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Attached is the daily news report for May 5.

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## BUREAU OF LAND MANAGEMENT

### DAILY NEWS REPORT - UTAH

#### UTAH – TOP STORIES – MAY 5, 2017

##### 1. Op-ed: What Bears Ears is really like

*The Salt Lake Tribune, May 4 | Brian K. Jones*

There are lots of articles about Bears Ears National Monument but very few describe what it's actually like to be there.

##### 2. County appeal over northern corridor dismissed by board

*St George News, May 4 | Julie Applegate*

ST. GEORGE – The U.S. Department of the Interior's Board of Land Appeals has dismissed an appeal over recent Bureau of Land Management resource plans.

##### 3. Op-ed: Protecting Land Without Overreaching

*Inside Sources, May 4 | Megan Hansen and Camille Harmer*

Donald Trump recently signed an executive order that tasks the Interior Department with investigating 24 of the 57 national monuments designated since 1996. Some worry that this order is the first step in allowing presidents to reverse national monument designations.

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##### 5. With National Monuments Under Review, Bears Ears Is Focus Of Fierce Debate

*NPR, May 5 | Kirk Siegler*

A lot of the anger over federal public land in rural Utah today can be traced back to a windy, gray day in Arizona in September 1996. At the Grand Canyon, President Bill Clinton formally designated the Grand Staircase-Escalante National Monument in Utah, more than 100 miles away.



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#### 6. Record-setting southern Utah tourism highlights stakes of national monument debate

*KSL News, May 5 | Dave Cawley*

SALT LAKE CITY — U.S. Interior Secretary Ryan Zinke's plan to visit southern Utah next week will place him, and by extension the Trump Administration, in the middle of two bitter fights over public lands in the state.

#### 7. Op-ed: Why Bears Ears is worth monument status

*The Spectrum, May 5 | Mike Small, Iron County Democrats*

On Dec. 28, 2016, President Obama proclaimed the Bears Ears National Monument by using his authority under the Antiquities Act of 1906. He did this primarily to protect the many cultural resources from vandalism. There are an estimated 100,000 cultural sites in the area and protection of these sites is critically important to Native American people and others.

#### 8. Patagonia to Zinke: 'Conserve Our Shared Public Lands for Future Generations'

*EcoWatch, May 5 | Yvon Chouinard and Rose Marcario*

As Secretary of the Interior, you hold the solemn responsibility to steward America's public lands and waters on behalf of the American people who own them. Our public lands, including the national monuments you are now reviewing, represent a vital part of our nation's heritage—a legacy that belongs not just to us, but to all future generations of Americans. It is an important part of your job to safeguard this legacy by making careful and informed decisions about what federal lands can be used for development and what special or vulnerable areas should be preserved for the future.

### E&E/NATIONAL NEWS – TOP STORIES

#### 1. BLM suspends Resource Advisory Council meetings as part of national review of committees

*The Denver Post, May 4 | Jason Blevins*

The Bureau of Land Management has suspended Colorado's four Resource Advisory Councils until September as part of a national review of the agency's advisory boards and committees.



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#### 2. Op-ed: Environment suffers as union diverts funds to clean deserted mine sites

*The Hill, May 5 | Arthur Wardle and Randy Simmons*

The Abandoned Mine Land fund (AML) is America's source of funding for reclaiming abandoned coal mines, especially those causing environmental damage. Financed through a tax on coal production, the AML was set up by Congress to serve that goal alone.

#### 3. Sage-grouse Population Increases When Interloping Western Juniper is Pushed Back

*Cattlenetwork, May 5 | Chris Branam, Oregon State University*

Greater sage-grouse, a bird that has been the subject of intense conservation efforts in recent decades, do better in areas where juniper trees have been removed, new research suggests.

#### 4. INTERIOR: Agency suspends advisory panels even as decisions loom

*E & E News, May 5 | Scott Streater*

The Interior Department is formally reviewing the "charter and charge" of more than 200 advisory panels that assist federal agencies managing hundreds of millions of acres of public lands at a time when the Trump administration is considering significant changes to land-use designations and management practices.

#### 5. Q&A: Bishop serves up politics, plays and Dr Pepper

*E & E News, May 5 | Kellie Lunney*

Utah Republican Rep. Rob Bishop knows that timing is everything in theater, music and politics.

#### 6. INTERIOR: Industry, enviros to feds — take your time on valuation regs

*E & E News, May 5 | Pamela King*

Supporters and opponents of federal regulations to determine royalty rates for oil, gas and coal produced on public lands have a message for the Interior Department: Revising these rules may take a long time.



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#### 7. PUBLIC LANDS: Mont. business group pressures Zinke on national monuments

*E & E News, May 5 | Scott Streater*

Interior Secretary Ryan Zinke should "stand on the right side of history" and oppose any move to decrease the size of or eliminate already designated national monuments, according to a business coalition from the fifth-generation Montanan's home state.

#### 8. INTERIOR: More offshore revenue would help morale, backlog — Zinke

*E & E News, May 5 | Corbin Hiar*

Interior Secretary Ryan Zinke suggested today at a "Doggy Days" press event that additional offshore oil and gas drilling royalties could offset potential budget cuts at the department.



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#### UTAH – FULL STORY

##### 1. **Op-ed: What Bears Ears is really like**

*The Salt Lake Tribune, May 4 | Brian K. Jones*

There are lots of articles about Bears Ears National Monument but very few describe what it's actually like to be there.

I've been exploring this area for well over 20 years. This is a national issue and few people in the country have any concept of what is actually there. Here is a description of a day. (None of the archaeological sites described here appears on published maps. BLM archeologists have asked me not to mention specific locations.)

The two-track winds through the junipers and pinion pines toward the unmarked trailhead. I park the truck, throw on a pack and walk down the trail into the canyon. There's no one here.

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I cross the creek and beat my way through the brush. On a cliff face there is a long petroglyph panel with many carvings; spirals, zigzags, star-shapes, human forms and goats. A line of moqui steps ascends up through the sandstone.

I follow a trail into a dark alcove. The cottonwoods are thick and the air is cool. Above is a broad overhang and a large rectangular dwelling is perfectly preserved. It is inaccessible from below, inaccessible to looters. As I approach I hear the screeches of birds. An adult great horned owl is fighting with a raven on a long bent limb of a cottonwood. The fight continues for several minutes until the raven retreats and the owl settles into a window in the cliff dwelling. This is her home. Perhaps there are fledglings inside.

I take pictures and set out my digital recorder to capture the sounds. The canyon wrens make their musical descending calls. The spotted towhees twitter in the scrub oak. I pack my gear and move up the arroyo to another alcove.



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I rest in the deep shade of a cliff. The water from my pack is warm but refreshing. I press on up the canyon. Around every corner there is something new.

The sun sets on the canyon. I am tired and dusty. There is a creek back at camp with a swimming hole. It beckons. I have seen 20 ancestral puebloan sites in one canyon. A thousand years ago this was a paradise. I can imagine the corn growing in the arroyo, hear it blowing in the breeze and the sounds of the people working the soil. The odor of their fires still lingers in the timbers of the dwellings. The great drought began around 1300 AD. They could no longer grow enough food, so they built castles on ledges as defense from marauders. Then they were gone.

There are over 100,000 documented archaeological sites in Bears Ears National Monument. Each one tells a story. I've been exploring for over 20 years. Maybe I've seen a thousand. I'm just scratching the surface.

People will debate the designation of this place as a National Monument. I know nothing about that. I only know what it feels like to walk up these canyons and explore the world of The Ancient Ones.

Brian K. Jones, Sandy, is a field geologist, musician and ski instructor. He takes lots of pictures in southeastern Utah but never touches anything.

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## 2. **County appeal over northern corridor dismissed by board**

*St George News, May 4 | Julie Applegate*

ST. GEORGE – The U.S. Department of the Interior’s Board of Land Appeals has dismissed an appeal over recent Bureau of Land Management resource plans.

Washington County, St. George City and the Washington County Water Conservancy District filed the appeal Feb. 23 over what officials feel is the lack of a satisfactory route for a northern corridor and inadequate utility development protocols in the resource plans.



