

To: Lawyer, Mark[mark_lawyer@ios.doi.gov]
Cc: Moody, Aaron[aaron.moody@sol.doi.gov]; Swift, Heather[heather_swift@ios.doi.gov]; Haugrud, Kevin[jack.haugrud@sol.doi.gov]; Bowman, Randal[randal_bowman@ios.doi.gov]; Downey Magallanes[downey_magallanes@ios.doi.gov]; Jorjani, Daniel[daniel_jorjani@ios.doi.gov]; Laura Brown[Laura.Brown@sol.doi.gov]; Juliette Lillie[juliette_lillie@ios.doi.gov]; Megan Apgar[Megan_Apgar@ios.doi.gov]
From: Rodgers, Kerry
Sent: 2017-05-05T11:53:12-04:00
Importance: Normal
Subject: Re: Draft FR Notice on Monuments - Friday updated version
Received: 2017-05-05T11:53:20-04:00
OS Draft Notice EO 13792 Review 50517 final draft.docx

Thanks, Mark. Attached is the final draft Notice we are proofreading. It includes a docket number for regulations.gov thanks to Megan Apgar, and it lists the online method of submitting comments before the mail.

Please let us know of any last concerns. Thanks.

Kerry

Kerry E. Rodgers
Management Analyst, Policy and Regulatory Affairs
Executive Secretariat and Regulatory Affairs
Office of the Secretary
U.S. Department of the Interior
Phone: (202) 513 0705
E-mail: kerry_rodgers@ios.doi.gov

On Fri, May 5, 2017 at 11:48 AM, Lawyer, Mark <mark_lawyer@ios.doi.gov> wrote:

If you are going to include information in the press release on submitting comments, regulations.gov should be the primary method of submission and that should be clear in your message. If you provide a U.S. mail address or physical address as the primary address, you will be inundated with hard copy mail and response to comments will be much more difficult. I have asked Megan Apgar of my staff to set up a docket in FDMS (the back office side of regulations.gov). That docket should be included in the FR notice and, if you also wish to provide that information by press release, it should be in the press release as well. I am copying in Megan so she can provide the docket number and language on submitting comments.

On Fri, May 5, 2017 at 11:05 AM, Moody, Aaron <aaron.moody@sol.doi.gov> wrote:

Hi, Heather: here are some comments/edits from me and Laura (SOL). thank you!

Aaron G. Moody
Assistant Solicitor, Branch of Public Lands
Division of Land Resources
Office of the Solicitor
U.S. Department of the Interior
202-208-3495

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On Fri, May 5, 2017 at 10:32 AM, Swift, Heather <heather_swift@ios.doi.gov> wrote:

Got it. Attached is my edited draft if they wouldn't mind working off this!

-

Heather Swift

Department of the Interior

@DOIPressSec

Heather_Swift@ios.doi.gov | Interior_Press@ios.doi.gov

On Fri, May 5, 2017 at 10:26 AM, Haugrud, Kevin <jack.haugrud@sol.doi.gov> wrote:

Kerry: When we have Randy's correct contact information in the document, could Exec Sec also coordinate with Downey on getting a clean copy of the draft FR Notice to Heather Swift (copied) so she can prepare the press release. Heather, the current draft press release should be updated to reflect the revised FR Notice -we are now treating the marine monuments separately from the onshore ones. To assist you Heather, Aaron Moody and Laura Brown can prepare a revised version of the press release that incorporates the latest version of the FR Notice if that would help.

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Mark Lawyer

Deputy Director - Policy and Regulatory Affairs
Executive Secretariat and Regulatory Affairs
Office of the Secretary
Department of the Interior

Email: mark_lawyer@ios.doi.gov

Voice: (202) 208-5257

Fax: (202) 219-2100

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DEPARTMENT OF THE INTERIOR

Office of the Secretary

Docket No. DOI-2017-0002

Review of Certain National Monuments Established Since 1996; Notice of Opportunity for Public Comment

AGENCY: Office of the Secretary, Interior.

ACTION: Notice; Request for comments.

SUMMARY: The U.S. Department of the Interior is conducting a review of certain National Monuments designated or expanded since 1996 under the Antiquities Act of 1906 in order to implement Executive Order 13792 of April 26, 2017. The Secretary of the Interior will use the review to determine whether each designation or expansion conforms to the policy stated in the Executive Order and to formulate recommendations for Presidential actions, legislative proposals, or other appropriate actions to carry out that policy. This Notice identifies twenty-seven National Monuments under review and invites comments to inform the review.

DATES: To ensure consideration, written comments relating to the Bears Ears National Monument must be submitted before [INSERT DATE 15 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]. Written comments relating to all other National Monuments must be submitted before [INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: You may submit written comments online at <http://www.regulations.gov> by entering “DOI-2017-0002” in the Search bar and clicking “Search,” or by mail to Monument Review, MS-1530, U.S. Department of the Interior, 1849 C Street NW, Washington, DC 20240.

FOR FURTHER INFORMATION CONTACT: Randal Bowman, 202-208-1906,

RR Bowman@ios.doi.gov.

