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From: Ginn, Allison

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Subject: BLM-Utah's Responses to Call for Data Related to Review of National Monuments under EO 13792 (DD: 5/17/17)

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[ExecutiveSummaryforBENM.pdf](#)

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I thought that contributing staff may be interested to see the final information that was submitted for the DOI's data call, due yesterday. All supporting references noted in the documents were uploaded into Drive.

WO 410 and DOI are reviewing and will likely reach out for additional information, so please hold on to your notes.

Thank you all for your support in a monumental (pun intended) effort!

Regards,

Allison Ginn
National Conservation Lands Program Lead
BLM Utah State Office
801-539-4053

Call for Data Related to Review of National Monuments under EO 13792 (April 26, 2017)

1. Documents Requested

a. Resource Management Plans/Land Use Plans

- i. The Monument Management Plan (MMP) and ROD is located within this Drive folder (1.GSENM_mgmt_plan.pdf).
- ii. The entire GSENM RMP (DEIS/FEIS/ROD) can be accessed here:
<https://eplanning.blm.gov/epl-front-office/eplanning/planAndProjectSite.do?methodName=dispatchToPatternPage¤tPageId=94418>
- iii. The Livestock Grazing EIS/Plan Amendment has been initiated. The DEIS has been reviewed by the UTSO and WO and is nearing public release:
<https://eplanning.blm.gov/epl-front-office/eplanning/planAndProjectSite.do?methodName=dispatchToPatternPage¤tPageId=100826>
- iv. The MMP has also been amended for Greater Sage Grouse habitat conservation (2015), for an electrical transmission line ROW to support local communities (2011), and for an update to fire management (2005).

b. Record of Decision

- i. The 1999 MMP and ROD is located within this Drive folder (1.GSENM_mgmt_plan.pdf).

c. Public Scoping Documents

- i. Grand Staircase-Escalante National Monument's (GSENM) Management Plan included substantial outreach, public scoping and comment periods according to land use planning regulations and policies. See Federal Register Notices in Drive folder (1.c.Federal Register, Volume 64 Issue 145 (Thursday, July 29, 1999).pdf).
- ii. Public Comments and Responses for the MMP FEIS are located within this Drive folder (1.c.GSENM_FEIS_Comments.pdf).
- iii. See also Scoping Report for Livestock Grazing EIS (1.c.GSENM_GrazingEIScopingRpt_Final.pdf) and at:
https://eplanning.blm.gov/epl-front-office/projects/lup/69026/89803/107384/2014.05.21_GSENM_ScopingRpt_Final_508.pdf.
- iv. GSENM has many documents to demonstrate public engagement in land use planning processes. Please advise on the level of documentation that is requested by the Department.

d. Presidential Proclamation

- i. Proclamation 6920 of September 18, 1996 is in this folder (1.d.Presidential_Proclamation_6920.pdf).

2. Information on activities permitted at the Monument, including annual levels of activity

from the **date of designation to the present**

Designation date for GSENM is September 18, 1996.

- a. Recreation - annual visits to site
 - i. To protect Monument resources and provide economic opportunities in the local communities, major facilities including the four visitor centers are located in the gateway towns of Kanab, Cannonville, Escalante, and Bigwater.
 - ii. GSENM provides a large variety of multiple-use recreation opportunities including traditional hiking and camping, hunting, fishing, horseback riding, mountain biking, as well as motorized activities for off-highway vehicles.
 - iii. Commercial recreation activities (Outfitter and Guides) have risen since Monument designation (2.a._GSENM Commercial_SRP.pdf).
 - iv. GSENM uses the Recreation Management Information System (RMIS) to report visitor use, which is calculated using data from multiple traffic counters, permits and visitor counts in the four Visitor Centers. RMIS is generally accepted as the agency's official record, however, RMIS was not available until 1999. Prior to 1999, GSENM aggregated data from the Kanab and Escalante offices. (See: 2.a.GSENM_RecreationData_Excel.xls and 3.a.GSENM_Recreation_MMP_DEIS_Tables.pdf)
- b. Energy - annual production of coal, oil, gas and renewables (if any) on site; amount of energy transmission infrastructure on site (if any)
 - i. All Valid Existing Rights for leaseable minerals including coal, and oil and gas are continued.
 - ii. No new leases have been issued since designation. GSENM has no commercial renewable energy.
 - iii. The annual production of oil and gas in the GSENM is currently limited to lands in or adjacent to the Upper Valley Unit (UVU) in the north-central area of the GSENM (Attachments: 2.b.Upper Valley Unit Map.pdf; 2.b.Upper Valley GSE Production.pdf; 2.b.Upper Valley Wells in GSENM.xls; and 2.b.UDOGM_O&Gprod_data_Upper Valley.pdf). GSENM shares the Upper Valley Oil Field with the Dixie National Forest; this field accounts for all oil and gas production in GSENM. Attached documents disclose production for the Upper Valley Field. Four wells within the GSENM are currently producing oil and a small amount of gas. The UVU was approved in 1962 and production from the wells peaked in 1972 at 183,133 barrels. In the last 20 years (1997-2016) production has slowly declined from about 65,828 barrels of oil and no gas annually to 45,538 barrels of oil and 2,357 thousand cubic feet (mcf) of gas. There is no other oil and gas production in GSENM, or Kane and Garfield Counties.