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The appeal was dismissed April 28 in an order signed by administrative judges James Roberts and Amy Sosin.

“These appeals are dismissed because we do not have jurisdiction to consider challenges to land designations,” the dismissal states. Legal challenges to BLM’s land designation in resource management plans are not within the board’s authority, the judges said.

“When and if BLM makes specific decisions implementing the RMPs’ (resource management plans’) designations of right-of-way exclusion and avoidance areas, adversely affected parties will have the opportunity to challenge those decisions, e.g., right-of-way grant application denials, before the board.”

County officials will continue pursuing their options, Deputy Washington County Attorney Celeste Maloy said.

“We aren’t going to stop working to make sure that we can bring utilities to the residents of the county, provide necessary water and plan for foreseeable future transportation needs,” Malloy said.

We are still regularly communicating with BLM about our concerns. If they can’t solve the problems administratively, then we will focus our time and energy on the legislative and legal avenues.”

The decision was not entirely unexpected and does not signal the end of the county’s appeal process, Washington County Commissioner Dean Cox said.

“Instead, Washington County has embraced a comprehensive plan to pursue all useful avenues of redress including administrative, legislative, and the courts, if necessary,” Cox said.

### **Opposition**

Four conservation groups including the Conserve Southwest Utah, which is based in St. George, oppose any loosening of the management plans and filed motions to intervene in the appeal.

Conserve Southwest Utah President Tom Butine said the group suspects the next move on the county’s part will be federal court, but they would prefer to pursue other options.





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“Rather than proceed down judicial or even legislative paths, we would much rather work with the county commissioners to understand and perhaps mitigate their concerns,” Butine said.

“We think there are practical solutions to the county’s three main issues, and we’re hoping to be able to work with them on those solutions.”

#### **History**

The county, city and water district are opposing resource management plans for the Red Cliffs and Beaver Dam Wash national conservation areas in Washington County. The Bureau of Land Management recently completed the plans that affect more than 100,000 acres.

Local officials believe the plans do not reflect what was promised by the Omnibus Public Land Management Act of 2009, a collaborative effort between the county, municipalities, state and federal governments, and conservation groups that was intended to resolve land use conflicts in the county.

Language in the Act specified that a northern corridor through the Red Cliffs National Conservation Area be designated; however, the bill’s language is vague and has been interpreted differently by the interested parties.

The appeal specifically contested the designation of large exclusion areas in the national conservation areas. Exclusion areas are not available for roads, power lines or pipelines, under any conditions and would prevent the construction of the proposed northern corridor.

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### **3. Op-ed: Protecting Land Without Overreaching**

*Inside Sources, May 4 | Megan Hansen and Camille Harmer*

Donald Trump recently signed an executive order that tasks the Interior Department with investigating 24 of the 57 national monuments designated since 1996. Some worry that this order is the first step in allowing presidents to reverse national monument designations.

But the order addresses a deeper issue — whether a century-old law has been abused by presidents in the last 20 years. While the Antiquities Act may have been important for preserving



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some Native American artifacts, recent monument designations have allowed presidents to affect the access to and use of millions of acres of land without regard to local effects.

Since 1906, the Antiquities Act has allowed presidents to change the use of land with the stroke of a pen — land that they have frequently never seen. The Antiquities Act was designed to allow presidents to protect lands that are in immediate danger of being damaged.

The Antiquities Act specifies that designated areas must cover “the smallest area compatible with proper care and management of the objects to be protected.” The first monument created under the Antiquities Act, Devil’s Tower National Monument in Wyoming, covers 1,347 acres, less than 3 square miles. The monument covers the Devil’s Tower itself — nothing more.

Bears Ears National Monument, an area in southern Utah designated at the end of 2016, covers far more than the buttes it’s named for. The monument spans 1.35 million acres (roughly 2,100 square miles) and includes neighboring canyons, gulches and even an existing wilderness area.

When national monument designations are made over vast swaths of land, the results can be devastating to locals. In 1996, President Bill Clinton designated Grand Staircase-Escalante National Monument, an area in southern Utah that covers 1.9 million acres. Clinton announced the designation from the South Rim of the Grand Canyon in Arizona, more than 100 miles from the monument itself. When he announced the monument, locals and Utah officials were blindsided. While some Utahans were concerned about mining in the area, there was no local movement to manage and protect the land with a federal designation. It seems that Clinton might have designated the area purely in a political ploy, not in the interest of protecting the land.

In 2016, near the end of his time in office, President Barack Obama designated Bears Ears National Monument. Prior to the designation, Utah Rep. Rob Bishop, a Republican, proposed the Public Lands Initiative, an alternative to the national monument that would have created 11 national conservation areas and added to or created 41 wilderness areas. In addition, the bill would have opened up some of Utah’s lands to energy development.

While there may have been national support for the monument’s designation, many Utahans and those closest to the area did not want it. The designation restricts grazing and prohibits the collection of wood in the area. Since many locals depend on wood to heat their homes and cook their food, the national monument could hurt local people.



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It's easy to agree that the American landscape should be managed in such a way that our great-great-grandchildren will be able to enjoy its beauty. In that respect, the intentions of the Antiquities Act are noble. But designations like Grand Staircase-Escalante and Bears Ears that cover millions of acres and ignore local impacts suggest the law has been abused.

With so much evidence of federal overreach, we shouldn't be afraid to examine recent national monument designations. When laws intended to protect some of our most valued landscapes are instead abused to win political battles, both current and future generations of Americans lose.

*Megan Hansen is a co-director of policy at Strata, a public policy research center in Logan, Utah. Camille Harmer is a student research associate at Strata.*

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#### 5. With National Monuments Under Review, Bears Ears Is Focus Of Fierce Debate

*NPR, May 5 | Kirk Siegler*

A lot of the anger over federal public land in rural Utah today can be traced back to a windy, gray day in Arizona in September 1996. At the Grand Canyon, President Bill Clinton formally designated the Grand Staircase-Escalante National Monument in Utah, more than 100 miles away.

"On this remarkable site, God's handiwork is everywhere in the natural beauty of the Escalante Canyons," he said.

Clinton didn't set foot in Utah. The planning for the monument was largely done in secret and state leaders had little warning it was coming.

Now, nearly 21 years later, mistrust toward the federal government persists, in the tightknit, mostly Mormon town of Blanding, Utah. Folks can't help but draw a parallel to how President Barack Obama's sweeping Bears Ears National Monument ended up in their backyard.

"I don't understand how it would protect the land when you're inviting thousands of footprints in," says Laura O'Donnell.

O'Donnell, who works at Blanding's modest visitor center, says she's uncomfortable with her town suddenly being the flashpoint in the heated debate over the future of federal public lands.

Interior Secretary Ryan Zinke is keeping a promise to travel into rural Utah beginning this weekend to hear from locals who live around the new 1.35-million acre Bears Ears monument, and the established 1.8-million acre Grand Staircase National Monument to the west. The Trump administration has launched a controversial 45-day review over whether large national monuments like these that protect federal land should be rescinded or shrunk.

In Blanding, Zinke's visit is highly anticipated. Here, opposition to the monument runs deeper than the usual anxieties in sagebrush country about adding more protections to public land that would restrict future mining and other development.

"Monuments should be an honor to an area, and we feel like this one is nothing but a punishment," says Jami Bayles, who founded a group called the Stewards of San Juan County.



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From her office at a small college, you can see the twin "Bears Ears" buttes framing the distant horizon out on the vast Cedar Mesa west of town. While not as visually dramatic as the famous national parks nearby, the area is dense with cliff dwellings and ancient artifacts.

Bayles and many of her neighbors felt offended when the federal government announced additional protections under a new monument because they felt it sent a message that the land was being threatened.

"We keep that place pristine, we keep it clean, we check on it all the time," Bayles says. "I guess my argument is, OK, yeah, it belongs to everybody, but not everybody has been taking care of it."

Bayles says the monument is being pushed by extreme, out-of-state, environmentalists and her side has struggled to be heard.

