

To: Brian Mueller[bmueller@blm.gov]
From: Ashcroft, Tyler
Sent: 2017-02-14T15:33:26-05:00
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[Bear Ears National Monument Information Request Assignments.docx](#)
[BE-transition_NCLS-inquiryDATED021317.docx](#)
[Bears Ears National Monument- Preliminary Public Meeting Ideas \(2\).docx](#)

These are some documents to guide today's meeting at 2:00. The printer down here is not working. if you could print a couple copies of these it would be appreciated.

--

Tyler Ashcroft
Project Manager
Bureau of Land Management
(801)-539-4068

Bears Ears National Monument

The Bears Ears National Monument, located in southeastern Utah, is among the most significant cultural landscapes in the United States. The area has abundant rock art, dwellings, ceremonial sites, granaries and other cultural resources reflecting its significance to a variety of Native American peoples. The Monument also includes unique geological, paleontological, biological, and recreational resources. The Bears Ears National Monument consists of 1.35 million acres of public land that the BLM and Forest Service managed prior to the designation. The BLM and Forest Service will continue to be responsible for future management of the area. The BLM manages 1.06 million acres and the Forest Service manages 290,000 acres of the national monument.

National Conservation Lands

The BLMs National Conservation Lands, also known as the National Landscape Conservation System, contain some of the West's most spectacular landscapes. They include National Monuments, National Conservation Areas, Wilderness Areas, Wilderness Study Areas, Wild and Scenic Rivers, and National Scenic and Historic Trails.

Partners and friends of National Conservation Lands are vital to the mission of the BLM and the management of National Conservation Lands. You can get involved in BLM National Conservation Lands in many ways.

- Volunteer with the BLM and National Conservation Lands
- Partner with the BLM and National Conservation Lands
- Educate students and the public about BLM National Conservation Lands
- Support BLM Youth Programs on National Conservation Lands

Wilderness and Wilderness Study Areas

The Bears Ears National Monument includes the Dark Canyon Wilderness Area, which was designated by the United States Congress in 1984. The Forest Service will continue to manage this 46,353 acre Wilderness Area as part of the National Wilderness Preservation System.

Since 1980, the BLM has managed approximately 381,000 acres (28 percent) of the Bears Ears National Monument as Wilderness Study Areas (WSAs). To be designated as a WSA, an area had to have the following wilderness characteristics:

- **Size** roadless areas of at least 5,000 acres of public lands or of a manageable size;
- **Naturalness** generally appears to have been affected primarily by the forces of nature;
- **Opportunities** provides outstanding opportunities for solitude or primitive and unconfined types of recreation.

The BLM will continue to manage the WSAs in the Bears Ears National Monument to preserve their suitability for wilderness designation until Congress makes a final determination on whether to designate these areas as wilderness.

Recreation

The Bears Ears National Monument offers a variety of recreational opportunities including, camping, rock climbing, hunting, off highway vehicle driving, hiking, backpacking, canyoneering, rafting, mountain biking, and horseback riding. Visiting natural and cultural heritage sites is one of the most popular activities. Additional information on a few of these activities is provided below.

Visiting Cultural Heritage Sites

The Bears Ears National Monument offers a unique opportunity to visit cultural heritage sites including the remains of single family dwellings, granaries, kivas, towers, and large villages. Some sites are accessible by motorized vehicle others sites are only

accessible by foot travel. These sites are fragile and irreplaceable and need to be treated with care. Some of the most frequently visited sites are identified on the 2016 Monticello Field Office Recreation Map.

Day use and multiple day use permits are required for many of the Cedar Mesa Canyons, including Grand Gulch. This area is managed for a more primitive type of recreation with as few human made amenities as possible. The existing permit system has been in place since XX. Designation of the Bears Ears National Monument has had no effect on the existing permit system. Permits can be obtained through the BLM Monticello Field Office.

Camping

There are five designated campgrounds on BLM lands in the Bears Ears National Monument. Four of these campgrounds are located in the Indian Creek area. Additional campgrounds, located on BLM administered and National Forest System lands, can be found just outside of Monument. Campgrounds can also be found in nearby Canyonlands National Park, Natural Bridges National Monument, and Goosenecks State Park.

