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**From:** Caroline Boulton  
**Sent:** 2017-05-06T17:01:21-04:00  
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**Subject:** Briefing Book: May 7  
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Caroline



U.S. Department of the Interior

Washington, D.C. 20240

**SUBJECT:** Briefing from BLM - State Historic Preservation Office & Utah Department of Heritage.

**TIME:** 01:00 - 02:00 pm

**FROM:** Edwin Roberson, State Director – Bureau of Land Management (BLM), Utah  
POC: Mike Richardson, BLM-Utah Communications Director, (801)539-4020

### **I. STATEMENT OF PURPOSE**

To discuss cultural and historic objects within the Bears Ears & Grand Staircase-Escalante N.M..

### **II. BACKGROUND**

The state historic preservation office (SHPO) is a state governmental function created under Section 101 of the National Historic Preservation Act - 1966. The Utah State Historic Preservation Office (Utah SHPO) serves as the primary repository for archaeological information in the state of Utah.

Almost all archaeological records from archaeological surveys and excavations for the past 50 years are physically housed or available through GIS at the Utah SHPO. The Utah SHPO's archaeological records serve as the starting point or foundation for any archaeological survey or excavation on federal, state, or private lands. For more than 15 years, BLM-Utah has collaborated with the Utah SHPO to be the primary GIS repository for all archaeological survey and site GIS data.

BLM-Utah and SHPO have partnered on multiple programmatic agreements to streamline the Section 106 process. Including but not limited to a programmatic agreement for projects under 50 acres in size and the ongoing the Travel Management Programmatic Agreement to designate travel routes on public lands. BLM-Utah and Utah SHPO are currently discussing a programmatic agreement to facilitate oil and gas development.

### **III. DISCUSSION**

According to the Utah SHPO, as of February 6, 2017, there are 8,480 recorded archaeological sites and four archaeological districts within Bears Ears National Monument. More than 70% of these sites are prehistoric (pre-dating the 1800s). These prehistoric sites include pottery and stone tool (lithic) scatters, the remains of cooking features (hearths), storage features such as adobe granaries and sub-surface stone-lined granaries, prehistoric roads, petroglyphs, pictographs and cliff dwellings. Historic sites include historic debris scatters, roads, fences, uranium and vanadium mines from World War II and the Cold War.

At the Grand Staircase-Escalante National Monument (GSENM) there are 3,985 recorded archaeological sites (data gathered on March 6, 2017). Similar site types exist for the GSENM as in Bears Ears National Monument, except there are much fewer granaries, cliff dwellings and historic mining sites.

- Discussion with the SHPO should touch on the fact that (b)(5) DPP

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**Utah Department of the Interior**

Washington, D.C. 20240

**SUBJECT:** Briefing from NPS - State Historic Preservation Office & Utah Department of Heritage.**TIME:** 01:00 - 02:00 pm**FROM:** Maureen Foster, Acting Assistant Secretary FWP

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**I. STATEMENT OF PURPOSE**

To discuss cultural and historic objects within the Bears Ears & Grand Staircase-Escalante N.M..

**II. DISCUSSION**

The National Park Service (NPS) is part of the federal preservation partnership program. The Utah State Historic Preservation Office (SHPO), NPS, and Certified Local Governments (CLG) actively work together to preserve and protect cultural resources at the National, State, and local level. The partnership program is set up by the National Historic Preservation Act of 1966, and 50 years later the partnerships it has established are still going strong and working in tandem.

NPS has worked with the SHPO on several projects and have had a long-standing positive working relationship. While NPS has worked with the SHPO on multiple projects throughout the years, two recent projects have been the Underrepresented Community Grants and the Certified Local Government program.

In 2014, the State received an Underrepresented Community Grant to complete a Asian and Pacific Islander Survey and Nomination of Historical Resources. \$42,050 was awarded for archaeological survey of the Iosepa Polynesian Archaeological District and railroad sites associated with Chinese labor and the construction of the Transcontinental Railroad. The survey has been completed and a National Register nomination is being prepared as a model for future listings of these sites.

The State of Utah has 93 Certified Local Governments (CLGs), the second largest program in the country, Utah's CLGs have made a local commitment to historic preservation and become part of the Federal Preservation Partnership with the NPS and the State Historic Preservation Office, Utah Division of State History. Springfield, UT, a CLG since the start of the program in 1985, recently monies passed through from the Historic Preservation Fund to rehabilitate the windows at the Springville Museum of Art. Constructed in 1936 and listed in the National Register of Historic Places, the project aided in the long-term preservation provided an improved environment for the artwork displayed in the galleries.