There are deep pockets behind the campaign to protect Bears Ears.

But San Juan County is about 50 percent Native American. A short drive down the road, on the Navajo Nation Reservation, tribal leaders say it's a lie for people in Blanding to argue that the monument is being pushed on them from the outside.

"For them to be here for 130 years, they should at least understand the Native Americans now," says Kenneth Maryboy, a chapter president.

Native Americans from around the Four Corners region that back the new monument are open about the fact that they're getting outside help and money because they didn't have a voice before, according to interviews with tribal leaders. Many tribes in the region have officially come out in support of the monument, though not all.

Maryboy was involved with the first talks with Utah's congressional delegation almost a decade ago about protecting Bears Ears as a National Conservation Area. They broke down last year, then came President Obama's executive order.

"Our gripe and our fight is to preserve what's there, the Native American artifacts, the antiquities, and all the shrines and the ruins," Maryboy says.



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The sacred burial grounds of the famous Navajo leader Manuelito are included in the new monument, among other things. Maryboy sees the monument as crucial to protecting these antiquities from vandalism and looting, an historical problem in San Juan County.

"The San Juan County good ol' boys don't want to see this happen," says Maryboy. "They adamantly, openly said, 'This is our land. The damn Navajos need to go back to the reservation.'"

It's not an overstatement to say that Secretary Zinke will see deep tension and polarization when he arrives at Bears Ears late this weekend for a two-day tour.

Tribes here point to a history of broken promises with the U.S. government. If the Trump administration moves to abolish Bears Ears, it's not hard to imagine a Standing Rock-inspired protest here. On the other hand, if the monument stays intact, some wonder whether the militias that support Cliven Bundy and his sons would arrive in San Juan County.

Back in Blanding, some locals like Ferd Johnson are floating a compromise. Why not just shrink the monument, and protect the cliff dwellings and other antiquities themselves, they say.

"All these environmentalists, these Navajos, Hopis and the other Indians didn't even know where the Bears Ears was," Johnson says. "Why is it so sacred if they don't even know where it is?"

The tribes dispute this. Some have already signaled they'll sue if, after Zinke's Utah trip, the Trump administration moves to rescind Bears Ears.

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#### **6. Record-setting southern Utah tourism highlights stakes of national monument debate**

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SALT LAKE CITY — U.S. Interior Secretary Ryan Zinke's plan to visit southern Utah next week will place him, and by extension the Trump Administration, in the middle of two bitter fights over public lands in the state.



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One, a white-hot battle over the 1.3-million-acre Bears Ears National Monument in San Juan County, erupted last December when then-President Barack Obama created the monument at the request of tribal representatives and against the wishes of county and state leaders.

The other fight has simmered for two decades. It deals with an older and even larger monument, blamed by many in southern Utah for slowly strangling the life out of their communities. Yet the disagreement over Grand Staircase-Escalante National Monument is coming back to a boil even as tourism in the region sets new records year after year.

A review of economic indicators by KSL, including employment data, visitation statistics, tourism-related tax revenues and county building permit records obtained through an open records request, reveals both the struggles and opportunities facing places like Cannonville, Kanab, Boulder and Big Water.

#### **The simmering dispute**

An irritated Rep. Mike Noel, R-Kanab, was sick of hearing about the values of southern Utah's tourism economy. During a meeting of the state's House Natural Resource, Agriculture and Environment Committee in late February, the lawmaker unloaded on his colleagues from Salt Lake City.

"People tell me there's all kinds of jobs down there; everything's going great," Noel said. "I really kind of get a gutful of it up here, I really do. It bothers me because it sends a false premise."

Noel represents House District 73, a giant swath of territory covering all of Kane, Garfield, San Juan, Wayne and Piute Counties, as well as pieces of Beaver and Sevier Counties. He chastised urban lawmakers for suggesting federal management of Utah lands has had a positive influence by driving visitors, and by extension their tax dollars, into the rural region he represents.

"I've lived there for 41 years. I've seen what's happened down there and my ancestors have lived there for over 100 years and it's not in a good condition as far as you say, as far as economically and what's happening to families," Noel said.

In recent years Noel has helped lead the charge in several high-profile efforts to take control of federal lands. Key among those lands is the monument at the heart of his district — Grand Staircase-Escalante.





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#### **The maligned monument**

As designated by President Bill Clinton in 1996, Grand Staircase-Escalante National Monument covered roughly 1.9 million acres. It's bounded on the east by Capitol Reef National Park and Glen Canyon National Recreation Area, and on the west by Bryce Canyon National Park. The monument's northern edge abuts the Dixie National Forest, while its southern extremity touches the Arizona border.

Wrapped within it sits a maze of twisted river canyons, eroded sandstone pinnacles and arches, relics of pioneer history and fossilized dinosaur bones.

Rep. Noel's cry to turn over those lands to state management, or to at least prioritize cattle grazing, ATV use and mineral extraction, have support from people like Garfield County Commissioner Leland Pollock.

"200,000 acres would be a stretch, to say that there's antiquities, things of value that meet the Antiquities Act criteria," Pollock said. "What is it? It's BLM range. It's brush land. It's sage brush."

The Bureau of Land Management administers the monument, unlike most other Utah monuments which are instead operated by the National Park Service.

Prior to the designation two decades ago, a bitter fight had raged between the mining company Andalex Resources, Inc. and environmental groups over the company's plans to extract large amounts of coal from the region. Andalex held federal mineral leases around the Kaiparowitz Plateau.

The wording of President Clinton's declaration made clear those existing leases were to be honored. However, the company made the decision not to develop the resources and ultimately gave up the leases in exchange for \$14 million from the Department of the Interior.

Miners were not the only ones with claims to the land. Ranchers also held leases that allowed them to graze their cattle over much of what is now in the monument. Those uses were largely respected and allowed to continue by the Bureau of Land Management, though some parcels were withdrawn from use.



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Monument critics believe the coal reserves could still be developed, to the economic benefit of the region, were the federal land managers not standing in the way.

Recreation opportunities on the monument are expansive, though not without difficulty.

Unlike many national parks, where trails are paved and shuttle buses run on tight schedules, Grand Staircase-Escalante is almost entirely primitive. It holds just three established campgrounds: Calf Creek along state Route 12 between Boulder and Escalante, Deer Creek on the Burr Trail Road and White House on the Paria River. Roads to most popular destinations are unpaved and at times impassable due to weather or damage.

"They did not want tourism," Pollock said. "The monument itself, they would tell me when I was first sworn in as a commissioner, 'this wasn't created for tourism. It was created to study science.'"

#### **The popularity explosion**

Want them or not, tourists are coming to Grand Staircase-Escalante in record numbers.

Visitation statistics maintained by the National Park Service show Zion led the pack of Utah parks in 2016, taking in 4.3 million people. Bryce Canyon, the state's second-most-visited park, welcomed almost 2.4 million. Both figures are nearly double the visitation recorded in 1996, when Grand Staircase-Escalante was born.

BLM records show the monument has also almost doubled its annual visitation during the same period. It set a high-water mark of 923,236 visitors last year, placing it above even Canyonlands and about on par with Capitol Reef National Park.

The rate of visitation growth for Zion, Bryce and Arches accelerated sharply in 2013. Kem C. Gardner Policy Institute Director Natalie Gochnour noted that in recent years, the Utah Office of Tourism has heavily advertised the parks with the Mighty Five campaign.

"There's a lot of money that goes into promoting our state and it's proven to be very well invested ... but you have to be really careful that you also invest in the quality of that experience," Gochnour said. "Whether it's roads or campgrounds or bridges or water treatment plants, amenities, you need to invest in the tourism infrastructure business to get a payback from it."



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In Washington County, home to St. George and the Zion gateway community of Springdale, taxes on short-term lodging and restaurant sales have followed a similar curve as the park's visitation. Grand County, too, has shown strong tourism-related tax growth, boosted by visitors to Arches who also stay and spend in Moab.

The visitation spike has helped accelerate recovery in Washington and Grand Counties following the recession of the late 2000s.