The Bear Ears National Monument offers opportunities for dispersed camping. No permits are required for car camping. Visitors should use established campsites and avoid impacting undisturbed areas.

Motorized Vehicle Recreation

The Bears Ears National Monument includes approximately XX miles of transportation routes that are designated as open to motorized recreation. Motorized recreational will continue on designated routes in the National Monument.

River Recreation

The San Juan River forms the southern boundary of the portions of the Bears Ears National Monument. A float trip on the San Juan River in southeast Utah provides boaters with access to spectacular canyons rich in scenery, archaeology, history, remarkable geographic features, and desert wildlife. A permit is required year round to float the San Juan River. Designation of the Bears Ears National Monument has had no effect on the existing permit system.

Hunting

Hunting permits are issued by the State of Utah Division of Wildlife Resources. Designation of the Bears Ears National Monument does not affect hunting.

Livestock Grazing

Currently XX acres (XX percent) of the Bears Ears National Monument are available for livestock grazing. The Monument includes all or portions of XX grazing allotments. Livestock grazing will continue to occur in the Monument as guided by existing Federal law. The terms and conditions for grazing in the Monument (such as stipulations on forage use and season of use) are set forth in the permits and leases issued by the BLM and Forest Service to ranchers.

Wood Collection and Ecosystem Health

Wood collection, including private and commercial harvest of woodland products, is allowed on approximately XX acres in the Bears Ears National Monument. Permits for private and commercial wood collection will continue to be issued by the BLM and USFS based on the availability of woodland products and protection of other resource values.

The BLM and Forest Service will also continue to use integrated vegetation management to ensure ecosystem health. Vegetation treatments may be conducted to protect important cultural and recreational resources, ensure ecological diversity, and provide for native plant and wildlife habitats. The BLM will continue to work with the State of Utah and other partners through programs such as Utah's Watershed Restoration Initiative to ensure watershed health and biological diversity.

Bears Ears Commission

To ensure that management decisions reflect tribal expertise and traditional and historical knowledge, the Monument proclamation established a Bears Ears Commission. The Bears Ears Commission, which is comprised of one elected officer each

from the Hopi Nation, Navajo Nation, Ute Mountain Ute Tribe, Ute Indian Tribe of the Uintah Ouray, and Zuni Tribe, will make recommendations to the BLM and Forest Service regarding the management of the Monument.

Monument Advisory Committee

The BLM and Forest Service will establish a Monument Advisory Committee to provide information and advice regarding the development of a management plan and management of the monument. This advisory committee will consist of a balanced representation of interested stakeholders, including State and local governments, tribes, recreational users, local business owners, and private landowners. The BLM and Forest Service will publicly seek nominations for the Advisory Committee. Anyone that is interested and meets certain qualifications may apply.

Land Use Planning

The BLM and Forest Service will jointly prepare a management plan for the Bears Ears National Monument. A starting date for the plan has not been decided. During land use planning, the agencies will collaborative with local, state, and tribal governments, the public, user groups, and industry to identify appropriate uses of lands within the Bears Ears region. The management plan will be used to guide future management decisions and ensure protection of natural and cultural resources in the National Monument.

INFORMATION/ BRIEFING MEMORANDUM FOR THE DIRECTOR

DATE: February xx, 2017
FROM: Edwin Roberson, Utah State Director Make sure Ed reviews this before sending to WO (or Gary) and/or check with Lola on clearance
SUBJECT: Bears Ears National Monument

BLM-Utah is responding to a request for more information on Bears Ears National Monument from WO-400.

BACKGROUND

The national monument is approximately 1.35 million acres and protects one of the richest cultural landscapes in the United States. President Obama established the national monument to protect plants and animals (objects), outstanding cultural and paleontological resources, and to honor the land's importance to American Indian tribes.

DISCUSSION

Economics and Jobs

According to a February 2014 report, , The Monticello Field Office contributed to the San Juan County economy

Jobs (direct and indirect)

Recreation jobs: 258.8

Minerals jobs: 242.5

Grazing jobs: 91.4

BLM labor and local purchases:

(need to further interpret the economic report better,

Statistics

Include the statistics from the fact sheet on land designations (WSAs, W, ACECs, private, USFS, state land, etc.)