- iv. No coal lands have been explored or coal produced within the GSENM since the September 18, 1996 designation. Existing coal leases were voluntarily exchanged for Federal payments totaling \$19.5 million (not adjusted for inflation) (2.b.GSENM Coal Lease Cancellation Payments.pdf)
- v. 34 oil and gas leases (45,894 acres) are in suspension while a Combined Hydrocarbon Lease (CHL) conversion application is processed.
- vi. Information related to energy transmission infrastructure and lands and realty actions is included in the table below:

Grand Staircase-Escalante National Monument Existing Rights-of-Way/Permits/Authorized 09/25/1996 05/15/2017	
Existing Withdrawals: PSR, PWR, Bureau of Reclamation, Forest Service Wilderness, Power Site, National Park Service, In Trust for Indians	17
Road ROWs	19
Misc. Roads and Associated Uses - Sec 107 Federal Aid Hwy, Revised Statute 2477, Mineral Material Sites	0
Power Transmission Lines and Power Facilities	20
Communication Sites Telephone, Telegraph, Radio Transmission, Global Positioning Systems	15
Water ROWs, Irrigation Facilities	14
Oil and Gas Pipelines, Oil and Gas Facilities	5
Other FLPMA ROWs, Perpetual Easements, Federal Facilities	2
Airport	0
Permit - 302 FLPMA Misc.	0
Permits Film - 302 FLPMA (popular location (closed))	54

c. Minerals - annual mineral production on site

i. Mineral materials

- No new Free Use, commercial, or over-the-counter permits have been issued since Monument designation.
- Valid existing permits, including those in Title 23 (3 Federal Highway Rights of Way), continue to be recognized until permit expiration.
- Significant quantities of gravel and riprap from existing pits continue to be provided for Federal Highways projects, primarily to Utah Department of Transportation.
- According to UGS Circular 93, January 1997, "A Preliminary Assessment of Energy and Mineral Resources within the Grand Staircase-Escalante National Monument" (2.c.UGS Circular 93 GS Energy and Mineral Resources.pdf) there were five small mining operations on unpatented mining claims, four of which were active alabaster quarries and one, a suspended operation for petrified wood. Annual production of the alabaster was about 300 tons worth \$500 per ton (\$150,000/yr). These claimants failed to pay the required annual filings and therefore, the claims were terminated. The BLM's decision to close the claims was upheld by IBLA in March 2008. Since that time, there have been no mining law operations within the monument.

ii. Locatable Minerals

- No new mining claims were issued after Monument designation, however existing claims and active mines were allowed to continue. (List of active mines in MMP DEIS located within this Drive folder 2.c. MMP_DEIS Table 3.10_Locatables.pdf).

d. Timber - annual timber production on site (in board-feet, CCF, or similar measure)

- i. No commercial timber production pre/post Monument designation.
- ii. GSENM does allow continued firewood cutting in two forestry product areas.

e. Grazing - annual grazing on site (AUMs active and billed)

- i. Grazing on the Monument Fact Sheet (2.e_GSENM Grazing EIS Fact Sheet 05-08-2017.pdf).
- ii. Grazing AUMs/ Active and billed (2.e._GSENM Grazing AUMs).
- iii. When the Monument was designated, there were 106,645 total AUMs, with 77,400 of these active. Today, there are 106,202 total AUMs and 76,957 are active. In 1999, an adjustment in AUM levels was made to resolve riparian resources issues and address recreation conflicts.