U.S. Department of the Interior

Washington, D.C. 20240

**SUBJECT:** Briefing from BLM - Legislative Leadership & Utah Attorney General Sean Reyes.

**TIME:** 02:00 - 02:30 pm

**FROM:** Edwin Roberson, State Director – Bureau of Land Management (BLM), Utah  
POC: Mike Richardson, BLM-Utah Communications Director, (801)539-4020

### I. STATEMENT OF PURPOSE

Meeting to discuss Bears Ears and Grand Staircase National Monuments, and other relevant issues.

### II. BACKGROUND

The Utah Attorney General's (AG's) Office is led by Attorney General Sean Reyes. Mr. Reyes typically does not engage in public land issues. The lead for the AG's Office for public land issues is Assistant Attorney General Tony Rampton, who is the Public Lands Section Chief; his second-in-command is Kathy Davis. They work primarily with the Utah Public Lands Policy Coordinating Office (PLPCO), which was created in 2005 by state law to develop and coordinate the State's public land policy. The Director of PLPCO is Kathleen Clarke. The AG's Office historically has been aligned with the positions of the Governor and PLPCO.

### III. DISCUSSION

With respect to the Bears Ears and Grand Staircase Escalante National Monuments, the AG's Office is likely to take the legal position that (b)(5) DPP [REDACTED]

The AG's Office is also likely to provide information regarding (b)(5) DPP [REDACTED]

Also pending is the State's six-year-old lawsuit challenging the previous administration's policy to identify and manage public lands to preserve wilderness characteristics outside of Wilderness Study Areas (WSAs). The State's position is that Interior does not have this authority outside of the section 603 context. The AG's Office likely will (b)(5) DPP [REDACTED]

### IV. ATTACHMENTS

NOTE: The following attachments are available in the briefing book:

1. March 2017 Paper: Presidential Authority to Revoke or Reduce Monument Designations
2. Attorney General Sean Reyes Biography



U.S. Department of the Interior

Washington, D.C. 20240

**SUBJECT:** Briefing from NPS - Legislative Leadership & Utah Attorney General Sean Reyes.

**TIME:** 02:00 - 02:30 pm

**FROM:** Maureen Foster, Acting Assistant Secretary FWP

## I. STATEMENT OF PURPOSE

Meeting to discuss Bears Ears and Grand Staircase National Monuments, and other relevant issues.

## II. DISCUSSION

NPS Shutdown Refund Issue:

(b)(5) DPP

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

USFWS Issues:

- The Bear River Watershed Conservation Area (BRWCA) will use LWCF funds to gain a 728-acre easement from the Ferry family for \$800,000 in late 2017; the remaining \$1.2 M will be used to acquire other voluntary easements in the area.
- We are awaiting a final mandate for the 10<sup>th</sup> Circuit Court decision in the litigation regarding the ESA and Utah prairie dogs (UPD). (b)(5) DPP (b)(5) ACP [REDACTED]
- UT v. US, 12-cv-378-BSJ (D. Utah) Bear River Meander Line, filed 04/12. (b)(5) DPP (b)(5) ACP [REDACTED]
- Bear River Club is in litigation with the USFWS over their water right claim for water from the Bear River.
- Greater Sage Grouse in UT are stable except the geographically isolated Sheeprock population in central Utah, which has declined by 40% over the last 4 years. It occurs in a BLM Priority Habitat Management Area (PHMA) and State Management Area.

## III. Background



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### Background on the NPS shutdown refund:

- Senator Jeff Flake (R-AZ) introduced S.2104 requiring the National Park Service to refund to each state the funds that were used to reopen any temporarily operate units during the government shutdown in October 2013. The bill was reported out of committee but never enacted.
- On July 23, 2014, The NPS testified before the Senate Subcommittee on National Parks, Committee on Energy and Natural Resources on S. 2104 that the NPS does not have the authority to reimburse states for the portion of funding that was expended in absence of an act of Congress and that S.2104 would provide that authority.