26 tribal governments have passed resolutions supporting bears ears

all or portions of 5 ACECs

I have not been able to get a hold of anyone in GIS.

most of the acreage is associated with valley of the gods.

Bears Ears contains all or portions 7 special recreation management areas.

Dates (need to add more)

Xxx 1936 Escalante NM proposal

Xxx other stuff

Xxx 2015 (?) Bears Ears Inter-tribal Coalition submits a proposal to former President Obama

Xxx July 2016 Congress submits the Utah Public Lands Initiative as a bill xx HR xx

July 2016, former Secretary Jewell, etc. all the people host a public meeting to hear xx etc. summarize

Sept. xx 2016: congressional hearing on UPLI etc.

Dec. 28, 2016 proclamation

National monument proposal history

Public interest in protection of this area dates back to the Great Depression era. In 1936, the National Park Service recommended to President Franklin Roosevelt that the region be protected as the Escalante National Monument (also encompassing present-day Grand Staircase-Escalante National Monument).

Proclamation

On Dec. 28, 2016 former President Barack Obama issued a [proclamation](#) (linked) establishing the Bears Ears National Monument (BENM) in San Juan County, Utah.

In addition to describing the prehistoric and historic values of the region and specific plants and animals that would be protected, the proclamation described specific actions that would be taken with regard to managing the national monument.

1. Mineral withdrawal, subject to valid existing rights
2. The USFS and BLM will develop a management plan that also describes "parameters for continued meaningful engagement with the [Bears Ears] Commission"
3. The USFS shall "consult" with the DOI (through the BLM) regarding forest planning in the monument boundary
4. Establishment and implementation of a monument advisory committee
5. Five tribes shall each elect one officer to serve on the Bears Ears Commission (the Commission was established by the proclamation)
6. The Secretary of the Interior shall "explore entering into a memorandum of understanding with the State" regarding land exchanges with SITLA
7. Development of a transportation plan for motorized and non-motorized vehicle use

Land use (cited from the proclamation since the BLM and USFS have not yet implemented new management plans)

The establishment of the monument is subject to valid existing rights, including valid existing water rights. If the Federal Government acquires ownership or control of any lands or interests in lands that it did not previously own or control within the boundaries described on the accompanying map, such lands and interests in lands shall be reserved as a part of the monument, and objects identified above that are situated upon those lands and interests in lands shall be part of the monument, upon acquisition of ownership or control by the Federal Government.

[...]

Nothing in this proclamation shall be construed to interfere with the operation or maintenance, or the replacement or modification within the current authorization boundary, of existing utility, pipeline, or telecommunications facilities located within the monument in a manner consistent with the care and management of the objects identified above.

Nothing in this proclamation shall be deemed to enlarge or diminish the rights or jurisdiction of any Indian tribe. The Secretaries shall, to the maximum extent permitted by law and in consultation with Indian tribes, ensure the protection of Indian sacred sites and traditional cultural properties in the monument and provide access by members of Indian tribes for traditional cultural and customary uses, consistent with the American Indian Religious Freedom Act (42 U.S.C. 1996) and Executive Order 13007 of May 24, 1996 (Indian Sacred Sites), including collection of medicines, berries and other vegetation, forest products, and firewood for personal noncommercial use in a manner consistent with the care and management of the objects identified above.

[...]

Laws, regulations, and policies followed by USFS or BLM in issuing and administering grazing permits or leases on lands under their jurisdiction shall continue to apply with regard to the lands in the monument to ensure the ongoing consistency with the care and management of the objects identified above.

Nothing in this proclamation shall be deemed to enlarge or diminish the jurisdiction of the State of Utah, including its jurisdiction and authority with respect to fish and wildlife management.

Nothing in this proclamation shall preclude low-level overflights of military aircraft, the designation of new units of special use airspace, or the use or establishment of military flight training routes over the lands reserved by this proclamation consistent with the care and management of the objects identified above.