- f. Subsistence - participation rates for subsistence activities occurring on site (fishing, hunting, gathering); quantities harvested; other quantifiable information where available
 - i. **Subsistence activities** are those that provide the bare essentials for living: food, water, and shelter. The Federal Subsistence Management Program provides opportunities for subsistence way of life in Alaska on federal public lands and waters. There are no formal subsistence programs outside of Alaska. There are no known true subsistence activities occurring on GSENM or prior to its designation. GSENM does provide for the collection of certain natural materials by Native American Indians, under BLM permit. RMIS data provides the number of permitted/guided and recreational hunting activities, fishing activities and gathering activities (See: 2.a.GSENM_RecreationData_Excel.xls). These numbers do not reflect the actual number of licensed hunters/fishermen. That data is available from Utah Division of Wildlife Resources. Outside of developed recreation sites, the entire GSENM is open for hunting and fishing, which is regulated by Utah Division of Wildlife Resources.
- g. Cultural - list of cultural uses/values for site; number of sites; other quantifiable information where available
 - i. Archeological/cultural data is provided in the following Utah Division of State History Maps in the google drive (2.g.1_GSENM_SiteDensity, 2.g.2_GSENM_Inventories, 2.g.3_GSENM_ArchSites, 2.g.4_GSENM_ArchNumofSites).
 - ii. Archaeological surveys carried out to date, show extensive use of places within the monument by ancient Native American cultures and a contact point for Anasazi and Fremont cultures. The cultural resources discovered so far in the monument are outstanding in their variety of cultural affiliation, type and distribution. Hundreds of recorded sites include rock art panels, occupation sites, campsites and granaries. Cultural sites include historic and prehistoric sites, Traditional Cultural Properties, Native American Sacred Sites and cultural landscapes.
 - iii. According to the Utah SHPO, as of March 6, 2017, there are 3,985 recorded archaeological sites within the Grand Staircase-Escalante National Monument (GSENM)(2.g.4_GSENM_ArchNumofSites). However, the GSENM staff estimates that there are more likely around 6,000 recorded archaeological sites within the GSENM, due to a records backlog. This is with only five to seven percent of the Monument surveyed.
 - iv. Cultural Values (Tribal): Prehistoric archaeological sites in the GSENM 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, trails, fences, inscriptions, and structures. Following the designation of GSENM, consultations were initiated with the Native American tribes associated with the GSENM area, including the Hopi, the Kaibab Paiute, the San Juan Paiute, the Paiute Indian Tribes of Utah, the Zuni, and the Ute, and the Navajo. Over the past 20 years, the Hopi and the Kaibab Paiute have been most closely associated with the Monument and most responsive to continued consultations, as the GSENM area is central to the historic and prehistoric territories of these two tribes. All tribes considered the Monument area to be culturally important; the Hopi (as the modern descendants of the Ancestral Puebloans), for example, can trace the migrations of at least twelve clans through what is today GSENM (Bernardini 2005). The tribal connections to this land are probably best described by an example from the Kaibab Paiute, as related to ethnographers from the University of Arizona, as follows (Stoffle et al 2001): *“The Southern Paiute people continue to maintain a strong attachment to the holy lands of their ethnic group as well as to their own local territory. These attachments continued even though Paiute sovereignty has been lost over portions of these lands due to Navajo ethnic group expansion, encroachment by Euro Americans, and Federal government legislation. Despite the loss of Paiute sovereignty over most traditional lands, Southern Paiute people continue to affiliate themselves with these places as symbols of their common ethnic identity. Additionally, all Southern Paiute people continue to perform traditional ceremonies along with the menarche and first childbirth rites of passage rituals. The locations at which these ceremonies and rituals have been or are currently performed become transformed from secular “sites” to highly sacred locations or places. By virtue of the transformation of locations into sacred places, Southern Paiute people reaffirm their ties to traditional lands because they have carried out their sacred responsibilities as given to them by the Creator.”*

- v. **Cultural values (Ranching)** Local ranching began in the 1860s, and became a major focus of area livelihood and increased settlement in the 1870s. Ranching was initially small scale and for local subsistence, but the herds quickly grew so that by the late 1800s the raising of cattle, sheep, and goats was of major economic importance. Ranching and subsistence farming was historically the backbone of the local economies, and this is still reflected in the views of the

modern communities surrounding GSENM. In modern times the economic importance of ranching has somewhat diminished, but the culture of, and past history of, livestock grazing and ranching is one of the important “glues” that binds local communities and families in the GSENM area.

3. Information on activities occurring during the **five years prior to designation**

a. Recreation - annual visits to site

- i. The BLM transitioned to RMIS in 1999. Data prior to 1999 is not available in the same reporting mechanism as from 1999-Present. GSENM did report visitor use beginning in FY97. (See: 2.a.GSENM_RecreationData_Excel.xls and 3.a.GSENM_Recreation_MMP_DEIS_Tables.pdf).

b. Energy - annual production of coal, oil, gas and renewables (if any) on site; amount of energy transmission infrastructure on site (if any)

- i. The Upper Valley Oil Field was in production prior to designation; no other oil and gas production existed in Kane and Garfield Counties. From 1992 until 1996, 336,313 barrels of oil were produced in the GSENM. No natural gas was produced during that time. (2.b.Upper Valley GSE Production.pdf).
- ii. No coal was produced from the GSENM in the five years preceding designation. A regional analysis/FEIS for mining was completed in 1979 (3.b.FINAL EIS - Dev of Coal Resources in Southern Utah Title Pages.pdf). Exploration activities and planning for mining operations continued from the 1980's until the monument designation.
 - 64 coal leases (~168,000 acres) were committed and a plan was submitted for Andalex Resources' Smoky Hollow Mine. The plan proposed mining on 23,799 acres of the area leased in GSENM. In the mid-1990's an EIS was initiated (3.b.4.b.Warm Springs Smoky Hollow PDEIS December 1995_Coveronly.pdf).
 - 600+ exploration drill holes were completed prior to GSENM designation to defined the coal geology to plan for underground mines (See 3.b.BLM 1996-1997 Kaiparowits Coal Report - DRAFT.pdf and <https://pubs.usgs.gov/of/1996/OF96-539>)
- iii. Information related to energy transmission infrastructure and lands and realty actions is included in the table below:

Grand Staircase-Escalante National Monument Existing Rights-of-Way/Permits/All Dispositions Authorized/Closed/Relinquished/Withdrawn/Expired/Terminated/Cancelled/Pending/ Rejected/Void 01/01/1991 09/24/1996 (In March 1999, BLM added Case Recordation components to the LR2000 Database System; therefore, some of the pre-LR2000 data may remain in the Status Database)	
Existing Withdrawals: PSR, PWR, Bureau of Reclamation, Forest Service Wilderness, Power Site, National Park Service, In Trust for Indians	1
Roads ROWs	8
Misc. Roads - Sec 107 Federal Aid Hwy, RS2477, Mineral Material Sites	1
Power Transmission Lines & Power Facilities	1
Communication Sites Telephone, Telegraph, Radio Transmission, Global Positioning Systems	1
Water ROWs, Irrigation Facilities	0
Oil & Gas Pipelines, Oil & Gas Facilities	2
Other FLPMA ROWs, Perpetual Easements, Federal Facilities	6
Airport	0
Permit - 302 FLPMA Misc.	25
Permits Film - 302 FLPMA (popular location (closed))	0

c. Minerals - annual mineral production on site

- i. The alabaster quarries were the only authorized locatable minerals operation (dating to 06/30/1986) in the area prior to designation.
- ii. Mineral materials, primarily sand and gravel and riprap, were extracted from

developed pits by counties and commercial entities for local use. There were eight Mineral Material Cases in the monument at designation, and most were Free Use Permits granted to the county.

