

**To:** Schmidt, Jaime T -FS[jtschmidt@fs.fed.us]  
**Cc:** Elizabeth Appel[elizabeth.appel@bia.gov]  
**From:** Rodman, Anthony  
**Sent:** 2017-05-24T07:58:07-04:00  
**Importance:** Normal  
**Subject:** Fwd: USFS Requesting Info on Tribal Listening Sessions  
**Received:** 2017-05-24T07:58:14-04:00  
[Agenda Listening Sessions 5-25-17 FINAL.docx](#)  
[Handout for Tribal Listening Sessions v4.docx](#)  
[Federal Participant Information Sheet 05-22-17.doc](#)

Hi Jaime,  
Please find the information below. Also, please let us know if FS will be sending anyone for Thursday when you get a chance.

Regards,  
Morgan

----- Forwarded message -----

**From:** Schmidt, Jaime T -FS <jtschmidt@fs.fed.us>  
**Date:** Tue, May 23, 2017 at 7:03 PM  
**Subject:** USFS Requesting Info on Tribal Listening Sessions  
**To:** "elizabeth.appel@bia.gov" <elizabeth.appel@bia.gov>, "anthony.rodman@bia.gov" <anthony.rodman@bia.gov>

Hi Liz and Morgan—

As follow-up to our conversation last week's meeting at DOI on E.O. 13792, I have some follow-up questions re. the upcoming listening sessions and our effort to identify FS representatives to attend:

- Is the primary intended audience Tribal members (rather than the general public and or a broader array of agency representatives)? Yes, the intended audience for the listening sessions are tribal leaders.
- Can you share info on the level/type of reps DOI bureaus are sending for each session, including the one in Portland this week? That will help the FS sort out appropriate reps as well. Please see below the list of federal participants.
- Is there any type of write-up you have or info you can share re. the sessions? (intent, intended audience, etc?). Please see attached.

Thanks much— I appreciate any clarification you can share.




Federal attendees:

- ☐ Bruce Loudermilk, BIA Director
- ☐ Morgan Rodman, Indian Affairs
- ☐ Jody Weil, Acting State Director for Oregon, BLM
- ☐ Scott Aiken, National Native American Programs Coordinator, FWS
- ☐ Nathan Dexter, Pacific Region Native American Liaison, FWS

- ☐ Tracy Fortmann, Superintendent, Ft. Vancouver National Historic Site, NPS

**Jaime Schmidt  
National Trail &  
Congressional  
Designated Areas  
Program Manager  
Forest Service  
Recreation,  
Heritage &  
Volunteer  
Resources  
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<https://www.bia.gov/WhoWeAre/AS-IA/WHCNA/index.htm>

Tribal Listening Session  
**E.O. 13792    Review of Designations Under the Antiquities Act**



Office of the Assistant Secretary    Indian Affairs

**Why are these listening sessions being held?**

In order to implement Executive Order 13792 (April 26, 2017), the Department of Interior (DOI) seeks tribal input to inform DOI's reviews of 27 National Monuments designated or expanded since 1996 under the Antiquities Act of 1906. The Secretary of Interior will use the reviews 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.

In addition to comments at the listening sessions, written comments are being accepted until May 26, 2016, for the Bears Ears Monument, and for all other monuments until July 10, 2017. Written comments may be submitted by email to [consultation@bia.gov](mailto:consultation@bia.gov). The Department is also accepting comments from the general public 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 Interior, 1849 C Street NW, Washington, DC 20240.

**What is Executive Order 13792 *Review of Designations Under the Antiquities Act*?**

E.O. 13792 requires that the Secretary of the Interior review national monuments that have been designated or expanded since January 1, 1996, where the designation 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.

In making the determinations about the monuments, the Secretary is directed to consider:

- i. the requirements and original objectives of the Antiquities 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.

**How will the information from the listening sessions be gathered and utilized?**

- ✓ Meetings will be recorded and transcribed.
- ✓ Comments will be collected in writing.
- ✓ Copies of the transcripts will be available at [www.bia.gov](http://www.bia.gov).
- ✓ Your comments, ideas, and suggestions will be used by DOI in its review of the 27 monument designations and the subsequent recommendations to the President.

**What will happen after these listening sessions?**

- ✓ Transcripts and written comments will be analyzed and recommendations reported to the Assistant Secretary – Indian Affairs and the Secretary of the Interior.
- ✓ The Secretary will provide an interim report to the President summarizing the findings of the review with respect to Proclamation 9558 (Establishment of the Bears Ears National Monument) and other monument designations the Secretary determines appropriate for inclusion and provide recommendations for such Presidential actions, legislative proposals, or other actions within 45 days of the date of the Executive Order (June 10, 2017).
- ✓ The Secretary will provide a final report to the President summarizing the findings of the review and provide recommendations for such Presidential actions, legislative proposals, or other actions within 120 days of the date of the Executive Order (August 24, 2017).