"The tax revenues related to tourism and travel are going up, have been for the last five years," Jennifer Leaver said. She works as a research analyst at Gardner Institute and has spent a good deal of time examining the economics of southern Utah. "Jobs have been either remaining flat or going up. Wages have been going up."

But while Garfield County is home to Bryce Canyon, it has not seen quite the same boost.

#### **Challenges of the tourism economy**

The tiny town of Boulder is made up of little more than a few buildings and farms snuggled into the valley where state Route 12 and the Burr Trail meet on the southern slopes of Boulder Mountain. As of the 2010 Census, Boulder claimed a population of 226.

Yet it's exactly where Blake Spalding and her partner chose to start their business, Hell's Backbone Grill, shortly after Grand Staircase-Escalante's creation.

"We really just built it up. This is our 18th season. We have about 45 employees that work with us year after year," Spalding said.

Hell's Backbone Grill, which is located on the grounds of the Boulder Mountain Lodge, has received numerous accolades from both local and national press over the years. It draws clientele with its menu and its reputation, but finding qualified help has proved to be one of the restaurant's biggest challenges.

"There's not a business from a construction company to the school to the towns themselves, certainly my restaurant, that isn't hiring right now. We have jobs aplenty," Spalding said. "What we don't have is residents to fill them."



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Making a life in a place like Boulder can be incredibly difficult, especially for someone accustomed to urban living. Cell phone service is spotty. Cultural options are limited, though outdoor recreation is in abundant supply. Grocery runs can require long drives to bigger towns. And while there are jobs available, many are not the kind capable of providing a steady living.

Lecia Langston, a regional economist with the Utah Department of Workforce Services, said tourism jobs tend to come and go.

“For Garfield County particularly they see a huge amount of seasonality so that during the summer they basically have to import a lot of their labor because they need it, but they don’t need it in the winter,” Langston said.

People who can’t afford to stay the winter on what they earned are forced to leave in search of other opportunities, as work in other more stable fields can prove tough to find.

“Garfield County has the highest percentage of leisure and hospitality services jobs in the state. They run about 43 percent of their total non-farm employment,” Langston said.

The result is a yo-yoing effect. In March, the most recent month for which numbers are available, the seasonally adjusted unemployment rate in Garfield County was 7.1 percent. That was the lowest it’s been since the end of the recession but it was still well above the statewide average of 3.1 percent.

“If you were to look at the raw rate in July for Garfield County it would be very, very, very low,” Langston said. Conversely, it would be much, much higher in December. “Kane County (in March) actually looks fairly low, given the fact that they do have a lot of seasonality. Their unemployment rate right now is 3.2 percent, which is comparable to the state average.”

#### **Kanab on the cusp**

Kane and Garfield Counties have much in common, making that difference in their unemployment rate very conspicuous.

“What’s interesting about Kane County is they do have a couple of unusual employers that make their employment numbers look a little bit different,” Langston said. “Kane County’s largest employer is actually Best Friends Animal Sanctuary. They show up in what we call ‘other services’ so they have a really high percentage of employment in that sector. The other thing



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that's important to know about Kane County is they do have some manufacturing. Stampin' Up was a homegrown company that started in Kane County and still has a sizable employment presence."

That little bit of diversity helps make Kane's economy more resilient. Kane County Office of Tourism Executive Director Camille Johnson said the addition of steady jobs has allowed for more stability and, as a result, investment in the visitor experience.

"We had Comfort Suites and Hampton Inn open up in the last year and we've got a La Quinta on line to open in 2018. Then I just learned of one of our local partners that's doing an expansion," Johnson said. "We've had a lot of new restaurants open up."

The city also has geography to its advantage. Kanab sits within striking distance of Zion, Bryce Canyon, the Grand Canyon, Lake Powell and the Wave. The county is promoting Kanab as a place to base camp while visiting the whole variety of southern Utah destinations. The goal is to keep visitors in town long enough to help the local economy, rather than having them simply pass through on their way to another place.

Johnson said overcrowding in the banner locations like Zion also has Kane County pointing increasingly more visitors toward scenic spots outside of the Mighty Five and within Grand Staircase-Escalante.

"Because tourism is such a hot industry for us right now, we're having a little bit of a labor force crisis and a housing crisis," Johnson said. "With the two new hotels opening up and several restaurants, it spread our already thin labor force even thinner."

Up in Garfield County though, the hospitality industry has grown more slowly since the creation of Grand Staircase-Escalante.

Commercial building permit papers obtained by KSL through an open records request reveal much of the new lodging construction over the last 20 years has focused Ruby's Inn or the Bryce Canyon gateway communities. Recently, more rustic rental options like cabins, yurts or RV parks have started to open around Escalante and Tropic.

Back in Kanab, some fear the rapid growth could dilute the history and western character of the region.



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“Locals will say to me ‘we don’t want to be like Moab, we don’t want to be like Springdale, please don’t let that happen’,” Johnson said. “They’re afraid that we’ll lose the spirit of our community and our heritage and then it won’t be appealing for locals to stay here and then they uproot and then we lose that heritage.”

#### **The tale of two Utahs**

The loss of locals is already happening and not just in Kanab. It’s evident from the average age in many rural Utah counties.

“There are two different economic realities in our state. We call it ‘the tale of two Utahs’,” Natalie Gochnour said. “They basically have children who left the counties, presumably for employment opportunities, schooling and they don’t come back. And so these counties get older and older and older.”

Why don’t they come back? Experts agree it’s a lack of high-paying skilled work in rural communities.

“It’s kind of a catch-22 because there aren’t necessarily the kinds of jobs young people want, or that pay the kind of wages that they’d really like to have, so they leave and you don’t get the population growth that you need to spur the economic growth,” Lecia Langston, the Workforce Services regional economist, said.

Garfield County even declared a state of emergency in 2015 due to declining enrollment at Escalante High School.

“In 1996 you had about 144 children enrolled at Escalante school, seventh through 12th grade,” Commissioner Leland Pollock said. “When we declared that state of emergency it was down to 51.”

Pollock points to Grand Staircase-Escalante National Monument as the primary reason for the drop. Others though see the problem in more nuanced terms.

“I think it’s really a time to think very purposefully about rural Utah, particularly rural Utah that’s hurting, and figure out how do we connect and unify and help,” Gochnour said.



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She suggested that could mean having policymakers lean on urban Utah's strength, investing the fruits of Wasatch Front productivity into rural counties through infrastructure improvements like better roads or broadband access. At the same time, battles over public lands could be quieted by some good-faith deal-making.

"I think a really productive place for state decision makers to focus is on land exchanges and making all of these state institutional trust lands that are locked up inside federal lands, not accessible, getting them closer to the cities, closer to the towns and letting those towns grow," Gochnour said.

The Wasatch Front could in turn benefit in the form of reduced air pollution and traffic congestion, as more people disperse into areas outside of the urban core. Gochnour suggested outdoor gear companies already operating in the state could lead the charge, choosing to locate their manufacturing facilities in areas like Kanab.

"Maybe it's time for the state and the federal government, locals, recreationists to all come together and say 'there is a path forward that can address our needs'."

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#### 7. **Op-ed: Why Bears Ears is worth monument status**

*The Spectrum, May 5 | Mike Small, Iron County Democrats*

On Dec. 28, 2016, President Obama proclaimed the Bears Ears National Monument by using his authority under the Antiquities Act of 1906. He did this primarily to protect the many cultural resources from vandalism. There are an estimated 100,000 cultural sites in the area and protection of these sites is critically important to Native American people and others.

The truth is that vandalism of Native American cultural sites on Bureau of Land Management-administered lands, while illegal, is relatively common. Vandalism includes organized ongoing looting, grave robbing and destruction of structures. Estimates vary, but some 70 percent of the known sites on BLM-administered land in Southern Utah and Northern Arizona have likely already been vandalized.

The BLM has tried for years to protect the cultural sites but its resources are spread too thin over this large area.



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Reaction to President Obama's proclamation has been split. In general, Native Americans and environmentalists, including the Mormon Environmental Stewardship Alliance, support the designation and believe it will result in greater protection for the cultural and other resources in the subject area.