- d. Timber - annual timber production on site (in board-feet, CCF, or similar measure)
 - i. No commercial timber production pre/post Monument designation.
 - ii. Prior to designation, the Kanab and Escalante Resource Areas were open to firewood cutting.
 - e. Grazing - annual grazing on site (AUMs active and billed)
 - i. Grazing on the Monument Fact Sheet (2.e_GSENM Grazing EIS Fact Sheet 05-08-2017.pdf).
 - ii. Grazing AUMs/ Active and billed (2.e._GSENM Grazing AUMs)
 - iii. When the Monument was designated, there were 106,645 total AUMs, with 77,400 of these active. Today, there are 106,202 total AUMs and 76,957 are active. In 1999, an adjustment in AUM levels was made to resolve riparian resources issues and address recreation conflicts.
 - f. Subsistence - participation rates for subsistence activities occurring on site (fishing, hunting, gathering); quantities harvested; other quantifiable information where available
 - i. There are no known true subsistence activities occurring on GSENM or prior to its designation. Recreational fishing, hunting and gathering data from RMIS is not available prior to designation.
 - g. Cultural - list of cultural uses/values for site; number of sites; other quantifiable information where available
 - i. In the five year period prior to designation of GSENM, a total of approximately 358 cultural resource sites were documented in what was to become GSENM, or about 72 sites/year. Following designation, approximately 3,219 sites were documented, or about 161 sites/year. This increase reflects the increased funding and greater research opportunities following GSENM designation.
 - ii. In the five year period prior to designation of GSENM, a total of approximately 3991 acres of new cultural resource surveys were conducted in what was to become GSENM, or about 798 acres/year. Following designation, approximately 41,024 acres of new cultural resource surveys were conducted, or about 2051 acres/year. This increase reflects the increased funding and greater research opportunities following GSENM designation, as well as substantial habitat improvement projects.
4. Information on activities that likely would have occurred annually from the date of designation to the present **if the Monument had not been designated**

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5. Changes to boundaries - dates and changes in size

- i. Monument Designation September 18, 1996 (1,878,465 acres).
- ii. H.R.3910, Automobile National Heritage Area Act, Public Law 105-355, Nov. 6, 1998, 112 Stat. 3253. 1,884,011 acres, net gain of approximately 5,546 acres (See 5.a.H.R.3910_Automobile National Heritage Area Act Synopsis)
- iii. H.R.377, Public Law 111-11, 2009, Boundary change and purchase for Turnabout Ranch, approximately 25 acres removed from GSENM (See 5.c.GSENM_Boundary_SaleHR3777_PL111-11_Turnabout.pdf)
- iv. Utah Schools and Land Exchange Act 1998: State of Utah School and Institutional Trust Lands Administration lands within the boundaries of GSENM were exchanged. The Federal government received all State inholdings in GSENM (176,699 acres) while the State Received \$50 million plus \$13 million in unleased coal and approx 139,000 acres including mineral resources. The Federal Government received additional State holdings within other National Park Service and US Forest Service units. (See 5.1998_Utah school Land Exchange_PL105-335.pdf)
- v. Small acquisitions of inholdings, private land located within the Monument boundary, have occurred since designation. The acquisitions have not resulted in boundary adjustments, but have increased total Federal land ownership. More information is available upon request.

6. Public Outreach prior to Designation - outreach activities conducted and opportunities for public comment

- i. No public outreach documents are available.

7. Terms of Designation

- i. Refer to Proclamation for the terms of designation.
- ii. GSENM has additional data describing terms of the designation
 - Presidential remarks announcing the designation of GSENM (7.1_Remarks Announcing GSENM_pg1782-2).
 - Secretary of the Interior Memo to the President describing the objects and providing a listing of Monument Objects and a bibliography of Monument object data (7.2_8-15-96 Secretarial_Memo).
 - Secretary of the Interior Memo to the BLM Director describing Interim Management Direction for GSENM (7.3_11-6-96 Secretarial_Memo).

Executive Summary of Review of National Monuments under EO 13792 (April 26, 2017)

Key Information about Bears Ears National Monument

Bears Ears National Monument (BENM) consists of 1,351,849 acres in San Juan County, Utah, jointly managed by the Bureau of Land Management (BLM) and the U.S. Forest Service (USFS) (1.063 million acres managed by the BLM; 290,000 acres managed by the USFS). Located in southeast Utah's canyon country, BENM offers unparalleled recreation opportunities. The area is one of the most significant cultural landscapes in the United States, with thousands of archaeological sites and important areas of spiritual significance to American Indian tribes.

