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In case you find yourself in a meeting with external parties prior to our release of the NOI.

Regards,

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## **State Director Talking Points   External Parties**

### **BACKGROUND**

Grand Staircase-Escalante National Monument (GSENM) was originally established by Proclamation 6920 of September 18, 1996. The original designation encompassed approximately 1.7 acres of Federal land. On December 4, 2017, President Trump issued Proclamation 9682 modifying the GSENM. The modified boundaries of the GSENM exclude from designation and reservation approximately 861,974 acres of land. Lands that remain part of the GSENM are included in three units, known as the Grand Staircase (209,993 acres), Kaiparowits (551,034 acres), and Escalante Canyons (242,836 acres) units of the monument.

Bears Ear National Monument (BENM) was established by Proclamation 9558 of December 28, 2016. The original designation encompassed 1.35 million acres of Federal land. On December 4, 2017, President Trump issued Proclamation 9681 modifying the boundaries of the BENM. The modified boundaries exclude from designation and reservation approximately 1.15 million acres of land. Lands that remain part of the BENM are included in two units, known as the Indian Creek (71,896 acres of BLM land), and Shash Jáa (97,393 acres of BLM land and 32,587 acres of National Forest System Lands) units of the monument.

BLM expects to release a Notice of Intent (NOI) for necessary land use planning processes in the Federal Register in the near future.

### **KEY MESSAGES**

1. Public input is key to sound decision-making. Public involvement is welcomed during future land use planning and NEPA analyses as we implement the Presidential Proclamations. The BLM appreciates the time and effort your organization consistently takes in providing comments, as inclusion is vital to managing sustainable, working public lands.
2. Existing management plans (2000 GSENM Monument Management Plan and 2008 Monticello Resource Management Plan) remain in effect until new plans are adopted.
  - a. Pending the RMP planning process and implementation-level travel and transportation management planning, actions taken by BLM in the Grand Staircase, Kaiparowits, and Escalante Canyons Units, as well as the Federal lands excluded from the GSENM by Proclamation 9682 will continue to conform to the 1999 Monument Management Plan until the plan is amended or revised.
3. Future land use plans will provide clarity for the public and permittees on how they can enjoy and use public lands within the monument. These new land use plans will also clearly describe how public lands outside the monument will be managed, according to other relevant laws and resource considerations.
4. Any public lands outside of the revised monument boundaries will remain in the stewardship of BLM and USFS. These lands will be managed according to all relevant laws including but not limited to the Federal Land Policy and Management Act, National Forest Management Act, Wilderness Act, Paleontological Resources Preservation Act, the

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Archaeological Resources Protection Act, the National Historic Preservation Act, and Native American Graves Protection and Repatriation Act.

## **QUESTIONS AND ANSWERS**

### **Tell me more about BLM's land use planning process for the monuments?**

Proclamation 9682 directs BLM to prepare and maintain a management plan for each of the 3 units of the monument, with maximum public involvement.

New land use plans are necessary for BENM to implement both Presidential Proclamation 9558 and Presidential Proclamation 9681, which modified the boundaries of BENM and amended certain management provisions in Proclamation 9558 for lands within the monument.

The NOI is expected to publish in the near future. We will offer a scoping period and welcome your comments during that time.

*Note: Avoid discussing specifics of the scoping period. We assume that it will be for 60 days, or until 15 days after the last scheduled public meeting, whichever is later. You may also be asked about ACECs- tell them that we are still solidifying our list of issues prior to scoping. However, it would be wise to avoid committing to anything prior to the NOI.*

### **How will BLM manage leasable mineral resources within both the original and modified boundaries of BENM and GSENM?**

All lands within the new monument boundaries will remain closed to mineral leasing.

Lands that excluded from BENM are managed according to the Monticello RMP, as amended, and the Manti-La Sal National Forest Plan. There are no existing oil and gas leases in the modified BENM. There are 23 federal oil and gas leases (26,696 acres) that are partially or wholly contained in areas that are new excluded from the monument. The BLM has not received any applications for permits to drill (APD) on leases these leases.

In order for drilling to occur on federal leases within BENM, a company must submit an APD and the BLM would consider whether to approve the application if has met all requirements of the National Environmental Policy Act (NEPA), National Historic Preservation Act (NHPA), Endangered Species Act (ESA), and other applicable laws. Alternatively, development outside of any existing leases would require 1) nomination of a lease parcel; 2) a separate environmental review of the nominated lease parcel; 3) purchase of the lease at auction; and 4) submission of an APD within the new lease, and agency approval.

All lands previously included in the GSENM boundary will remain closed to mineral leasing until a new land use plan is completed. This land use planning process will determine whether public lands that are not included in the modified GSENM should be open or closed to leasing, and any appropriate terms and conditions.

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**How will BLM manage locatable mineral resources within both the original and modified boundaries of BENM and GSENM?**

All lands within the new monument boundaries will remain closed to mineral location and entry. Public lands that are excluded from the monuments and are not otherwise closed to such location by overlapping withdrawals are available for mineral location at 9:00 a.m. EST on February 2, 2018. Claimants can file mining claims for locatable minerals governed by the Mining Law of 1872 (e.g., silver, gold, copper, uranium, etc.) at that time.

**When will energy companies be able to nominate parcels within lands now excluded from monument boundaries for inclusion in lease sales?**

While companies can nominate parcels at any time, BLM will not be able to begin processing nominations for lands excluded from the BENM until February 2, 2018, 60 days after the signing of the proclamation. Any lease nominations will follow the agency's standard process for consideration and will be analyzed, including through the NEPA process.

**How do changes in the BENM and GSENM boundaries affect travel management or route designations?**

The modified monument designation has no immediate effect on public motorized access.

The current GSENM route designations will remain in effect for both lands in the new monument and those excluded from the monument until the new implementation-level travel management plans are completed.

The existing Monticello Field Office Travel Management Plan will remain in effect for BLM-administered lands in BENM until new travel management plans are completed, following completion of the new RMPs.

**How do changes in the GSENM and BENM boundaries affect livestock grazing management?**

No immediate changes will occur to livestock grazing management as a result of the modified monument proclamations. Grazing continues to be authorized with the goal of maintaining healthy land conditions. Livestock grazing will continue to be managed under existing laws, regulations, and policies followed by the BLM.

*Note: Avoid discussing the overlap of the GSENM Livestock Grazing EIS. Instead, say that BLM recognizes the need to make livestock grazing decisions for GSENM and we are still discussing the best and most effective mechanism for accomplishing this.*

**How will BLM manage paleontological resources within both the original and modified boundaries of GSENM?**

The new GSENM boundaries include known paleontological specimens and high fossil yield classes. Federal law prohibits the collection, excavation, removal, damage or other alteration or defacement of vertebrate fossils on all public lands without a valid paleontological research permit.

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All lands located in the original GSENM boundary remain closed to the collection of petrified wood and fossils until a new land use plan is completed. The allowance of casual collection of common invertebrate fossils in areas no longer included within the monument will be considered in the development of the new land use plan.