It is also important to note that 99 percent of the Bears Ears National Monument was existing federal public land administered by either the BLM or U.S. Forest Service. The monument designation merely raises the level of resource protection. This designation did not expand federal government land holdings.

However, nearly all elected Republican officials in Utah — including Gov. Gary Herbert, congressional delegation, county commissioners, and others — strongly oppose the designation. The reason for their opposition is probably political, but local culture may also be key.

Most of the elected officials are white and grew up where arrowhead collecting and buried pot hunting were accepted activities. Unfortunately, thus far the governor's opposition to Bears Ears has only resulted in the Outdoor Retailer Show, which had generated some \$45 million in annual spending, announcing its exit from Utah.

Nationally, President Trump has directed Secretary of the Interior Ryan Zinke to review all the national monuments designated in the last 20 years by Presidents Clinton, Bush and Obama and which are more than 100,000 acres, starting with Bears Ears.

Such a review is completely reasonable, especially by a new president. Nonetheless, the legal process by which a president can modify monument designations by previous presidents is unclear.

Hopefully, Zinke will fully involve the tribes, as well as the environmental community and tourism industry, in his review of the Bears Ears. The future of the national monument will depend upon an objective and just review.

Remember, too, that a number of former national monuments have eventually become national parks that contribute greatly to the local and regional economies — for example, Grand Canyon, Zion, Bryce, Acadia, and Grand Teton.

In closing, and to illustrate how Native Americans may not have been fully considered, on the front page of The Spectrum & Daily News on April 27, Utah House Speaker Greg Hughes was





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quoted that he wanted to ensure "... antiquities are preserved, while keeping the lands accessible to the Native Americans and citizens."

It should be pointed out to Hughes that Native Americans are citizens.

*Mike Small of Cedar City is a member of the Iron County Democrats.*

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#### 8. **Patagonia to Zinke: 'Conserve Our Shared Public Lands for Future Generations'**

*EcoWatch, May 5 | Yvon Chouinard and Rose Marcario*

Dear Secretary Zinke,

As Secretary of the Interior, you hold the solemn responsibility to steward America's public lands and waters on behalf of the American people who own them. Our public lands, including the national monuments you are now reviewing, represent a vital part of our nation's heritage—a legacy that belongs not just to us, but to all future generations of Americans. It is an important part of your job to safeguard this legacy by making careful and informed decisions about what federal lands can be used for development and what special or vulnerable areas should be preserved for the future.

That is why the arbitrary 120-day deadline for you to review whether to shrink or rescind dozens of national monuments is absurd. As you know, the process to establish a national monument often takes years, if not decades. It involves significant study of the area of the proposed monument—including its ecological, cultural, archeological, economic and recreation value—and robust consultation with local communities and their elected representatives at every level. Given the unique and complex histories of each monument, there is simply no way to meaningfully review dozens of individual monuments in such a short period.

You justify this review on the false premise that the American people have not yet been heard on the designation of these national monuments. But the communities near the national monuments under your review have already made their voices heard during public input and stakeholder engagement periods prior to designation. For example, notwithstanding the rhetoric of Utah Governor Gary Herbert and members of the Utah Congressional delegation, the designation of



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Bears Ears National Monument involved years of public input gathered by the Obama administration. This process included a series of public meetings in Southeastern Utah in 2016, including several sessions attended by former Interior Secretary Sally Jewell. It also included significant engagement with the Bears Ears Inter-Tribal Coalition, which represents tribal nations for whom the land is sacred and contains archeological artifacts with immense cultural value. Additionally, in a recent poll, 68 percent of voters in seven Western states said they prioritize the protection of land, water and wildlife for recreation on public land, compared with 22 percent who prioritized increased production of fossil fuels. Your review must account for this extensive record of consultation as you purport to seek public input.

As you undertake this review, we urge you to consider the enormous economic benefits of protected public lands for nearby communities, including many rural areas. A recent study showed that areas in the West with protected lands consistently enjoy better rates of employment and income growth compared to those with no protected lands. In the 22 years since the Grand Staircase-Escalante in Utah was declared a national monument, jobs grew by 38 percent in two neighboring counties. The designation of 17 national monuments—including nine monuments covered under your review—led to significant increases in per capita income in regions adjacent to the newly-protected areas.

Rescinding or shrinking the national monuments under review also threatens the fast-growing outdoor recreation economy, which relies significantly on recreation access to protected public lands. These lands are not "locked up," as the Trump administration has said repeatedly declared—they are extremely productive. As you know, since you participated in the outdoor industry's announcement of a new economic study last week, the recreation economy drives \$887 billion in consumer spending every year and supports more jobs (7.6 million) than oil, natural gas and mining combined. Rescinding or shrinking the national monuments under review would significantly impact the strength of the outdoor recreation economy and limit our ability to create and sustain jobs.

Patagonia has been outfitting outdoors people and protecting public lands for more than 30 years. The debate over land and water conservation is always complex and sometimes divisive. But we have never witnessed the legacy of America's federal lands encountering greater risk than we see right now. As you visit these protected places and report back to the president, I urge you to follow in the tradition of President Teddy Roosevelt and conserve our shared public lands for future generations.



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#### E&E/NATIONAL NEWS – FULL STORY

##### **1. BLM suspends Resource Advisory Council meetings as part of national review of committees**

*The Denver Post, May 4 | Jason Blevins*

The Bureau of Land Management has suspended Colorado’s four Resource Advisory Councils until September as part of a national review of the agency’s advisory boards and committees.

BLM public affairs specialists emailed members of the state’s four Resource Advisory Councils this week, informing them the upcoming June and August meetings were suspended.

The councils — typically 15 citizen-nominated members who meet four times a year — are made up of public land management stakeholders like conservationists, ranchers, outdoor recreation users, energy industry representatives and local leaders. According to a national statement from the BLM, the agency is reviewing more than 200 boards, committees and other advisory councils. The review “necessitates the postponement of all advisory committee meetings” until September, according to the statement.

Greg Zimmerman, deputy director of the Center of Western Priorities conservation group, said the canceled meetings are “a significant development” because they fall while the Interior Department searches for potential violations of the Antiquities Act in the presidential creation of national monuments since 1996.

“Resource Advisory Councils are one of the primary venues for BLM to receive direct feedback from stakeholders ... designed to ensure that the diverse set of stakeholders that care about public lands have a direct say in how lands are managed,” Zimmerman said. “This announcement runs absolutely counter to the Trump Administration’s commitment to listen to rural communities. At the very time they’re discussing major land management changes—eliminating monuments and increasing the pace of development—they’re also choosing to shutout stakeholders.”

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#### **2. Op-ed: Environment suffers as union diverts funds to clean deserted mine sites**

*The Hill, May 5 | Arthur Wardle and Randy Simmons*

The Abandoned Mine Land fund (AML) is America's source of funding for reclaiming abandoned coal mines, especially those causing environmental damage. Financed through a tax on coal production, the AML was set up by Congress to serve that goal alone.

Since its 1977 passage, however, numerous interest groups have managed to jockey for a piece of the fund. In its deliberations over an omnibus spending package, Congress is again being given the chance to review one of largest diversions from the AML: United Mine Workers of America (UMWA) benefits packages.

To ensure the future of abandoned coal mine reclamation, Congress should put an end to AML fund misuse by discontinuing transfers to the UMWA. Instead, Congress appears ready to make the misuse permanent.

The AML was established by Congress in the Surface Mining Control and Reclamation Act of 1977 to reclaim coal mines that had been abandoned, often by long-gone companies. Just under \$6 billion has been spent to date to restore nearly 800,000 acres of land and water in the United States. There's still plenty of reclamation work to be done — the Bureau of Land Management estimates that at least 92,000 sites in need of restoration remain on BLM property in California, Nevada and Utah alone.

The AML's implementation has generally been beneficial, but any large pile of government money attracts vultures, and the AML is no exception. Although misuse takes many forms, UMWA transfers are the most obvious aberration in AML spending. The diversion began in 1992 after Congress first allowed the UMWA to draw upon AML resources for their combined benefit fund (which came with a \$70 million cap).