Summary of Public Engagement Prior to Designation

The idea of a national monument in this area is not a new one: calls for protection of the Bears Ears area began more than 80 years ago. Six years ago, several tribes began working on a specific proposal to protect this area under the Antiquities Act. Last year, at the invitation of the tribes, senior representatives from DOI and the USFS attended an Inter-Tribal Council meeting in the field at the Bears Ears buttes to engage in government-to-government dialogue. In July 2016, Secretary Jewell was joined at a public meeting in Bluff, Utah, by Department of Agriculture Under Secretary for Natural Resources and Environment Robert Bonnie, Principal Deputy Assistant Secretary for Indian Affairs Larry Roberts, BLM Director Neil Kornze, National Park Service Director Jon Jarvis, and staff from the offices of Governor Herbert, Congressman Chaffetz, Congressman Bishop, Senator Lee, and Senator Hatch. At the meeting, an overflow crowd of over 1,500 citizens attended. The majority of speakers encouraged permanent protection for this iconic landscape, as did the majority of almost 600 written comments. On that trip, senior officials also met with a number of local stakeholders to discuss protection of the area, including a meeting with the San Juan County Commission that was well-attended by local citizens. The Governor, members of Utah's congressional delegation, and the San Juan County Commission support protection for the area, but unanimously opposed monument designation.

The boundary of BENM is largely congruent with similar designations in the Utah Public Lands Initiative (UPLI) (H.R. 5780), which was introduced by Representatives Bishop and Chaffetz after extensive consultations with stakeholders. Their UPLI, which Governor Herbert also supported, proposed to conserve roughly the same area as the BENM by designating two National Conservation Areas (Indian Creek and Bears Ears) as well as the Mancos Mesa Wilderness. The UPLI also proposed to designate most of the current Wilderness Study Areas as wilderness.

There is overwhelming support from tribal governments for protecting this important cultural landscape. A coalition of five federally recognized tribes – Hopi, Navajo, Ute Mountain Ute,

Zuni, and Ute Indian Tribe of the Uinta Ouray – came together to develop a proposal for protecting 1.9 million acres of public land in the Bears Ears area, which is the ancestral grounds of numerous tribes in the region and remains an important area for traditional and ceremonial use. Over two dozen other tribes endorsed their proposal, as well as the National Congress of American Indians. All seven tribes located in Utah and the Utah Tribal Leaders Association endorsed the proposal. The Navajo Nation, which has seven chapter houses located in Utah, has supported the proposal at its highest levels, including support from its President and the Navajo Nation Council. Six of their seven chapter houses in Utah support the monument proposal, and the one that has rescinded its support has instead advocated for protecting the area through the Public Lands Initiative. To reflect tribal expertise and traditional and historical knowledge, the monument proclamation established a Bears Ears Commission, which enable tribes to share information and advice with federal land managers.

Summary of National Monument Activities since Designation

The BLM-Utah Monticello Field Office has identified a list of priority projects needed to improve visitor safety, protect resources, and enhance visitor experiences and have made significant progress in planning and implementation of these projects. The BLM-Utah has also developed informational materials including maps, brochures, and website materials. Design work for portal signs is also nearly complete. The Bears Ears Tribal Commission has been established, with representatives identified for each of the tribes noted in the proclamation. The BLM has participated in two in-person meetings with the Commission and have started to identify opportunities to work together. The BLM has coordinated with the USFS on day-to-day activities and initiated discussions regarding short- and long-term management needs. A coordination call is held between the agencies on a weekly basis to discuss ongoing action items, including responses to public inquiries. The BLM prepared a Monument Advisory Committee (MAC) Charter (signed by Secretary Jewell) and a Federal Register Notice calling for nominations to the MAC (not yet published).

Summary of Activities in Area for 5 years Preceding Pre-Designation

These lands have been managed according to the 2008 Monticello Resource Management Plan, which includes multiple-use management objectives. Approximately 727,000 acres (68 percent) of the BLM lands that are within the monument are afforded a level of protection under the existing land use plan under other designations such as Wilderness Study Areas, natural areas, Areas of Critical Environmental Concern, or Special Recreation Management Areas. There has been no change in day-to-day management since designation of BENM.

Summary of Available Economic Information since Designation

A cursory review of mineral potential is included in the Drive folder.

Summary of Any Boundary Adjustments since Designation

Not applicable. The proclamation establishing the 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 Jan. 19, 2017, regarding the potential for the exchange. In response, the BLM drafted an MOU for review by the Utah State Institutional Trust Lands Administration (SITLA). SITLA has temporarily declined to participate in review of the MOU pending the outcome of the monument review under the executive order. The BLM anticipates that at the conclusion of the review process, SITLA will be receptive to dialog regarding exchange opportunities.

Call for Data Related to Review of National Monuments under EO 13792 (April 26, 2017)

1. Documents Requested

a. Resource Management Plans/Land Use Plans

- i. Bears Ears National Monument (BENM) has not yet initiated a Monument Management Plan (MMP). The 2008 Monticello RMP will be followed in the interim. The entire Monticello RMP (DEIS/FEIS/ROD) can be accessed here: <https://eplanning.blm.gov/epl-front-office/eplanning/planAndProjectSite.do?method=renderDefaultPlanOrProjectSite&projectId=68097&dctmId=0b0003e880befb7c>. A copy of the 5-year RMP Evaluation is also in this folder (1.a.Monticello_RMP_Evaluation_September_2015.pdf).