### Background on Other Relevant USFWS Issues:

- **LWCF and the Bear River Watershed Conservation Area (BRWCA):** Over the past 5 years, the USFWS has acquired 768 acres at Bear River Migratory Bird Refuge in Utah using \$1.599M in LWCF funding. In FY16, the Service was appropriated \$2m for the BRWCA located in Utah, WY, and ID for acquisition of voluntary easements. Congressman Bishop, Senator Hatch, and Senator Lee support BRWCA; Congressman Bishop attended the event honoring 30 acre donation by the Ferry family in Box Elder County, Utah that was received in 2016 and formally established the BRWCA. The BRWCA enjoys broad landowner-based support.
- **Utah Prairie Dogs (UPD):** (b)(5) DPP (b)(5) ACP  
 [REDACTED]
- **UT v. US, 12-cv-378-BSJ (D. Utah) Bear River Meander Line.** (b)(5) DPP (b)(5) ACP  
 [REDACTED]
- **The Bear River Club Company (est. 1909), and the Bear River Migratory Bird Refuge (est. 1928)** both utilize various water rights to create and maintain waterfowl habitat, and have had a cooperative existence. (b)(5) DPP (b)(5) ACP  
 [REDACTED]



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(b)(5) DPP (b)(5) ACP

[REDACTED]

[REDACTED]

[REDACTED]

- **GSG:** The State of Utah's plan for greater sage-grouse applies to all lands within 11 state-designated Sage-Grouse Management Areas (SGMAs) and covers approximately 7.5 million acres. The state's goal is to conserve 90% of its greater sage-grouse habitat and approximately 94% of the population. Many of the conservation measures in the plan are voluntary and rely on negotiated, incentive-based actions to achieve conservation on non-federal lands. An Executive Order established due to the Plan requires the Utah Division of Oil, Gas and Mining to coordinate with the Utah Division of Wildlife Resources before issuing permits for energy development. It also directs the Utah Division of Oil, Gas and Mining to implement recommendations provided by the Utah Division of Wildlife. On Federal lands, BLM and U.S. Forest Service's amended land-use management plan complement the state's Plan and are critical to the success of greater sage-grouse conservation. The amendments limit surface disturbances and address habitat threats in the most important areas for sage-grouse. The highest value habitats are designated as Priority Habitat Management Areas (PHMA) and there is a 98% overlap with the state-designated Sage-Grouse Core Areas. General Habitat Management Areas (GHMA) provide greater flexibility for federal land use activities. To address the recent declines of the Sheeprock population, BLM is working with state and local partners to implement and prioritize a suite of conservation actions, including translocations of greater sage-grouse to the area, habitat restoration, fire suppression, and minimizing impacts from right of way developments.



U.S. Department of the Interior

Washington, D.C. 20240

**SUBJECT:** Meeting with Utah School and Institutional Trust Lands Administration (SITLA).

**TIME:** 02:45 - 03:15 pm

**FROM:** Edwin Roberson, State Director – Bureau of Land Management (BLM), Utah  
POC: Mike Richardson, BLM-Utah Communications Director, (801)539-4020

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### **I. STATEMENT OF PURPOSE**

To discuss Bears Ears and Grand Staircase as well as any hot button SITLA-BLM issues.

### **II. BACKGROUND**

SITLA and BLM are working together on many current issues in Utah, including: management issues related to SITLA inholdings within national monuments and other BLM administered lands, legislative and administrative land exchanges, and selection of lands granted at statehood.

### **III. DISCUSSION**

#### **Bears Ears**

The Proclamation establishing the Bears Ears National Monument (BENM) directed the Secretary to explore entering into a Memorandum of Understanding (MOU) with the State of Utah for the exchange of approximately 109,000 acres of state inholdings within BENM for BLM lands outside the monument. Further, the Secretary was ordered to report to the President by January 19, 2017 regarding the potential for the exchange. In response, the BLM drafted an MOU for review by SITLA. SITLA has currently declined to participate in review of the MOU.

SITLA and the BLM-Utah Monticello Field Office have also been in discussions regarding several localized management issues within BENM, including the proposed Jim Joe land exchange, the Cave Towers management agreement, and a recent proposed sale of SITLA inholdings within the Bears Ears monument into private ownership.

#### **Grand Staircase**

An agreement was reached in 1998 to exchange all SITLA inholdings in Grand Staircase for BLM lands outside the monument. The agreement also included a \$50 million cash payment to the State. According to a recent report, the lands acquired from the BLM have produced nearly \$341 million for the State as of late April 2017.

#### **Other Issues**

SITLA and BLM have been in discussions to initiate a large-scale land exchange within the expanded Utah Test and Training Range as mandated by the National Defense Authorization Act of 2017.

SITLA and BLM are currently renewing an MOU regarding procedures for clearing any remaining in-lieu land entitlement selections.