That cap was later removed. These transfers to the UMWA have been made with woefully inadequate oversight. A recent report from the Office of the Inspector General found that the government failed to verify beneficiary eligibility for fund recipients, provide documentation to support administrative expenses, or reconcile key information, among other abuses.



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Protecting the health and pension benefits of retired mine workers is a noble goal, but it is not the intended goal of the AML. Its goal is environmental reclamation, and when funds are diverted to support other priorities, that can only come at the expense of the environment.

Some might be tempted to say that the AML is a good source of funds for anything the coal industry is collectively responsible for, not necessarily just environmental reclamation. By this argument, using AML dollars to fund benefits for workers who may have been physically harmed from working in the coal industry might initially appear to make sense.

This logic would not, however, justify holding the entire coal industry to account for UMWA benefits packages when, in 2015, only a meager 9 percent of domestic coal was produced by UMWA producers.

Coal miners have understandably attracted sympathy from across the political aisle, as many promised retirement and health benefits never materialized. But even if Congress unanimously agrees that UMWA benefits are a worthwhile use of government funds, there is no reason that money should come at the expense of reclamation.

The AML serves an important role in cleaning up abandoned sites left unaddressed by modern regulation. Protecting the financial security of the AML, even from nobly intentioned diversions, is critical to ensure the fund exists for future cleanup efforts. Today, that means standing against attempts to divert AML funds away from reclamation and toward politically-connected unions.

*Arthur R. Wardle is a research associate at Strata, a public policy research center in Logan, Utah. Randy T. Simmons is a professor of political economy at the Jon M. Huntsman School of Business at Utah State University and is president of Strata.*

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### **3. Sage-grouse Population Increases When Interloping Western Juniper is Pushed Back**

*Cattlenetwork, May 5 | Chris Branam, Oregon State University*

Greater sage-grouse, a bird that has been the subject of intense conservation efforts in recent decades, do better in areas where juniper trees have been removed, new research suggests.



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The four-year study is the first to link sage-grouse demographics with tree reduction and supports the idea of conserving sage-grouse by controlling conifer expansion into the bird's habitat. In the last half of the 20th century, the proliferation of the western juniper in Oregon and pinyon pine in Nevada and Utah degraded the sagebrush ecosystem by forming dense stands that suck up rainwater and push sagebrush out.

The findings are published in the journal PLOS ONE.

"We are tremendously excited," said Christian Hagen, an avian ecologist at Oregon State University and a co-author of the study. "The arrow is pointing in the right direction. The grouse are finding these areas where the juniper was taken out much more quickly than we anticipated."

This study focused on the encroachment of western juniper in southeast Oregon and just over the border in California and Nevada. Wildlife biologists in Oregon, Idaho and Montana, estimated a 25 percent increase in the sage-grouse population growth rate in an area where western juniper was being removed, either by cutting or burning, where juniper continued to spread slowly and the sage-grouse population did not increase.

The researchers collected data on 219 female sage-grouse and 225 nests from 2010 to 2014 in an area in southeast Oregon where western juniper was being removed and an area with no removal in southeast Oregon, northeast California and northwest Nevada. Both areas involved both public and private lands.

The annual survival of females from one breeding season to the next, and the survival of their nests over a month-long incubation period, both led to population growth over time, Hagen said. In the area where juniper was removed, female sage-grouse annual survival increased 6.6 percent each year, and the nest survival rate increased by 18.8 percent each year.

Encroaching juniper degrades sage-grouse habitat in two ways: by outcompeting the sagebrush and by introducing trees that the birds consider threatening, said Hagen, a senior researcher in the College of Agricultural Sciences.

"Dense tree stands become perches and hiding cover for predators, so sage-grouse avoid them," Hagen said.



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The trees that were removed were less than a hundred years old, Hagen said. Most of the juniper was cut down by hand-cutting and chainsaws and generally occurred from late fall to early spring, to both maximize shrub retention and minimize negative effects to grouse breeding activities.

The study was led by John Severson, who conducted the research for his dissertation at the University of Idaho. The research was funded by the U.S. Bureau of Land Management and the U.S. Department of Agriculture Natural Resources Conservation Service, through its Conservation Effects Assessment Project and Sage Grouse Initiative.

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#### 4. **INTERIOR: Agency suspends advisory panels even as decisions loom**

*E & E News, May 5 | Scott Streater*

The Interior Department is formally reviewing the "charter and charge" of more than 200 advisory panels that assist federal agencies managing hundreds of millions of acres of public lands at a time when the Trump administration is considering significant changes to land-use designations and management practices.

The Bureau of Land Management has told members of its 30 resource advisory councils (RACs) to postpone scheduled meetings through at least September as part of the new national review of Interior's advisory panels, both internal and external.

That includes canceling meetings of six other BLM advisory committees affiliated with specific sites within the agency's National Conservation Lands system, as well as two other high-profile panels: the National Wild Horse and Burro Advisory Board and the North Slope Science Initiative Science Technical Advisory Panel in Alaska.

It also affects other panels, such as the National Park System Advisory Board, which advises the NPS director and Interior secretary "on matters relating to the National Park Service, the National Park System, and programs administered by the National Park Service," including the Antiquities Act, which has been targeted by GOP congressional leaders.

The timing means some land management recommendations — including a high-profile review of national monuments — will be completed without the advisory panels' input.



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Heather Swift, an Interior spokeswoman, told E&E News in an email today that the review is part of an ongoing effort by Interior Secretary Ryan Zinke aimed at "restoring trust in the Department's decision-making."

Swift said the review of "the charter and charge of each Board/Advisory Committee" is designed to "maximize feedback from these boards and ensure their compliance with the Federal Advisory Committee Act," the 1972 law that ensures that advice by various advisory committees is objective and accessible to the public.

"This review process necessitates the temporary postponement of advisory committee meetings," Swift said.

But Swift said the review is also designed to ensure compliance with "the President's recent executive orders."

President Trump in the last month has signed a number of executive orders, including one requiring the review of all policies that may "potentially burden" energy production activity on federal lands.

Trump last week also signed one requiring Interior to review the boundaries of dozens of national monuments designated within the last two decades and to decide whether they should be altered or eliminated (Greenwire, April 26).

That executive order is targeted at more than 30 national monuments designated since 1996 that comprise at least 100,000 acres. It will initially focus on the fate of the recently designated 1.35-million-acre Bears Ears National Monument but will ultimately include sites like the 1.9-million-acre Grand Staircase-Escalante National Monument, both in Utah.

That executive order requires Zinke to submit a report with his recommendations on the national monuments to the president within 120 days, before the Interior review of the advisory committees and boards is completed and the postponement of the meetings lifted.

That means the Utah resource advisory council that provides recommendations to BLM on management of the 22.9 million acres of federal public lands in the state will not weigh in on the





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national monument issue; neither, presumably, will the members of the agency's Grand Staircase-Escalante National Monument advisory committee.

That concerns Greg Zimmerman, deputy director of the Center for Western Priorities.

"The Trump administration and Interior Secretary Zinke talk a big game about including Western communities in decisionmaking on public lands, but this action proves it's nothing more than talk," Zimmerman said. "They are shutting out input from communities just as the administration takes unprecedented steps toward wiping national monuments from the map."

It's a particular concern for BLM, critics say.

Canceling the BLM RAC meetings "sends a clear signal that Secretary Zinke intends to make decisions behind closed doors and not through an open and transparent public process," Zimmerman said.

The agency's 30 RACs, whose members are appointed by the Interior secretary, are designed to help guide BLM administrators on a wide variety of issues involving major projects such as multistate transmission lines and energy projects.

The advisory panels typically have 10 to 15 members, who are supposed to represent a cross-section of local residents, state government agencies, industry and conservation leaders. They evaluate and submit recommendations on "land use planning, fire management, off-highway vehicle use, recreation, oil and gas exploration, noxious weed management, grazing issues, wild horse and burro herd management issues," and other topics, according to BLM.