Nothing in this proclamation shall be construed to alter the authority or responsibility of any party with respect to emergency response activities within the monument, including wildland fire response.

Nothing in this proclamation shall be deemed to revoke any existing withdrawal, reservation, or appropriation; however, the monument shall be the dominant reservation.

NEXT STEPS

N/A

ATTACHMENTS

None.

Bear Ears National Monument Information Request
State Of Utah
February 13, 2017

On February 13, 2017 the State of Utah sent State Direct Ed Roberson a request for "Documents Relating to Land within the Monticello Field Office Planning Area." Information from that request letter has been extrapolated into this letter and numbers have been assigned to individual information requests. The purpose of this document is to outline assignments and tentative due dates for providing draft responses.

1. The number, type, and duration of permits requested or issued from 2005 to present for recreational activities (commercial or otherwise) conducted within the area that is now the Bears Ears National Monument. Please also provide documents reflecting the identity of the persons to whom the permits were issued or by whom the permits were requested, the number of persons permitted or requested to be permitted to participate in the activities, and the revenue received by the BLM for the permits.
2. The number and type of visitation from 2005 to the present, including data reflecting visitor use days and overnight visits, to the area that is now the Bears Ears National Monument.
3. The activities (commercial or otherwise) for which permits were requested or issued from 2005 to the present within the area that is now the Bears Ears National Monument, the revenue received by the BLM for the permits, the location for which the activity was permitted or requested to be permitted, the number of permits requested or issued, a quantification of the activity permitted (e.g. cords of wood permitted to be cut, persons permitted to camp, etc.), and any funds remitted to the State or San Juan County relating to the permitted activity.
4. Permits requested or issued for paleontological or archaeological activities on land within what is now the Bears Ears National Monument, including surveys, inventories, excavations and other activities. Please also provide documents reflecting the locations of and the types of paleontological or archaeological resources for which the permits were requested or issued. Please provide GIS datasets and shapefiles, maps, and other documents relating to or reflecting the location of the requested or issued permits and paleontological and archaeological resources and depicting any Paleontology Condition System analyses conducted within the planning area.
5. Reports and updates submitted to the Chairman of the Advisory Council on Historic Preservation as required by Executive Order 13287, *Preserve America*.
6. Leases requested or issued for any coal, oil, gas, or other production within the area that is now the Bears Ears National Monument, the revenue received by BLM from the leases, production from the leases, funds remitted to the State or San Juan County from the leases, and the location of the requested or issued leases. Please also provide information regarding applications for permits to drill, expressions of interest, and project planning areas within the area that is now the Bears Ears National Monument, including the revenue received by the BLM relating to the applications and the location of the proposed drilling operations.
7. Location of all active mining operations and any requested expansion of mining operations within the area that is now the Bears Ears National Monument. Please provide information regarding the material being mined, revenue received by BLM for the operations, production from the operations, funds remitted to the State or San Juan County from the operations, and the location of the operations.

8. Location of all existing mining claims within the area that is now the Bears Ears National Monument. Please include information regarding the mineral claimed and any actions taken to develop the claim.
9. Number of AUMs currently permitted on grazing allotments within the area that is now the Bears Ears National Monument.
10. Sensitive, candidate, threatened, or endangered species habitat, relict and near-relict vegetation locations, and protected activity centers.
11. Any specialized management plans for any ACECs, SRMAs, or other special management plans for land within what is now the Bears Ears National Monument.
12. Electronic copies of the GIS datasets and shapefiles containing information used to create the following maps associated with the 2008 Resource Management Plan preparation and analysis. These maps are further described in Exhibit A.
 - Maps 1-20 for the Record of Decision.
 - Maps 3, 17 - 20 for the Proposed Resource Management Plan/Final EIS
13. Please provide the foregoing maps and underlying information, including any revisions that have been made to the data since the maps were originally published in 2008.
14. Electronic copies of the GIS datasets and shapefiles containing the information itemized below. This information was depicted in Maps 1 through 24b of the "Background Documents" relating to the 2008 RMP analysis and in Figures 9-1, 11-1, 11-2, 12-1, 13- 1, 13-2, and 15-2 of the Analysis of Management Situation. Please provide this information, as well as any revisions that have been made to the datasets since the maps were originally published in 2005.
 - Surface Management Status
 - Leasable Minerals
 - Locatable Minerals
 - Saleable Minerals
 - General Geology
 - Location, occurrence and development potential for oil and gas plays, porous carbonate buildup plays, coal deposits, potash and salt deposits, tar sand deposits, uranium/vanadium deposits, copper deposits, placer gold deposits, limestone deposits, sand and gravel deposits, building stone deposits, and clay deposits
 - Oil and Gas Fields, Pipelines, and Wells
 - Recreation Facilities
 - Recreation Opportunity Spectrum Classifications
 - Riparian Vegetation Communities
 - Vegetation Types and Main Vegetation Communities
 - Mineral Conditions for Use
15. Electronic copies of GIS datasets and shapefiles, maps, and other documents relating to or reflecting the location of Native American sacred sites, traditional cultural properties, sites of religious or cultural importance, and areas of traditional uses such as hunting, fishing, gathering,