b. Record of Decision

- i. BENM has not yet initiated a Monument Management Plan. The 2008 Monticello RMP will be followed in the interim. The ROD is in this folder (1.b.Monticello_Final_Plan_ROD.pdf) and can be accessed here: https://eplanning.blm.gov/epl-front-office/projects/lup/68097/85493/102694/Monticello_Final_Plan.pdf. Approximately 1,000 acres of BENM is within the Moab Field Office. The Moab RMP is located here: <https://eplanning.blm.gov/epl-front-office/eplanning/planAndProjectSite.do?method=renderDefaultPlanOrProjectSite&projectId=66098&dctmId=0b0003e880bf5947>

c. Public Scoping Documents

- i. Public scoping has not yet been initiated for a BENM MMP. The first public comment period post- designation associated with BENM is the DOI Notice of Opportunity for Public Comment.

d. Presidential Proclamation

- i. Proclamation 9558 of December 28, 2016 is in this folder (1.d.Bears Ears Presidential Proclamation.pdf).

2. Information on activities permitted at the Monument, including annual levels of activity from the **date of designation to the present (Designation date for BENM is December 28, 2016 - information is not yet available for most of FY17)**

a. Recreation - annual visits to site

- i. The BLM uses the Recreation Management Information System (RMIS) to report visitor use. Full reporting for annual visitation 2017 will not be available until the end of September.
- ii. Specific visitation information to the BENM is not available at this time. The Monticello Field Office confirms that:
 - Requests for overnight reservations in the Cedar Mesa area and day use permits for the Mcloyd Canyon/Moonhouse area, which are both popular

recreation spots within the BENM, have increased since monument designation.

- Campgrounds in the Moab and Monticello Field Offices have remained full through much of this spring season, even on non-weekend days, and the number of overnight visitors is higher compared to this same time last year.
- iv. The number of recorded visitors to the Kane Gulch ranger station during the months of March and April was higher than in previous years. Included below are visitor numbers from the Kane Gulch ranger station.
- 2013 - 3,484 visitors
 - 2014 - 3,730 visitors
 - 2015 - 4,344 visitors
 - 2016 - 4,848 visitors
 - 2017 - 6,535 visitors
- b. **Energy - annual production of coal, oil, gas and renewables (if any) on site; amount of energy transmission infrastructure on site (if any)**
- i. There are no producing oil and gas wells and no coal developments in BENM. While public lands in the monument are now withdrawn from mineral leasing, valid existing rights were protected under the proclamation. Therefore, development on existing leases could occur.
 - ii. There are 25 authorized federal oil and gas leases (29,416 acres) that are partially or wholly contained within the area that is now the BENM. The effective date on these leases ranges from 1972-2012. There are no authorized or pending APDs associated with these leases.
 - iii. Since 1920, 250 wells have been drilled in the BENM. The last wells were drilled in 1993. Of the 250 wells drilled, three wells have produced economical quantities of oil and gas. The last producing well was drilled in 1984.
 - iv. Since designation of the BENM, there has been no new construction of energy transmission infrastructure.
- c. **Minerals - annual mineral production on site**
- i. There are no active mining operations in the BENM. There is one commercial mineral materials site. The permit for this site was renewed on March 13, 2016, for a 10-year period. Production over the next 10 years is limited to 200,000 cubic yards (cu yds) at a rate of \$1.08 per cu yd. Due to the short timeframe since designation (five months), it is not possible to calculate the annual mineral production since designation.
- d. **Timber - annual timber production on site (in board-feet, CCF, or similar measure)**
- Timber production in the BENM is limited to non-commercial Christmas tree cutting permits, and permits for the collection of wood products

(i.e., posts and firewood). Due to the short timeframe since designation (five months), it is not possible to calculate the annual timber production since designation. Collection of forest products, and firewood for personal noncommercial use is allowed under the monument proclamation.

- e. **Grazing - annual grazing on site (AUMs permitted and sold)**
 - i. There are 20 allotments wholly or partially contained within BENM. These allotments include 50,469 permitted Animal Unit Months (AUMs). Allotment boundaries do not coincide with the BENM boundary, and therefore it is not possible to calculate the number of AUMs currently permitted within the monument. Due to the short timeframe since designation (five months), it is not possible to calculate the annual AUMs sold.
- f. **Subsistence - participation rates for subsistence activities occurring on site (fishing, hunting, gathering); quantities harvested; other quantifiable information where available**
 - i. Subsistence activities are those that provide the bare essentials for living: food, water, and shelter. The Federal Subsistence Management Program provides opportunities for subsistence way of life in Alaska on federal public lands and waters. There are no formal subsistence programs outside of Alaska. BENM does provide for the collection of certain natural materials, including firewood by Native American Indians, under BLM permit. Information regarding firewood collection is included under the discussion of timber production.
 - ii. RMIS data provides the number of permitted/guided and recreational hunting activities and fishing activities (BENM_5YearRecreationData). These numbers do not reflect the actual number of licensed hunters/fishermen. That data is available from Utah Division of Wildlife Resources. The entire BENM is open for hunting and fishing, which is regulated by Utah Division of Wildlife Resources.
- g. **Cultural - list of cultural uses/values for site; number of sites; other quantifiable information where available**
 - i. The BENM was designated at the request of the Bears Ears Inter-Tribal Coalition. The Inter-Tribal Coalition, which includes the Hopi, Zuni Tribe, Navajo Nation, Ute Mountain Ute, and Northern Ute, have stated that the entire 1.35 million-acre BENM includes important cultural values. The importance of these values, which was recognized in the monument proclamation, are discussed in the Inter-Tribal Coalitions monument proposal (2.g.Bears-Ears-Inter-Tribal-Coalition-Proposal.pdf), which was submitted to the department on Oct. 15, 2015. The cultural values of the area are also explained in the proclamation.
 - ii. Tribes use the BENM for ceremonies and to visit sacred sites. Traditions of

hunting, fishing, gathering, and wood cutting are still practiced by tribal members, as is collection of medicinal and ceremonial plants, edible herbs, and materials for crafting items like baskets and footwear. The BLM issues free use permits for collection of materials for ceremonial purposes.