Recommendations from the RACs, established by Interior in 1995 during the Clinton administration, are supposed to carry significant weight with BLM leaders.

But there have been some high-profile examples in the past two years where BLM ignored the recommendations of its RACs.

BLM in January approved the final two segments of the Gateway West Transmission Line Project in Idaho over the objections of an eight-member subcommittee of the BLM Boise District's RAC



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that concluded the route would unnecessarily affect communities, natural resource values and private landowners (Greenwire, Jan. 20).

And last year, BLM formally approved the 287-megawatt Soda Mountain Solar Project in the Southern California desert, despite the recommendation of BLM California's Desert District RAC against the project and its impacts on wildlife, groundwater quality and other natural resources (E&E News PM, April 5, 2016).

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#### 5. **Q&A: Bishop serves up politics, plays and Dr Pepper**

*E & E News, May 5 | Kellie Lunney*

Utah Republican Rep. Rob Bishop knows that timing is everything in theater, music and politics.

The seven-term congressman, a former thespian and sometime piano player, is poised to capitalize on the White House's current focus on reviewing the 111-year-old law that gives presidents broad authority to designate national monuments without congressional approval, as well as a major push to upgrade the country's failing infrastructure.

As a Westerner and the chairman of the House Natural Resources Committee, Bishop, 66, is an influential voice in the debate over the "damn" Antiquities Act, as he's called it. The law became an even greater source of angst for him after President Obama protected 1.35 million acres of land late last year in southeastern Utah as Bears Ears National Monument.

Bishop, known on Capitol Hill for his tart humor and three-piece suits, chatted with E&E News this week about the politics of public lands, why he prefers the House to the Senate, and his favorite drink, Dr Pepper.

**Do you think President Trump is interested in, or knowledgeable about, natural resources issues?**

No president is. To expect a president to know the details of the stuff that I know? Because when you're in Congress, you specialize. This is my area, this is my state. I know the details of it, more than senators do, so when Obama designated [Bears Ears], I have no qualms in my mind that he



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had no idea where it was. I don't know if he could find it on a map. The people who surrounded him on the White House staff, they should have known. For them, I have a lot less generosity than I do for President Obama.

#### **Where do you disagree with Interior Secretary Ryan Zinke, with whom you served in Congress?**

I don't really see much potential disagreement, to be honest with you. If you listen to what he's talking about, he gets the problem, he understands the dysfunction that the Interior Department has. He understands the department has made people livid. He talks about how he wants to change the culture. We're right on board with that.

#### **Do you think he's going to have free rein in his job?**

Based on nothing more than my gut feeling right now, I think he will actually have greater latitude with this White House once he has his team in place. I often thought [Obama administration Interior Secretary] Sally Jewell brought an element to the department that was sadly lacking before with her business background. I ultimately was disenchanted with her performance, because I think a lot of the positive things she could have done [in] reorganizing the place was frustrated, as she had to do what the White House was telling her to do. Left to her own devices, she would have been a much more effective secretary of Interior. I don't think that same interface will happen between Trump and Zinke, but I could be totally wrong.

#### **When do you plan to introduce another Public Lands Initiative bill [his legislative alternative to the Bears Ears designation]?**

Most of the leg work has been done, but I'm not going to give myself a timeline; I am going to take some time to do it. The big three issues in front of Congress right now, as everyone knows, are health care, taxes and infrastructure. That's sucking all the air out right now. The stuff I want to do is still kind of on the back burner. That's why I'd like to hurry and get those things done, so we can bring some of these things up.

#### **Are you going to run for the Senate if [Republican Sen. Orrin] Hatch retires?**



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[Laughs] I think you'd have to ask yourself, would I rather be a chairman of a full committee in the House, or sit on the back row of the Senate? Then you'd have to ask yourself, why would anyone want to be a senator?

#### **Why not?**

Have you seen that chamber? Seen the color of the marble and the carpet?

#### **You used to be a teacher. What did you teach?**

Well, allegedly. At the end, I was doing all Advanced Placement government and history classes. But I also taught English, debate and speech, and German for a while.

#### **You were also a thespian, is that right?**

Kind of. I did a lot of community theater plays. I met my wife doing a musical, "Once Upon a Mattress." She was the princess, and I was the prince. That's really corny. When I taught, I always directed a few plays for the drama department every year. And I accompanied a couple of them [on piano], as well.

#### **I see you're drinking Dr Pepper. Is that your drink of choice?**

As a matter of fact, it is. This is my Dr Pepper story, and it deals with George W. Bush. I had two trips to the White House: The first one, there was a waiter with some shrimp. I love shrimp. So I put a shrimp in my mouth and turned around, and there was George Bush with his hand extended. And all I could do was [makes mouth-full-of-food noises]. [Bush] said, "I caught you with your mouth full, huh, big boy?" Which offended me.

The next year, I was invited back, went over to the bar, and as a good Mormon, I ordered a Diet Pepsi [because they didn't have Dr Pepper]. I turned around, I had just taken a swallow, and there was George W. Bush again. The guy has to have a bell on him. I had the chance of talking to the president of the United States and asking anything I wanted to, and the first question that came to my mind was, "Why don't you have Dr Pepper in the White House?" He was very personable and kind, which I appreciated.



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#### **I thought Mormons weren't supposed to have caffeine.**

The prohibition is on smoking, alcohol, coffee and tea.

#### **You have nice suits. Has that always been your signature?**

Thank you, no. I have to have vests now because it's become the -ism. When I first came here, I was a little bit overweight. I was fat. I dropped about 75 pounds. I started wearing vests because I needed the extra material, and it became a standard. So now I wear a vest. I'm not really a very formal person. If I am not in vests, my choice is to be in shorts and flips. I don't do business casual.

#### **Have you ever worn flip-flops on the Capitol grounds here?**

Actually, yes. I used to do that a lot, especially when I was taking people through the Capitol, because it really drove the guards crazy, especially on the Senate side.

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#### **6. INTERIOR: Industry, enviros to feds — take your time on valuation regs**

*E & E News, May 5 | Pamela King*

Supporters and opponents of federal regulations to determine royalty rates for oil, gas and coal produced on public lands have a message for the Interior Department: Revising these rules may take a long time.

Last month, Interior's Office of Natural Resources Revenue (ONRR) called for comments on whether and how to revise its regulations on federally produced fossil fuels. Separately, the agency asked for feedback on a proposal to repeal ONRR's "2017 Valuation Rule," the most recent set of reforms to those regulations (Energywire, April 4).

The review and advance notice of proposed rulemaking (ANPR) followed a request by Interior to stay litigation related to the ONRR rule. The move garnered praise from oil and gas industry groups, including the American Petroleum Institute (Energywire, March 27).



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In comments filed April 17, API requested more time to analyze the nuanced changes Interior has proposed to the ONRR rule.

"This topic is very complex and requires members to review and consider both the 2017 Valuation Rule as well as the regulations that existed prior to the 2017 Valuation Rule," wrote Emily Hague, API's senior policy adviser for industry and upstream operations. "Any regulatory changes — whether to the 2017 Valuation Rule or to preexisting rules — could significantly impact American energy development."

API asked to extend the comment period, which closed yesterday, an additional 60 days to July 3. The group also asked that ONRR consider presenting the rule revision and all public comments to its newly established Royalty Policy Committee.

Chartered in 2010 by former Interior Secretary Ken Salazar, the committee's formation had been on hold until an April 3 call for nominations appeared in the Federal Register. ONRR this week extended the due date for nominations from May 3 to June 2.

The panel will also include as ex-officio members several Interior officials who have yet to be appointed, such as the directors of the bureaus of Land Management and Safety and Environmental Enforcement.

An ONRR spokeswoman said the agency is tentatively scheduled to announce the committee's appointments in the fall.

The Western Energy Alliance said it supports immediate and complete repeal of the 2017 Valuation Rule.

"The rule if left to stand would do to small independent oil and natural gas producers operating on federal lands what Dodd-Frank did to community banks and what the Affordable Care Act did to independent hospitals: render the federal regulatory environment so complex that small businesses cannot possibly comply," the trade group's president, Kathleen Sgamma, wrote in comments filed yesterday.

