the entire FACA statute and all the regulations relating to the operation of committees, but I certainly found a section that said specifically that subcommittees who are making recommendations basically to the committee, but not directly to the secretary are not required to comply with all the procedural formalities of regular MAC meetings.



# Grand Staircase-Escalante National Monument

## Monument Advisory Committee Zoom Meeting Notes

---

Tuesday, June 27, 2023, 9:00 am to 3:40 pm

- Councilmember question. How can we support more opportunities for Tribal engagement across the board and really advocate for co-stewardship across the landscape? Response provided. The BLM is currently making steps towards continuing the agency's committee to engage with Tribal nations and include their input through both cooperating agency and government-to-government consultation. Where it gets a little challenging in that the science plan is kind of the administrative document, as we were recognizing the diverse groups, including tribes, state, local, governments, and NGOs, we felt that the MAC was the appropriate forum for those various types of groups to engage and provide and have discussions.

-END-