- iii. According to the Utah State Historic Preservation Office (SHPO), as of Feb. 6, 2017, there are 8,480 recorded archaeological sites and four archaeological districts within BENM. According to the National Register Bulletin 36: Guidelines for Evaluating and Registering Archeological Properties, a “district” is a grouping of sites, buildings, structures, or objects that are linked historically by function, theme, or physical development or aesthetically by plan. The following archaeological districts are either completely within or partially within the BENM: Butler Wash, Grand Gulch, Natural Bridges, and the Salt Creek Archaeological District.
- iv. More than 70 percent 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 subsurface 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.
- v. The BLM has not completely surveyed the monument. The total percentage of the BENM that has been surveyed for cultural resources is 9.2 percent.

3. Information on activities occurring during the **5 years prior to designation**

- a. Recreation - annual visits to site
 - i. The BLM uses the RMIS to report visitor use. BENM is a subset of the Monticello Field Office. RMIS data for the Monticello Field Office is included in the folder (2.a.RMISData_SelectInfo_2012_2016.pdf).
- b. Energy - annual production of coal, oil, gas and renewables (if any) on site; amount of energy transmission infrastructure on site (if any)
 - i. There was no energy production from coal, oil, gas, or renewables during the five years prior to designation (2012-2016). The last producing oil and gas well was drilled in 1984. The last well was drilled in 1993.
 - ii. No energy transmission infrastructure was constructed within the BENM during the five years prior to designation. There are 13 existing power transmission lines that intersect the BENM. These lines were constructed from 1969-1984. There are four oil and gas pipelines or related facilities that were constructed in 1963. Additional information on energy transmission infrastructure and other lands and realty actions is attached (3.b.Lands_and_Realty.pdf).
- c. Minerals - annual mineral production on site

- i. During the five years prior to designation, mineral production was limited to one mineral material site. The permit for this site was renewed on March 13, 2016, for 10 years. Production over the next 10 years is limited to 200,000 cubic yards (cu yds) at a rate of \$1.08 per cu yd. Production numbers for the past five years are included below. This production occurred at a rate of .90 cents per cu yd.
 - 2011- 16,000 cu yds
 - 2012- 12,000 cu yds
 - 2013- 31,622 cu yds
 - 2014- 44,444 cu yds
 - 2015- 2,914 cu yds
- d. Timber - annual timber production on site (in board-feet, CCF, or similar measure)
 - i. During the five years prior to designation, timber production in the BENM was limited to non-commercial Christmas tree permits, and permits for the collection of wood products (i.e., posts and firewood). Production information for the site can be found the folder (3.d.Timber_Production_2012_2016). Information provided is for the entire field office and is not limited to the area that now part of the BENM. The BLM does collect location information.
- e. Grazing - annual grazing on site (AUMs permitted and sold)
 - i. There are 20 allotments wholly or partially contained within BENM. These allotments include 50,469 permitted AUMs. Allotment boundaries do not coincide with the BENM boundary, and therefore it is not possible to calculate the number of AUMs currently permitted within the monument boundary. AUMs sold during the past five years are included below.
 - 2012- 27,836 AUMs
 - 2013- 29,175 AUMs
 - 2014- 32,193 AUMs
 - 2015- 32,129 AUMs
 - 2016- 36,402 AUMs
- f. Subsistence - participation rates for subsistence activities occurring on site (fishing, hunting, gathering); quantities harvested; other quantifiable information where available
 - i. As previously mentioned, subsistence activities are those that provide the bare essentials for living: food, water, and shelter. The Federal Subsistence Management Program provides opportunities for subsistence way of life in Alaska on federal public lands and waters. There are no formal subsistence programs outside of Alaska. BENM does provide for the collection of certain natural materials, including firewood by Native American Indians, under BLM permit. Permits issued to American Indians for collection are accounted for in the annual timber production numbers.

g. Cultural - list of cultural uses/values for site; number of sites; other quantifiable information where available

i. See response to 2.g.

4. Information on activities that likely would have occurred annually from the date of designation to the present **if the Monument had not been designated**

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5. Changes to boundaries - dates and changes in size

- i. There have been no changes to boundaries.

6. Public Outreach prior to Designation - outreach activities conducted and opportunities for public comment

- i. The public process preceding BENM designation is outlined in the document 6.Bears Ears Fact Facts QA.pdf (released with the DOI/USDA joint press release on 12/28/16) in this folder. Secretary Jewell held a public meeting in Bluff, Utah in July 2016. See also:
<https://www.doi.gov/pressreleases/secretary-jewell-under-secretary-bonnie-john-utah-local-leaders-public-meeting-hear>.