wood cutting, plant gathering, and craft material gathering. Please provide information regarding the tribes that seek affiliation with each sacred site, traditional cultural property, and areas of traditional use. Please also provide me with GIS datasets and shapefiles, maps, and other documents reflecting the location of any surveys, inventories, and modeling relating to archaeological and cultural sites, including, but not limited to, predictive modeling for site densities.

16. Electronic copies of GIS datasets and shapefiles, maps, and other documents relating to or reflecting lands that as of December 27, 2016, were withdrawn from mineral, oil, gas, or coal entry, location, entry, or patent and lands that, as of December 27, 2017, were recommended for withdrawal from mineral, oil, gas, or coal entry, location, or patent.
17. Electronic copies of GIS datasets and shapefiles, maps, and other documents relating to or reflecting Extensive Recreation Management Areas and Research Natural Areas and areas of "outstanding scenic quality and high visual sensitivity" as described in the 2008 Resource Management Plan.

Archaeological Resource Protection Act of 1979

Section 2(b): "The purpose of this Act is to secure, for the present and future benefit of the American people, the protection of archaeological resources and sites which are on public lands and Indian lands, and to foster increased cooperation and exchange of information between governmental authorities, the professional archaeological community, and private individuals having collections of archaeological resources and data that were obtained before October 31, 1979."

Section 9(a): "Information concerning the nature and location of any archaeological resource for which the excavation or removal requires a permit or other permission under this Act or under any other provision of Federal law may not be made available to the public under subchapter II of chapter 5 of title 5 or under any other provision of law unless the Federal land manager concerned determines that such disclosure would-

- (1) Further the purposes of this Act or the Act of June 27, 1960 and
- (2) Not create a risk of harm to such resources or to the site at which such resources are located."

Section 9(b): "Notwithstanding the provisions of subsection (a) of this section, upon the written request of the Governor of any State, which request shall state-

- (1) the specific site or area for which information is sought,
- (2) the purpose for which such information is sought,
- (3) a commitment by the Governor to adequately protect the confidentiality of such information to protect the resource from commercial exploitation,

the Federal land manager concerned shall provide to the Governor information concerning the nature and location of archaeological resources within the State of the requesting Governor."

National Historic Preservation Act of 1966, as amended

Section 304: "The head of a Federal agency or other public official receiving grant assistance pursuant to this division, after consultation with the Secretary, shall withhold from disclosure to the public, information about the location, character, or ownership of a historic resource if the Secretary and the agency determine that disclosure may:

1. Cause a significant invasion of privacy;
2. Risk harm to the historic resources; or
3. Impede the use of traditional religious site by practitioners."

Paleontological Resources Preservation Act of 2009

Section 6309: "Information concerning the nature and specific location of a paleontological resource shall be exempt from disclosure under Section 552 of Title 5, United States Code, and any other law unless the Secretary determines that disclosure would:

1. Further the purposes of this subtitle;

2. Not create risk of harm to or theft or destruction of the resource or the site containing the resource; and
3. Be in accordance with other applicable laws.”