SUPPLEMENTARY INFORMATION: Executive Order 13792 of April 26, 2017 (82 FR 20429, May 1, 2017), directs the Secretary of the Interior to review certain National Monuments designated or expanded under the Antiquities Act of 1906, 54 U.S.C. 320301-320303 (Act). Specifically, Section 2 of the Executive Order directs the Secretary to conduct a review of all Presidential designations or expansions of designations under the Antiquities Act made since January 1, 1996, where the designation covers more than 100,000 acres, where the designation after expansion covers more than 100,000 acres, or where the Secretary determines that the designation or expansion was made without adequate public outreach and coordination with relevant stakeholders, to determine whether each designation or expansion conforms to the policy set forth in section 1 of the order. Among other provisions, Section 1 states that designations should reflect the Act's "requirements and original objectives" and "appropriately balance the protection of landmarks, structures, and objects against the appropriate use of Federal lands and the effects on surrounding lands and communities." 82 FR 20429 (May 1, 2017).

In making the requisite determinations, the Secretary is directed to consider:

- (i) the requirements and original objectives of the Act, including the Act's requirement that reservations of land not exceed "the smallest area compatible with the proper care and management of the objects to be protected";
- (ii) whether designated lands are appropriately classified under the Act as "historic landmarks, historic and prehistoric structures, [or] other objects of historic or scientific interest";

- (iii) the effects of a designation on the available uses of designated Federal lands, including consideration of the multiple-use policy of section 102(a)(7) of the Federal Land Policy and Management Act (43 U.S.C. 1701(a)(7)), as well as the effects on the available uses of Federal lands beyond the monument boundaries;
- (iv) the effects of a designation on the use and enjoyment of non-Federal lands within or beyond monument boundaries;
- (v) concerns of State, tribal, and local governments affected by a designation, including the economic development and fiscal condition of affected States, tribes, and localities;
- (vi) the availability of Federal resources to properly manage designated areas; and
- (vii) such other factors as the Secretary deems appropriate.

82 FR 20429-20430 (May 1, 2017).

The National Monuments being initially reviewed are listed in the following tables.

**NATIONAL MONUMENTS BEING INITIALLY REVIEWED PURSUANT TO
CRITERIA IN EXECUTIVE ORDER 13792**

Monument	Location	Year(s)	Acreage
Basin and Range	Nevada	2015	703,585
Bears Ears	Utah	2016	1,353,000
Berryessa Snow Mountain	California	2015	330,780
Canyons of the Ancients	Colorado	2000	175,160
Carrizo Plain	California	2001	204,107
Cascade Siskiyou	Oregon	2000/2017	100,000
Craters of the Moon	Idaho	1924/2000	737,525
Giant Sequoia	California	2000	327,760
Gold Butte	Nevada	2016	296,937
Grand Canyon-Parashant	Arizona	2000	1,014,000
Grand Staircase-Escalante	Utah	1996	1,700,000
Hanford Reach	Washington	2000	194,450.93
Ironwood Forest	Arizona	2000	128,917
Mojave Trails	California	2016	1,600,000
Organ Mountains-Desert Peaks	New Mexico	2014	496,330
Rio Grande del Norte	New Mexico	2013	242,555
Sand to Snow	California	2016	154,000
San Gabriel Mountains	California	2014	346,177
Sonoran Desert	Arizona	2001	486,149
Upper Missouri River Breaks	Montana	2001	377,346
Vermilion Cliffs	Arizona	2000	279,568

**NATIONAL MONUMENTS BEING REVIEWED TO DETERMINE WHETHER THE
DESIGNATION OR EXPANSION WAS MADE WITHOUT ADEQUATE PUBLIC
OUTREACH AND COORDINATION WITH RELEVANT STAKEHOLDERS**

Katahdin Woods and Waters	Maine	2016	87,563
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The Department of the Interior seeks public comments related to: (1) Whether national monuments in addition to those listed above should be reviewed because they were designated or expanded after January 1, 1996 “without adequate public outreach and coordination with relevant stakeholders;” and (2) the application of factors (i) through (vii) set forth above to the listed national monuments or to other Presidential designations or expansions of designations meeting the criteria of the Executive Order. With respect to factor (vii), comments should address other factors the Secretary might consider for this review.

In a separate but related process, certain Marine National Monuments will also be reviewed. As directed by section 4 of Executive Order 13795 of April 28, 2017, “Implementing an America-First Offshore Energy Strategy” (82 FR 20815, May 3, 2017), the Department of Commerce will lead the review of the Marine National Monuments in consultation with the Secretary of the Interior. To assist in that consultation, the Secretary will accept comments related to the application of factors (i) through (vii) in Executive Order 13792 as set forth above to the following Marine National Monuments:

**MARINE NATIONAL MONUMENTS BEING REVIEWED PURSUANT TO
EXECUTIVE ORDERS 13795 AND 13792**

Marianas Trench	CNMI/Pacific Ocean	2009	60,938,240
Northeast Canyons and Seamounts	Atlantic Ocean	2016	3,114,320
Pacific Remote Islands	Pacific Ocean	2009	55,608,320

Papahānaumokuākea	Hawaii	2006/2016	89,600,000
Rose Atoll	American Samoa	2009	8,609,045

Before including your name, address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you may ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

AUTHORITY: E.O. 13792, 82 FR 20429 (May 1, 2017).

James Cason
Special Assistant
Delegated the Functions, Duties, and Responsibilities of the Deputy Secretary