**Questions to help guide the conversation:**

1. Are there other monuments in addition to the 27 being currently reviewed that should also be reviewed because they were designated after January 1, 1996, without adequate public outreach and coordination with relevant stakeholders?
2. Comments on the application of the seven factors (i-vii) listed in the Executive Order 13792 that the Secretary of the Interior is to use in reviewing the 27 monument designations. Please share other factors that should be considered.

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### **Information for Federal Agency Participants in Tribal Listening Sessions on National Monument Review**

The Tribal listening session is between the Tribal Government and Federal Officials. The main purpose of the session is to hear Tribal representatives' input.

#### Registration and Tribal Participants

- There is a registration table outside the room for officials to sign in. DOI-IA will serve as registration staff to welcome participants, ask them to sign in, and provide copies of the E.O., Federal Register notice, and one-page information sheet
- DOI staff at the registration table will also do their best to limit participants to only Tribal and Federal Officials.
- The listening session sessions are closed to press unless the Tribal participants agree to open the session to press. Signs are posted informing members of the public and the media/press that they may not sit in on the Tribal listening session. DOI staff at the registration table will alert the IA representative of any press seeking to sign in so that the IA representative may ask Tribal representatives at the start of the meeting whether they prefer the session to be open or closed.
- During the Tribal listening session, any members of the public may protest peacefully outside of the facility as long as it does not disrupt the listening session.
- Anyone who enters the session and disrupts the meeting will be asked to leave (by security if necessary).

#### Panelist Table

- The panelist table is limited to Federal agency leaders or their designees. Any additional Federal agency members are asked to sit among the audience.

#### Notes for All Federal Participants

- Please direct your attention to Tribal representatives who are providing comments.
- Please place your cell phones on mute.
- If someone hands you written comments, please provide them to the DOI-IA staff at the registration table.
- If you would like to take pictures throughout the meeting, please ask if anybody objects prior to the start of the meeting.
- If someone has a question specifically for your agency, please answer if doing so will help inform the Tribes' input. If you need to follow up with the individual afterward, make sure to provide your contact information.

#### Items for Lead Agency (Indian Affairs) to Note for Tribal Participants

- At the registration table, there is a sign in sheet for all attendees.
- The room is set up in theater or classroom style only to ensure that we can accommodate a large number of Tribal participants; otherwise, we would have the seating in a circle.
- A court reporter will be transcribing the session.
  - The transcripts will be posted to [www.regulations.gov](http://www.regulations.gov) as soon as they are available (usually a week or two after the session).
- Written comments from Tribes are to [consultation@bia.gov](mailto:consultation@bia.gov) and will be considered when received; however, note that the Secretary's interim report, including the report on Bears Ears, is due June 15, 2017.

**AGENDA****Commented [RAM1]:**

May 25, 2017

1:30pm 5:00pm

DOI Indian Affairs Listening Sessions on Reorganization of the Executive Branch (E.O. 13781) and Review of Designations Under the Antiquities Act (E.O. 13792)

Affiliated Tribes of Northwest Indians (ATNI) Mid Year Convention 2017  
Hilton DoubleTree Lloyd Center  
Portland, OR

**I. Introductions and Opening Remarks (Reorganization of Executive Branch)**

1:30pm 1:45pm

**Commented [RAM2]:** Just a thought: if a tribal leader gives a prayer and opening remarks that will be 5 minutes; then Bruce's remarks will be 5; Tony's will prob be 3-4; I plan to speed through my remarks for no more than 3 mins hopefully (I'm providing an overview of Indian Affairs, BIA, BIE), and that puts us at 17 mins or so. I will encourage everyone to be brief, but I think the intros and openings will take between 15 and 20 mins.

**II. Comments on Reorganization of Executive Branch**

1:45pm 2:55pm

**III. Break**

2:55pm 3:05pm

**IV. Introductions and Opening Remarks (Review of Designations under the Antiquities Act)**

3:05pm 3:15pm

**Commented [RAM3]:** this one should be shorter than the first session intro because I would think only a tribal leader, Bruce, and maybe Jody Weil would provide remarks. I don't plan to say anything here, so we should get finished in about 10 mins here.

**V. Comments on Review of Designations Under the Antiquities Act**

3:15pm 4:50pm

**VI. Closing Comments**

4:50pm 5:00pm