7. Terms of Designation

- i. Refer to Proclamation for the terms of designation. No additional background (e.g., legislated land exchanges or Congressional budget provisions, etc.).

Executive Summary of Review of National Monuments under EO 13792 (April 26, 2017)

Key Information about Grand Staircase Escalante National Monument

Grand Staircase-Escalante National Monument (GSENM), established by Presidential Proclamation on September 18, 1996, was the BLM's first national monument. The BLM manages for multiple use within the Monument (hunting, fishing, recreation, grazing, and valid existing rights such as oil production, etc.), while protecting the vast array of historic and scientific resources identified in the Proclamation and providing opportunities for scientific study of those resources. The resources identified in the Proclamation include geologic features of exposed stratigraphy and structures, renowned paleontological sites, archaeological sites that demonstrate extensive use of the area by ancient Native American cultures with thousands of recorded cultural sites, a rich expanse of human history, and five life zones of outstanding biological resources.

Summary of Public Engagement Prior to Designation

GSENM was designated in 1996 without public engagement. However, the area in southern Utah had long been considered, discussed and evaluated for the possibility of providing greater recognition of and legal protection for its resources. In 1936, the National Park Service (NPS) considered making a recommendation to President Roosevelt to designate a 6,968 square mile "Escalante National Monument" (which also extended to portions of Bears Ears National Monument). A second NPS proposal proposed a 2,450 square mile National Monument (Background folder-Google Drive). In the late 1970's, the area was evaluated for its wilderness characteristics under FLPMA, and more than a dozen wilderness study areas, totaling about 900,000 acres, were established in the area.

Summary of Public Scoping in Development of Resource Management Plan

GSENM's Monument Management Plan included substantial outreach, public scoping and comment periods according to land use planning regulations and policies. Over 6,800 individual letters were received during the public scoping period. Similar public outreach efforts are underway for the Livestock Grazing Monument Management Plan Amendment and Environmental Impact Statement.

Summary of National Monument Activities since Designation

In the 20 years since Grand Staircase-Escalante National Monument was designated, a wealth of scientific knowledge has been discovered, with significant archaeological, paleontological, biological, ecological and geological discoveries on the Monument. The Kaiparowits Plateau contains a plethora of paleontological specimens - twelve new dinosaur species have been discovered since designation. The scientific research and discoveries were outlined and highlighted through a series of three "Learning from the Land" Symposiums, in 1997, 2006 and 2016 (Symposium folder on google drive). A Monument Management Plan was completed in 2000, ensuring continued management of multiple uses and valid existing rights. Recreational use, including commercial Special Recreation Permits has increased substantially. GSENM provides visitor services and information at four visitor centers in

neighboring towns to support the increasing visitor and commercial use on the Monument and to foster tourism in gateway communities. A summary of GSENM activities for 2016 can be found in the Monument Manager's Report in the Background folder on the google drive.

Summary of Activities in Area for Five years Preceding Pre-Designation

Prior to the 1996 designation of GSENM, the public land was managed by the Bureau of Land Management, within two resource areas: the Kanab Resource Area and the Escalante Resource Area. The lands were used primarily for scientific study, primitive recreation and livestock grazing. Overall permitted livestock grazing use within the Monument is at roughly the same level now as it has been since the early 1990s. When the Monument was designated, there were 106,645 total Animal Unit Months (AUMs), with 77,400 of these active. Today, there are 106,202 total AUMs and 76,957 are active. In 1999, an adjustment in AUM levels was made to resolve riparian resources issues and address recreation conflicts. In October, 1991, the Utah Statewide Wilderness Study Report was submitted to Congress. Within that recommendation, 881,997 acres within 16 Wilderness Study Areas (WSAs) were included within the area that would become GSENM (47 percent of the Monument). WSAs are managed so as not to impair the suitability of such areas for preservation as wilderness.

Summary of Available Economic Information since Designation

Economic research by external parties has been completed and includes GSENM-specific information in several reports including the 2016 Economic Snapshot-Grand Staircase-Escalante National Monument, the 2011 and 2014 Headwaters Economic Report, and a 2004 research paper by Dr. Steven Burr, Director of the Institute for Outdoor Recreation and Tourism at Utah State University. In addition, a Socioeconomic Baseline Report was completed for the Livestock Grazing Plan Amendment EIS in 2015. These documents, along with additional economic research, are provided in the Economic subfolder in Google Drive.

Summary of Any Boundary Adjustments since Designation

Since designation, there have been two congressional boundary adjustments as well as an exchange of all of the State of Utah School and Institutional Trust Lands Administration (SITLA) lands within the Monument boundaries. When the Monument was designated, it encompassed 1,878,465 acres. In 1998, H.R. 3910, the Automobile National Heritage Area Act (Public Law 105-355), resulted in a boundary change to 1,884,011 acres, a net gain of approximately 5,546 acres. In 2009, H.R. 377, the Omnibus Public Land Management Act (Public Law 111-11), directed a boundary change and purchase for the Turnabout Ranch, resulting in the removal of approximately 25 acres from GSENM. The Utah Schools and Land Exchange Act of 1998 exchanged State/SITLA lands within the boundaries of GSENM. The federal government received all State inholdings in GSENM (176,699 acres) while the State received \$50 million in cash plus \$13 million in unleased coal and approximately 139,000 acres, including mineral resources. The federal government received additional State holdings within other NPS and US Forest Service units as part of the same exchange.