**U.S. Department of the Interior**

Washington, D.C. 20240

**SUBJECT:** Briefing from BLM - Discussion on recreational industry representatives in Utah

**TIME:** 6:00 - 9:00 pm

**FROM:** Edwin Roberson, State Director – Bureau of Land Management (BLM), Utah  
POC: Mike Richardson, BLM-Utah Communications Director, (801)539-4020

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## **I. STATEMENT OF PURPOSE**

Discussion on recreation viewpoints and activities in Utah especially as they relate to BLM monuments.

## **II. PARTICIPANTS**

- Federal and legislative representatives
- Utah Office of Outdoor Recreation
- Gary Heward, CEO, Liberty Mountain
- Bill Harmon, Goal Zero
- Joshua Bradley, Amer Sports
- Nazz Kurth, Petzl
- Amanda Covington, Vista Outdoors
- Ashley Kornblat, Western Spirit
- Don Peay, Utah Sportsmen for Fish and Wildlife

## **III. BACKGROUND**

### **A. Bears Ears National Monument**

- Total estimated recreational visitors to the Monticello Field Office, including the Bears Ears National Monument, in Fiscal Year 2016 was 418,684 people. In Fiscal Year 2000, there were an estimated 180,233 visitors. Hiking, camping, off-highway vehicle use, viewing cultural resources, and photography were the top five recreational activities within the Monticello Field Office in Fiscal Year 2016.
- In Fiscal Year 2016, the Monticello Field Office issued 117 Special Recreation Permits to authorize a wide variety of commercial, competitive, and organized group activities to expand and enhance recreational access, including 13 permits to commercial hunting outfitter and guiding services. In Fiscal Year 2000, the field office issued 58 Special Recreation Permits, including 4 commercial hunting outfitter and guiding services.
- There are currently over 1,800 miles of designated roads and primitive roads within the Monticello Field Office that provide recreational off-highway vehicle access.

### **B. Grand Staircase-Escalante National Monument**

- Total estimated recreational visitors to Grand Staircase-Escalante National Monument in Fiscal Year 2016 was 926,236 people. In Fiscal Year 2000, there were an estimated 568,214 visitors. Hiking, camping, off-highway vehicle use, scenic touring/viewing, and participating in environmental education events were the top five recreational activities within the Monument in Fiscal Year 2016.
- In Fiscal Year 2016, the Grand Staircase-Escalante National Monument issued 122 Special Recreation Permits to authorize a wide variety of commercial, competitive, and organized group activities to expand and enhance recreational access. In Fiscal Year 2000, the Monument issued 37 Special Recreation Permits.
- On average, the Monument issues 16 Special Recreation Permits to commercial hunting guide



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and outfitter services each year to support big game hunting opportunities for deer, elk, pronghorn, desert bighorn sheep, mountain lion, black bear, and turkey. The BLM has partnered with the Utah Division of Wildlife Resources to re-introduce pronghorn, bighorn, wild turkey within the Monument.

- There are currently over 900 miles of designated roads and primitive roads within the Monument that provide recreational off-highway vehicle access.

### IV. DISCUSSION

#### A. Bears Ears National Monument

- Specific visitation figures to the newly-designated National Monument are not yet available, however, there has been a significant increase in visitor demand for overnight and day-use permits throughout Cedar Mesa. BLM-Utah expects that recreational visitation to the Monument will continue to increase for some time, and has undertaken the following initiatives to promote responsible and sustainable heritage tourism opportunities:
- Within the last three years, BLM-Utah has funded the stabilization of 11 highly visited archaeological sites throughout the Monticello Field Office, primarily within the Bears Ears National Monument. These efforts will facilitate the development of new visitor amenities and the marketing of these recreational opportunities to visitors from all over the world.
- In partnership with the non-profit organization Tread Lightly!, BLM-Utah developed a public awareness campaign titled Respect and Protect, which aims to eliminate the looting and vandalism of archaeological, paleontological, and natural resources in Utah. BLM-Utah is currently developing a Memorandum of Understanding with 14 state and federal agencies, non-governmental organizations, and professional and avocational groups to collaboratively and consistently share the Respect and Protect campaign messages.

#### B. Grand Staircase-Escalante National Monument

- The Grand Staircase-Escalante National Monument is widely recognized as an international outdoor recreation destination for dispersed and undeveloped activities. There are intentionally very few developed facilities to provide visitors with back country recreational experiences.

Most recreational uses and allocations within the Monument were established in the Monument Management Plan, which was approved in 2000.