Industry has been explaining the faults of the ONRR rule since the proposed regulation came out in 2015, Sgamma wrote in an email to E&E News.



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"We already know the problems with it," she said. "It's time to get on with the repeal and then deal with any targeted regulatory changes in the future."

The Independent Petroleum Association of America, a trade group representing small producers, also supported repeal of the 2017 rule but requested additional time to review options for the existing regulation.

"The ANPR which seeks to offer greater simplicity, certainty, clarity, and consistency is welcomed by our member companies," wrote Daniel Naatz, the group's senior vice president of government relations and political affairs. "However, we feel the short time frame for comments is not adequate given the complex subject matter."

#### **A 'massive waste'**

Conservation advocates also called for more time on the ONRR rule — but they ultimately urged caution on scrapping the 2017 reform.

ONRR's rulemaking is premature and muddled, the Western Organization of Resource Councils (WORC), a grass-roots environmental group, wrote in its remarks.

"By simultaneously seeking comment on whether or not to repeal the Valuation Rule and seeking comment on what to replace the rule with, commenters and other members of the public — including WORC — are left to provide substantive comments on hypothetical or imaginary alternative scenarios, never defined by your department," WORC wrote.

The group requested a 60-day extension to the comment period but urged ONRR to altogether halt the ANPR until the agency definitively decides whether to repeal the 2017 Valuation Rule.

The Wilderness Society, a conservation group, called Interior's revisit of the ONRR rule a "massive waste of federal resources" inconsistent with President Trump's goal of reducing regulatory costs.

"The purpose of the current ANPR is to essentially repeat what had already been accomplished with the Final Valuation Rule," wrote Bruce Pendery, energy and climate specialist for the Wilderness Society's BLM Action Center.



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Repeal of the 2017 Valuation Rule appears to be a knee-jerk reaction to a pair of industry challenges to the regulation last year, he added (Greenwire, Jan. 9).

"But we would note that these legal challenges only contest 'certain provisions of the Final Valuation Rule,'" Pendery wrote. "If the whole rule is not being challenged, there certainly is no need to dispose of the whole rule just to react to these lawsuits."

House Natural Resources ranking member Raúl Grijalva (D-Ariz.) yesterday echoed the call for additional time in his own letter to Interior Secretary Ryan Zinke. He questioned the legality of Interior's postponement of the 2017 Valuation Rule as the agency decided its next steps.

The postponement last week prompted a lawsuit from the states of California and New Mexico (Greenwire, April 27).

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#### **7. PUBLIC LANDS: Mont. business group pressures Zinke on national monuments**

*E & E News, May 5 | Scott Streater*

Interior Secretary Ryan Zinke should "stand on the right side of history" and oppose any move to decrease the size of or eliminate already designated national monuments, according to a business coalition from the fifth-generation Montanan's home state.

In a [brief](#) letter to Zinke, Business for Montana's Outdoors writes that it is very concerned with President Trump's executive order last week requiring the Interior Department to review the boundaries of dozens of national monuments designated within the last two decades and to decide whether they should be altered or eliminated (Greenwire, April 26).

The review will ultimately recommend whether the president should rescind, resize or modify the management of about 30 monuments. A final report is due within 120 days.

"The Antiquities Act has a history of preserving natural treasures for the benefit of all Americans, enacted and first used by the 26th President of the United States, Theodore Roosevelt," according to the letter from the group, which comprises more than 130 businesses including outdoor equipment retailers and manufacturers.





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Zinke, a former Republican congressman from Montana, has often compared his views on public lands and conservation to those of Teddy Roosevelt.

"In Montana, our national monuments not only have a track record of protecting public lands for hunting and fishing but also helping to grow local economies," the letter says.

The group references a 2014 study by Montana-based nonpartisan research group Headwaters Economics that found local economies "grew after the 2001 designation of the Upper Missouri River Breaks National Monument."

"Protected public lands and waters are the backbone of this economy," the letter says. "Creating uncertainty over the future of national monuments will hurt those gateway communities and businesses that rely on these crucial public lands."

It's not clear yet what Interior's evaluation of existing national monuments designated since 1996 and larger than 100,000 acres will recommend.

Zinke has given mixed signals.

During a signing ceremony of Trump's executive order, Zinke said the order would not eliminate any monument designations or weaken environmental protections, even as he criticized unspecified monument designations for placing lands "off-limits to public access for grazing, fishing, mining, multiple use and even outdoor recreation."

But he also emphasized that the monuments should conform to the "smallest area" possible, suggesting the final review could aim to slash the size of numerous sites.

Business for Montana's Outdoors' letter says that would be a bad idea.

"We need not remind you that revoking Teddy Roosevelt's conservation legacy is a highly controversial proposal. No previous administration has ever attempted to revoke a predecessor's monument designation, even where some initial public disagreement over the designation existed," the letter says. "In fact, Administrative action to remove protections for sites protected under the Antiquities Act are widely considered illegal. You are uniquely suited to stand up for a long and bipartisan tradition of protecting national monuments — to stand on the right side of history."



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"Given your experience as a fifth-generation Montanan, we encourage you to remember the Montana way of leaving this place better than we found it for all who come after us," the letter concludes.

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#### 8. **INTERIOR: More offshore revenue would help morale, backlog — Zinke**

*E & E News, May 5 | Corbin Hiar*

Interior Secretary Ryan Zinke suggested today at a "Doggy Days" press event that additional offshore oil and gas drilling royalties could offset potential budget cuts at the department.

"I have an MBA in finance, and I open up both sides of the budget," Zinke said when asked whether more dog-friendly policies at the department could compensate for employee dissatisfaction about the White House's proposed cuts (Greenwire, March 20).

"If you go back to 2008, we made \$15.5 billion more in a year than what we made in the last year," he added. "That's just in offshore."

By comparison, Zinke noted that the department's National Park Service has a backlog of overdue repairs that will cost around \$12.5 billion to fix.

"But \$15.5 billion would cover the entirety of our backlog for our parks — the entirety of it and have \$3 billion more to deliver to go ahead and build in recapitalization on things," he said.

Interior is set to receive \$12.3 billion for the rest of the current fiscal year, an increase of \$42 million from its current spending level (Greenwire, May 1).

That budget boost was included in an omnibus negotiated by lawmakers and sent to President Trump yesterday (E&E News PM, May 4).

The White House has asked Congress to slash Interior's budget 12 percent for fiscal 2018, a drop of \$1.5 billion.

The secretary also acknowledged that morale at the department is not good, something that the "Doggy Days" pilot program seeks to improve on (Greenwire, March 23).



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Interior came in 11th out of 18 large agencies in the nonprofit Partnership for Public Service's most recent governmentwide survey of employee satisfaction. Only about 61 percent of Interior staffers were happy with the department (Greenwire, Dec. 15, 2016).

"A lot of the reasons why we're not last is because Interior has the holdings that are our greatest national treasures," Zinke told reporters, while his dog Ragnar scurried around his wood-paneled office. "We need to take care of them more. And I think our folks — we have good people — they care about public property, too. I've got to give them the tools to do that."

That's why "I do talk a lot about revenue," Zinke added. "And I think that helps morale, too — that they know that I'm paying attention to infrastructure. As I should. We all love clean bathrooms."

Dozens of employees and their dogs streamed into the secretary's office for a chance to shake hands and get a photo with Zinke and Ragnar during the half-hour event. Several employees who came to the meet-and-greet without dogs were turned away.

The department plans to do an "after action" report examining how the first Doggy Day went at Interior's main and south buildings in D.C., the secretary said. One issue that's likely to come up is the difficulty many employees had getting to work without public transportation, which doesn't allow dogs.

The second day of the pilot program at Interior headquarters is scheduled for Sept. 1. But Zinke said the department is also encouraging other Interior offices to consider allowing dogs.

Other departments are also considering following Interior's lead on dogs, he added. The pilot program came up yesterday during a meeting with Agriculture Secretary Sonny Perdue, Zinke said. He declined to provide further details on their discussion.

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